

**NEW JERSEY RACING COMMISSION
WEDNESDAY, JUNE 29, 2011
LIBRARY ROOM
MONMOUTH PARK
OCEANPORT, NEW JERSEY**

A meeting of the New Jersey Racing Commission was held on Wednesday, June 29, 2011, in the Library Room of Monmouth Park, located in Oceanport, New Jersey.

The following were present:

Dennis A. Drazin, Chairman
Anthony T. Abbatiello, Commissioner
Anthony R. Caputo, Commissioner
Noel Love Gross, Commissioner
Francis X. Keegan, Jr., Commissioner
Frank Zanzuccki, Executive Director
DAG Judith A. Nason

The following were absent:

Peter J. Cofrancesco, III, Commissioner

Executive Director Frank Zanzuccki read the following statement:

“This meeting today conforms with Chapter 231, P.L. 1975, called the “Open Public Meeting Law,” and as per the requirements of the statute, notification of this meeting has been filed with the Secretary of State and with the following newspapers: Daily Racing Form, Bergen Record, Asbury Park Press, Courier-Post and the Newark Star Ledger.

WHEREAS in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits bodies to exclude the public from that portion of a meeting at which certain matters are discussed.

NOW, THEREFORE, be it resolved that consistent with the provision of N.J.S.A. 10:4-12(b), the New Jersey Racing Commission will now adjourn to executive session to obtain legal advice protected from disclosure by the attorney-client privilege on the following matters:

Legal advice concerning the request of the New Jersey Thoroughbred Horsemen's Association to reimburse trainers financially impacted by the 2011 equine herpes outbreak from available trust fund monies;

Legal advice concerning the request of the Standardbred Breeders' and Owners' Association of New Jersey to waive or modify a provision of N.J.A.C. 13:71-16.4 (Qualifying races), by increasing the time period from 30 days to 45 days from a horse's last start, pursuant to N.J.A.C. 13:71-1.34 (Waiver of commission's rules);

Legal advice concerning monies identified in P.L. 2011, c. 18, for the support of the New Jersey horse racing industry through the augmentation of purses;

Other legal advice and/or status of pending litigation.

Discussion of the above matters fall within the exceptions under the law; specifically matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the Commission's attorney to exercise her ethical duties as a lawyer."

It was noted for the record that Commissioner Gross was participating by speaker telephone.

Chairman Drazin motioned to adopt the resolution to adjourn. Commissioner Keegan seconded the motion and the Commission adjourned to Executive Session.

Chairman Drazin motioned to adopt the resolution to adjourn. Commissioner Keegan seconded the motion and the Commission adjourned to Executive Session.

The Commission ended the executive session and the public session resumed.

CONSIDER APPROVAL OF THE MINUTES OF THE PUBLIC AND EXECUTIVE SESSIONS OF THE MAY 20, 2011 COMMISSION MEETING

Chairman Drazin motioned to approve the public and executive session minutes of the May 20, 2011 public meeting. Commission Abbatiello seconded the motion and all Commissioners voted yes.

CONSIDER THE REQUEST OF THE NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION TO REIMBURSE TRAINERS FINANCIALLY IMPACTED BY THE 2011 EQUINE HERPES OUTBREAK FROM AVAILABLE TRUST FUND MONIES

Chairman Drazin recused himself from this agenda item and was seated in the audience.

Michael Musto, Executive Director of the New Jersey T.H.A. provided the Commission with a synopsis of the equine herpes outbreak which occurred on April 8, 2011 and answered question of the Commission.

Commissioner Keegan motioned to take no formal action and directed the Executive Director to issue a letter to the T.H.A. addressing the pertinent issues regarding the use of trust fund monies. Commissioner Caputo seconded the motion and all Commissioners voted yes.

CONSIDER MONIES IDENTIFIED IN P.L. 2011, c. 18, FOR THE SUPPORT OF THE NEW JERSEY HORSE RACING INDUSTRY THROUGH THE AUGMENTATION OF PURSES

Chairman Drazin recused himself from this agenda item and was seated in the audience.

Executive Director Frank Zanzuccki summarized the issue before the Commission as follows:

The enactment of Public Law 2011, Chapter 18, put in place provisions for the establishment of the Atlantic City Tourism District and identified certain monies to support the New Jersey horse racing industry through the augmentation of purses. Specifically, Section 9(a) of this Act states that:

The New Jersey Racing Commission shall determine an amount to be allocated from the amounts collected by the Division of Gaming Enforcement pursuant to this section, in an amount not exceeding \$15,000,000 in the first State fiscal year.... The moneys collected pursuant to this subsection shall be allocated to the [Casino Reinvestment Development Authority], and allocated by the Authority to the New Jersey Racing Commission to the support of the horse racing industry in this State through the augmentation of purses.

