

**THE STATE HORSE RACING COMMISSION  
MEETING MINUTES**

**November 29, 2017**

*A public business meeting of The State Horse Racing Commission was held at the following date, place and time: FARMSHOW Complex in the Susquehanna room in Harrisburg, PA, Wednesday, November 29, 2017 at 1:00 P.M.*

*Commissioners in attendance were: Chairman Russell Redding, Thomas Jay Ellis, C. Edward Rogers, Michele C. Ruddy, Darryl Breniser, Salvatore DeBunda, Russell Jones, Robert Lark and Dr. Corinne Sweeney by phone. Also present were Commission legal counsel Brook Duer and Jorge Augusto.*

*The Chair called the meeting to order. Legal counsel noted that the meeting has been advertised in accordance with the Sunshine Law. Legal counsel noted that executive session was conducted at 11:00 a.m. for discussion of potential topics: Personnel matters; attorney-client privileged communication; litigation; commission adjudications.*

Chairman Redding welcomed everyone to Harrisburg.

**I. PUBLIC HEARING AND ORAL ARGUMENTS**

1. Motion to Quash and/or Limit Subpoena Duces Tecum
2. Appeals of Suspension filed by:
  - a. Juan Carlos Guerrero
  - b. Silvio Martin
  - c. MZ Racing Partnership
  - d. MZ Racing Stable
  - e. Marcous Zuluetta

**II. NEW BUSINESS: ADMINISTRATIVE ACTIONS**

**2 (A) 2: Minutes of the October 26, 2017,** meeting were emailed to the Commissioners for their review in advance of the meeting.

Motion by: Commissioner Ellis  
Second by: Commissioner Breniser  
Passed: Unanimously to accept the October 26, 2017 meeting minutes.

Financials:

**2 (A) 3: Tracee Gotwalt presented the October financial statements.**

Motion by: Commissioner Ellis  
Second by: Commission Lark  
Passed: Unanimously to accept the October financial statements.

PETRL Update:

**2 (A) 4:** Dr. Mary Robinson spoke to the Commission about the many improvements that have happened at the Pennsylvania Equine Toxicology Laboratory since she had taken over the duties of Director. Many lab pieces and equipment have been replaced and have multiyear service agreements. There is a very successful team of employees who work on both the forensic side and research side of the equation along with the ARCI accreditation and A2LA accreditation makes our lab one of the best in the country.

Motions:

**2 (B) 1:** 2018 Commission Meeting Schedule Approval

Motion by: Commissioner Lark

Second by: Commissioner DeBunda

Passed: Unanimously to accept the 2018 Commission Meeting Schedule.

**2 (B) 2:** 2018 Thoroughbred Breeders Budget

Motion by: Commissioner Jones

Second by: Commissioner DeBunda

Passed: Unanimously to accept the 2018 Thoroughbred Breeders Budget.

**2 (B) 3 (A):** December 2017 Simulcast calendars for the 3 Standardbred tracks.

**2 (B) 3 (B):** December 2017 Simulcast calendars for the 3 Thoroughbred tracks.

**2 (B) 3 (C):** Motion to approve the following Operational matters for all six tracks.

1. Penn National

- i. Requests approval on 185 Live Race Days in 2018 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2018 as submitted and filed with the Commission office.
- iii. Requests approval on Take out Rates for 2018 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2018 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2018 as submitted and filed with the commission office.
- vi. Requests approval on Simulcast Out for 2018 as submitted and filed with the Commission office.

2. Parx

- i. Requests approval on 170 Live Race Dates for 2018 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2018 as submitted and filed with the Commission office.
- iii. Requests approval on Take out Rates for 2018 as submitted and filed with the Commission office.

- iv. Requests approval on Wagering Format for 2018 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2018 as submitted and filed with the Commission office.
- vi. Requests approval on Simulcast Out for 2018 as submitted and filed with the Commission office.

3. Presque Isle Downs

- i. Requests approval on 100 Live Race Dates for 2018 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2018 as submitted and filed with the Commission office.
- iii. Requests approval on Take Out Rates for 2018 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2018 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2018 as submitted and filed with the Commission office.
- vi. Requests approval on Simulcast Out for 2018 as submitted and filed with the Commission office.

4. The Meadows

- i. Requests approval on 195 Live Race Dates for 2018 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2018 as submitted and filed with the Commission office.
- iii. Requests approval on Take Out Rates for 2018 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2018 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2018 as submitted and filed with the Commission office.
- vi. Requests approval on Simulcast Out for 2018 as submitted and filed with the Commission office.

