

**THE STATE HORSE RACING COMMISSION
MEETING MINUTES**

September 26, 2018

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, September 26, 2018 at 1:00 P.M.

Commissioners in attendance were: Chairman Russell C. Redding, C. Edward Rogers, Dr. John Egloff, Salvatore DeBunda, Robert Lark, Michele Ruddy, Darryl Breniser and Thomas Jay Ellis. Also present were Commission counsel Jorge Augusto, Marjia Kuren and Abbey Guida from the Office of General Counsel.

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 10:30 a.m. to engage in quasi-judicial deliberations regarding the adjudications, attorney-client privilege communication and litigation matters.

Chairman Redding welcomed everyone to Harrisburg. Chairman Redding gave notice of the Special Commission meeting held on September 13, 2018, to discuss the FY 2019-2020 budget submission for approval at the September 26, 2018, commission meeting. The meeting was recessed and left open, no agency action was taken in the following executive session which only discussed attorney client. A motion was taken to adjourn the September 13, 2018, meeting.

Motion by: Commissioner DeBunda

Second by: Commissioner Lark

Passed: Unanimously to accept the adjournment of the September 13, 2018, Special Commission meeting discussing the FY 2019-2020 Budget submission.

I. EXECUTIVE SESSION

II. NEW BUSINESS: ADMINISTRATIVE ACTIONS

(A) 2: Minutes of the August 28, 2018, meeting as 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 August 28, 2018 meeting minutes.

Financials:

(A) 3: Tracee Gotwalt presented the August financial statements.

Motion by: Commissioner DeBunda

Second by: Commission Rogers

Passed: Unanimously to accept the August financial statements.

Motions:**(B) 1: Tracee Gotwalt presented the FY 2019-2020 Budget Submission.**

Motion by: Commissioner Ellis

Second by: Commissioner Rogers

Passed: Unanimously to accept the FY 2019-2020 Budget Submission.

(B) 2 (I) (A): October 2018 Simulcast calendars for the 3 Standardbred tracks.

(B) 2 (I) (B): October 2018 Simulcast calendars for the 3 Thoroughbred tracks.

(B) 2 (I) (C): Motion to approve Penn National request to adjust post time effective Wednesday, October 3, 2018, adjusting each race three to five minutes. 1st race 6:05 pm, 2nd race 6:31 pm, 3rd race 6:57 pm, 4th race 7:23 pm, 5th race 7:50 pm and the 8th race 9:12 pm.

Motion by: Commissioner Rogers

Second by: Commissioner Lark

Passed: Unanimously to accept items A-B-C. See agenda.

New Regulations:

(B) 3 (A): Thoroughbred

None

(B) 3 (B): Standardbred

None

(B) 3 (C): Joint

None

C. LICENSING AND ADJUDICATIONS1. Licensing Matters:

None

2. Adjudications:

- **Rocky J. Jurado (Appeal of Denied License by the Bureau Director Ruling No. 18047C).**

The State Horse Racing Commissions decision to deny Rocky J. Jurado is AFFIRMED and the stable employee license is DENIED.

Motion by: Commissioner DeBunda
 Second by: Commissioner Ellis
 Passed: Unanimously approved to accept the State Horse
 Racing Commissions decision.

- **Eduardo Rojas—Corrective Notice of Ejection from Penn National Racecourse (on Remand-Issued May 22, 2018).**

AND NOW, this 26th day of September, 2018, it appearing form Mountainview Thoroughbred Racing Association, LLC and Penn National Turf Club, LLC ("Penn National") that the underlying Corrective Notice of Ejection issued on May 22, 2018, and the subsequent Modified Licensee Ejection and Denial of Admission issued on August 27, 2018, relating to the ejection and/or denial of admission of Mr. Eduardo Rojas is no longer in effect.

AND, furthermore, it appearing that since September 1, 2018, Mr. Rojas has been allowed to enter the racing grounds, facilities, enclosures and properties of Penn National, this Commission no longer has before it a case or controversy upon which it can issue an Adjudication and Order or to otherwise grant such relief requested as provided for by 9326 of the Racing Act (3 Pa. C.S. 9326).

Accordingly, this administrative proceeding is ordered CLOSED.

Motion by: Commissioner DeBunda
 Second by: Commissioner Ellis
 Passed: Unanimously approved to accept the Board of
 Steward's decision.

- **Anthony DeFrancesco (Request for New Hearing).**

AND NOW, this 26th day of September, 2018, upon consideration that the underlying matters upon which Mr. DeFrancesco requests a new hearing were previously and fully adjudicated on June 28, 2017 and became final on July 30, 2017, and upon consideration of two previous requests for rehearing/reconsideration in these matters and finally, upon review of the Answer in Opposition to New Hearing and factual averments contained therein, Mr. DeFrancesco's request for a new hearing based on purported "new facts" is hereby DENIED.

Motion by: Commissioner Rogers
 Second by: Commissioner Egloff
 Passed: Unanimously approved to deny a new hearing for
 Mr. DeFrancesco.

3. Pending Appeal Numbers and Status:

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

D. OLD BUSINESS

1. OOCT Update:

Director Chuckas gave the Commission an update on the Out of Competition Testing

E. INDUSTRY REPORTS

The Pennsylvania Thoroughbred Horsemen's Association (PTHA) gave a 15-20 minutes presentation about how the marketing money from FY17-18 was utilized.

The Pennsylvania Horse Breeders Association (PHBA) gave a 15-20 minutes presentation about how the marketing money from FY17-18 was utilized.

The Pennsylvania Standardbred Breeders Association (SBA) gave a 15-20 minutes presentation about how the marketing money from FY17-18 was utilized.

The Meadows Standardbred Owners Association (MSOA) gave a 15-20 minutes presentation about how the marketing money from FY17-18 was utilized.

The Pennsylvania Horsemen's Benevolent and Protective Association (PA HBPA) gave a 15-20 minutes presentation about how the marketing money from FY17-18 was utilized.

The Pennsylvania Harness Horsemen's Association (PHHA) gave a 15-20 minutes presentation about how the marketing money from FY17-18 was utilized.

The Pennsylvania Horse Racing Association (Equine Coalition) gave a 15-20 minutes presentation about how the statewide marketing campaign was progressing.

F. PUBLIC COMMENT

Bryan Langlois spoke to the commission about his concerns about the Stewards speaking with the media.

G. ANNOUNCEMENTS

Chairman Redding announced the next meeting will be held on Tuesday, October 30, 2018, at the FARMSHOW Complex in the Susquehanna room at 2300 North Cameron Street, Harrisburg, PA 17110.

- Executive Session 10:30 A.M.

- Regular Session 1:00 P.M.

H. 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