The Act requires that “[t]he amount of any funds authorized in this section to be collected and allocated in support of horse racing through the augmentation of purses shall be established by the New Jersey Racing Commission at a regular meeting of the commission.” The Act clearly states that any decision to distribute monies to the racing industry shall be set forth in the minutes to this meeting which shall be delivered to the Governor for his review and action, if any, pursuant to N.J.S.A. 5:5-22.1.

By letter dated May 16, 2011, the Commission notified the permit holders and horsemen's organizations that it would accept written submissions setting forth their positions on the amount of monies the Commission should consider for the augmentation of purses in the current fiscal year. The Commission received timely submissions from Freehold Raceway ("Freehold"), Atlantic City Race Course ("ACRC"), the Thoroughbred Breeder's Association of New Jersey ("TBA"), the New Jersey Thoroughbred Horsemen's Association ("THA") and the Standardbred Breeders and Owners' Association of New Jersey ("SBOA"). Copies of these submissions have been provided the Commissioners who will decide this issue.

Two of the permit holders and two of the horsemen's organizations have asked for purse supplement monies. Their requests are summarized as follows.

Freehold Raceway's Request for Purse Supplement Monies

In its submission, Freehold informs the Commission that out of the possible maximum of \$15,000,000 in purse supplement monies for the current fiscal year, it is asking for \$1,875,000. This allocation would allow Freehold to increase purses by approximately \$18,000 per day over the course of 100 race days. This increase would be more than a 50 percent increase in its current daily purse structure of \$30,000 per day.

Freehold indicates that without purse supplement monies distributed by the Commission, it will not be able to continue to offer purses of \$30,000 per day because it has not received the payment of PEA monies that was due on November 2010 and it does not anticipate that the November 2011 PEA payment will be made. The PEA monies which Freehold references are those monies which the casino industry provided to the racing industry pursuant to two separate agreements between the Casino Association of New Jersey and the New Jersey Sports and Exposition Authority. Freehold states that its reliance on the promise of these PEA monies has resulted in a purse overpayment of more than \$1 million. Because of this overpayment, Freehold predicts that, without any purse supplement monies, it will be forced to reduce purses by as much as 50 percent per day when racing resumes in August 2011.

In support of its request for \$1,850,000 in purse money, Freehold describes the positive impact these monies will have on racing participation and handle. Freehold would be able to improve its racing program by carding races with conditions to lure higher quality participants and fuller fields and it agrees to work with the SBOA to generate ideas for bonuses and purse enhancements that will benefit the New Jersey horsemen.

Finally, Freehold points out that New Jersey based horsemen are the backbone of it's the racing program and the allocation of purse supplement monies will support that constituency. More than 60 percent of all purses at Freehold are awarded to New Jersey residents and it provides opportunities for New Jersey horsemen who may not be able to compete on a regular basis at the larger regional harness tracks.

Atlantic City Race Course's Request for Purse Supplement Monies

In its submission to the Commission, ACRC requests \$800,000 to augment purses. Rather than increase the daily amount of offered purses, ACRC proposes to use the requested monies to increase its number of race days. It calculates that it could add one additional race day for each allocation of \$130,000 to \$150,000. Receipt of the requested \$800,000 would allow ACRC to add 4 to 6 racing days. Each additional race day would provide racing opportunities for 70 to 80 additional horses.

ACRC points out that its request would be a great investment in New Jersey racing since the entire amount of purse supplement monies would be used "to augment purses, create racing opportunities, increase employment, provide additional recreational opportunities and improve New Jersey's competitive position. ACRC expresses its willingness to use purse supplement monies to the greatest benefit of the industry by making every effort to schedule the additional dates at a time most agreeable to Monmouth Park and the thoroughbred horsemen and by distributing the purse monies at a per day level the Commission believes to be appropriate.

Finally, ACRC stresses that in addition to being reasonable and flexible, its plan will benefit the horse racing industry and can yield a significant return in increased economic activity for the horsemen, South Jersey and the State.

Thoroughbred Breeders' Association's Request for Purse Supplement Monies

The TBA has requested \$10 million to augment purses for New Jersey bred horses which will be used as follows:

- \$3 million for the 25 percent purse enhancement for NJ-bred horses;
- \$2.5 million for bonuses for NJ-bred horses that compete in open company races;
- \$1 million for the New Jersey Thoroughbred Festival;
- \$2 million for NJ-bred stakes races; and
- \$1.5 million to enhance purses so that a portion of the breeder awards can be paid directly from the purse account within a few days.

Thoroughbred Horsemen's Association's Request for Purse Supplement Monies

On May 26th, the THA filed a timely request with the Commission seeking \$10 million in purse money for the NJ-bred program and an unspecified amount to enhance purses at Monmouth Park as they were last year at the Elite Meet.