5. Mohegan Sun at Pocono Downs

- i. Requests approval on 136 Live Race Dates for 2018 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2018 as submitted and filed with the Commission office.
- iii. Requests approval on Take Out Rates for 2018 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2018 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2018 as submitted and filed with the Commission office.
- vi. Requests approval on Simulcast Out for 2018 as submitted and filed with the Commission office.

6. Harrah's Philadelphia

- i. Requests approval on 150 Live Racing Dates for 2018 as submitted and filed with the Commission office.
- ii. Requests approval on Officials for 2018 as submitted and filed with the Commission office.
- iii. Requests approval on Take Out Rates for 2018 as submitted and filed with the Commission office.
- iv. Requests approval on Wagering Format for 2018 as submitted and filed with the Commission office.
- v. Requests approval on Simulcast In for 2018 as submitted and filed with the Commission office.
- vi. Requests approval on Simulcast Out for 2018 as submitted and filed with the Commission office.

Motion by: Commissioner Breniser

Second by: Commissioner Lark

Passed: Unanimously to accept items A-B-C for the various tracks requests for December. See attached agenda.

**III. LICENSING AND ADJUDICATIONS**

Licensing Matter:

Harness Racetrack License Application Update: Counsel Augusto informed the Commission that as of the November 28<sup>th</sup> deadline no submissions were made and no application received.

Licensing Racing Entity Renewal/Electronic Wagering Petition for 2018:

- Parx
- Penn National
- Presque Isle Downs
- The Meadows
- Mohegan Sun at Pocono Downs
- Harrah's Philadelphia

Motion by: Commissioner Ellis

Second by: Commissioner Rogers

Passed: Unanimously to approve the 2018 Racing Entity Licenses and Electronic wagering petition.

Adjudications:

1. Motion to Quash and/or Limit Subpoena Duces Tecu  
*(consolidated into the Commission administrative suspension hearing below by Presiding Officer and agreements of parties.)*
2. Appeals of Suspension filed by:
  - a. Juan Carlos Guerrero
  - b. Silvio Martin
  - c. MZ Racing Partnership
  - d. MZ Racing Stable

e. Marcous Zuluetta

Motion by: Commissioner Jones

Second by: Commissioner Roger

Passed: With two abstentions from Commissioner Lark and Ellis, to Deny the Motion to Quash and uphold the suspensions.

Pending Appeal Numbers and Status:

Legal Counsel Jorge Augusto provided the Commissioners with an updated report for their binder.

**IV. OLD BUSINESS**

Marketing:

Ms. Eisenbeil reported on the successful Standardbred Sale with a 1.5% gross increase over 2016 numbers. Over 1,511 horses were sold for \$53 million dollars. The Mixed Two Day sale was up 22% with 660 horses bought for \$19.5 million. US buyers spent more than \$38.8 million dollars during the Yearling and Mixed sales with Foreign buyers spending more than \$13.1 million.

The Savvy Group was picked as the best candidate to the market research for the Statewide branding campaign. The Savvy Group will be starting immediately to gather the information needed.

Motion by: Commissioner Rogers

Second by: Commissioner Breniser

Passed: Unanimously to approve The Savvy Group to run the marketing research that will be used to craft a statewide racing branding campaign.

Communication Plan:

Ms. Eisenbeil asked the Advisory Committee per the commissioner's request for their feedback on the Commission Communications Plan. Written comments were provided to the commissioners. Over all feedback was very good but there some areas of concern including timeliness and the approval process for media content to be released and not including the racetracks and wagering in any marketing.

Pennsylvania Equine Coalition letter:

Jan L. Budman II, Esquire, sent a letter to the commission on behalf of the Pennsylvania Equine Coalition discussing the topic of the Marketing Director and the Commission being an independent entity from the Department of Agriculture.

**V. INDUSTRY REPORTS**

Brian Sanfratello, Executive Director of the PHBA, reported on the following PHBA activities.

1. Monthly newsletter
2. The 2018 Thoroughbred Breeders Budget that was just approved.
3. The 2017 Mare Bred statistics.

**VI. PUBLIC COMMENT**

Bryan Langlois spoke to the commission about several matters including the posting of steward's minutes, hiring an Equine Medical Director and NTRA accreditation for all thoroughbred tracks.

**VII. ANNOUNCEMENTS**

Chairman Redding announced the next meeting will be held on Wednesday, December 20, 2017, at the FARMSHOW Complex at 2300 North Cameron Street, Harrisburg, PA 17110.

- Executive Session 11:00 A.M.
- Regular Session 1:00 P.M.

**VIII. ADJOURNMENT**

There being no further business, the meeting was adjourned.

Respectfully submitted,

Thomas F. Chuckas Jr.  
Bureau Director  
Bureau of Thoroughbred Horse Racing

Brett Revington  
Bureau Director  
Bureau of Standardbred Horse Racing