The Executive Director indicated that pursuant to the procedures set forth by rule, the Commission notified all of the permit holders and horsemen's organizations that to be considered, all written submissions must be filed with the Commission and served upon all of the other interested parties on or before June 13, 2011 and that the Commission received a letter from the THA yesterday seeking to change its request for purse supplement monies. The Executive Director noted that staff circulated this letter to the Commissioners, the permit holders and the horsemen's organization by fax.

Because the written record was had been closed on June 13, 2011 the Executive Director asked the Commission whether they wished to reopen the written record to consider the THA's letter. The Commission voted unanimously to consider the letter.

The Executive Director continued to summarize the record before the Commission.

New Jersey Thoroughbred Horsemen's Association's Revised Request

In it's revised submission to the Commission the NJTHA states the as part of the agreement to lease Monmouth Park the NJTHA agreed to support the Governor's position that no money should be received by the industry this year given the fact that this year is a transition period and that we have two new operators leasing the tracks and transitioning a take-over of the operations. However, the NJTHA also states that if the NJRC decides to allocate any money to the parties then a fair share of the monies could also be allocated in accordance with their prior request. Specifically the NJTHA recommends that the money be split 3 ways; \$2.5 million to ACRC, \$2.5 million to the permit holder at Monmouth Park and 2.5 million to the Meadowlands permit holder. John Forbes, NJTHA President, further states that his agreement to support the Governor's request was limited to this year only and that he would not ask that the money be allocated this year. Accordingly, Mr. Forbes states that "in the event that the appropriation is made we feel strongly that because of the Governor's position that no money be used this year that any monies that are allocated be utilized to enhance purses in 2012."

Standardbred Owners' and Breeders' Association's Request for Purse Supplement Monies

In its submission to the Commission, the SBOA states that it agreed not to ask for purse supplement monies in the master agreement between Jeff Gural and the State of New Jersey regarding the lease of the Meadowlands Racetrack. However, if the Commission does decide to allocate any such monies, the SBOA requests "that the standardbred industry is treated fairly, and an equitable split will be made between Freehold and the Meadowlands."

Further Comments Received by the Commission Before the Record Closed

On June 3, 2011, the Commission circulated the comments received from Freehold, ACRC, the TBA, NJTHA and the SBOA to all of the New Jersey racetracks and horsemen's organizations. The Commission notified the interested parties that it would accept further written comment concerning the purse supplement monies provided that the comments were received by the Commission and served upon all of the other interested parties on or before June 13, 2011. The Commission also notified the interested parties that all requests to comment verbally at the commission's public meeting must be filed and received by the Commission by June 8, 2011.

Request Filed by the New Jersey Sports and Exposition Authority

The NJSEA filed a letter on June 13th taking the position that the Commission should not allocate any purse supplement monies. The NJSEA states that agreements have been reached in principle with private individuals for the long-term lease of the Meadowlands and Monmouth Park. These agreements have been structured to eliminate the need for purse subsidies of any kind because both of the prospective lessees have committed to investing millions of dollars in racing-related enterprises that will help to reverse the trend of economic contraction in the industry. The NJSEA asserts that all parties to the negotiations, including the horsemen's groups, have operated with the understanding that no such purse subsidies would be made available. The NJSEA concludes that "[b]ased upon the parameters of the agreements that have been reached in principle, and the fact, that all material participants have been operating with the knowledge that the State would not provide for purse subsidies in any way, shape or form, the Commission should not provide for any allocation of these funds."

Additional Request Filed by the SBOA

The SBOA filed an additional submission with the Commission on June 13, 2011. The SBOA states that since its March 4, 2011 request to the Commission urging the distribution of \$15 million in purse supplement monies, it agreed with Jeff Gural that the SBOA would not to press for the allocation of these monies because of his negotiations with the Governor's office, which have now been successful. However, noting that other representatives of the racing industry have urged the issuance of purse supplement monies, the SBOA again takes the position, as it did in its May 25th submission, that should there be an allocation of these monies, the SBOA should receive its fair share.

Requests to Comment Verbally at the Scheduled Meeting

Pursuant to the Commission's rules, Freehold Raceway filed a timely request to comment verbally at this meeting on the submissions filed in connection with the purse supplement monies.

The Executive Director informed the Commissioners that the decision whether to hear verbal comment lies in their discretion and noted that if the Commission decides to allow Freehold to make verbal comments at this meeting, you must give the any of the other permit holders or the horsemen's organizations who wish to do so the opportunity to also make verbal comments. The Executive Director asked whether the Commission wished to hear verbal comments from the interested parties regarding the submissions filed in connection with the purse supplement monies. Commissioner Caputo made a motion to reopen the record to allow verbal comments.

Commissioner Keegan seconded the motion and all Commissioners voted yes.

At this time, the Commission heard verbal comments from the following interested parties:

Thomas Luchento, President
New Jersey Standardbred Breeders' and Owners' Association (SBOA)

Mr. Luchento stated that the standardbred horsemen have an agreement with the State of New Jersey which they intend to honor which is to not seek the funds because the Governor stated that he is not going to allow any subsidies. However, in the spirit of the negotiation, the SBOA feels that if money is distributed, it would be wrong not to award money to the SBOA or the THA because while the SBOA is standing firm with the Governor's position, if the monies are to be awarded, all parties should have a share of the money.

Mr. Bruce Garland, on behalf of Atlantic City Race Course

Mr. Garland indicated that to the best of his knowledge, no one informed the Atlantic City Race Course that the Governor did not want the race course to apply for this money. Mr. Garland took issue with the suggestion of Mr. Marra from the NJSEA that all parties were informed of this position. Mr. Garland then stated that Atlantic City Race Course issued a request that was accurately summarized by the Executive Director in response to the Commission's letter and added that , we have no intent on doing something that is contrary to the wishes of the Governor. Mr Garland indicated that yesterday the Atlantic City Race Course was provided with a copy of Mr. Forbes letter and after reviewing the statute, the Atlantic City Race Course believes that Mr. Forbes' suggestion that the money be established by the Commission as the statute provides, but these monies not be used until next year is a better approach because of the following: 1) It would allow for more significant planning

and the two new operators in the State would have an opportunity to get together with the industry and decided on a better distribution and a better use of these monies; 2) The impact on the industry would be greater and result in better investment. Finally, Mr. Garland indicated that the statute seems to be silent as to what occurs to the money if it is not allocated to augment purses.

Commissioner Abbatiello questioned Mr. Garland as to what occurs to the money if it is not distributed. Executive Director Zanzuccki responded that this is a legal question to be answered by counsel.

Christopher McErlean, President, Pennwood Racing, representing Freehold Raceway

Mr. McErlean stated that Freehold Raceway did submit a letter in response to the Commission's request and in light of Mr. Garland's comment, he would agree with Mr. Forbes' recent letter in terms of establishing the money, but not using the monies until next year. Mr. McErlean pointed out that in his submission, Freehold Raceway is seeking an equitable distribution and it feels that they have proposed rational and fair formulas that are already used in the State of New Jersey in providing purse money and would hope that the Commission look upon that rationale in coming to a final conclusion if and when the money is distributed. Mr. McErlean also pointed out that the situation at Freehold Raceway in regard to purse money is in a very serious situation and the raceway is in a major overpayment situation. If the monies the Commission is considering today is not approved, Freehold will have to make drastic changes in the purse schedule when it resumes racing later this summer, and there may be a possible cancellation or movement of the major stake race, the Cane Pace, which is one of the triple crown races in harness racing. Mr. McErlean indicated that this overpayment situation is due in part to Freehold Raceway not receiving its fair share by contract from the Sports Authority of the purse enhancement money and he advised that the Commission will be receiving a letter in regard to this situation.

Michael Campbell, Executive Director
New Jersey Thoroughbred Breeders' Association

Mr. Campbell indicated that the TBA stands by their submission to the Commission. He indicated that Mr. Forbes' letter does not provide for a distribution of monies to the breeders and he would request that be specified by the THA at a later date.

Mr. Campbell stated that the TBA believes that Monmouth Park is circumventing the statute that requires a 25 percent enhancement in every restricted race and while they write that condition in some races, they do not do so in every race. Mr. Campbell indicated that the receipt of purse money would go a long way to aid in these enhancements. Executive Director stated to Mr. Campbell that he is making a very serious allegation in that he is saying Monmouth Park is circumventing the law by the way they are handling the purse account in regard to the breeders' program. The Executive Director advised Mr. Campbell that these are serious allegations and the Racing Commission will be conducting an investigation into them.

New Jersey Sports and Exposition Authority

There were no additional comments from the NJSEA.

Michael Musto, Executive Director
New Jersey Thoroughbred Horsemen's Association

Mr. Musto stated that if the Commission does move forward with the distribution of monies, the thoroughbred horsemen stand by Mr. Forbes' letter and would seek distribution.

There were no representatives present from the parties who will leasing the Meadowlands Racetrack and Monmouth Park.

This concluded the oral comments of the interested parties.

At this time, the Commission began deliberation of the matter.

Commissioner Caputo stated that while he understands the need for money, he also understands that the job of the Commission is to really look to the future of racing. He referenced the letters that state in the first paragraph we don't want it, and then in the second paragraph says if you have it give it to us. He indicated that he is confused by this and questions where will the industry be in the years to come. The Commissioner pointed out that the reason for this money is for the future of racing, and questioned will the future of racing continue if the money is not distributed today? Commissioner Caputo also questioned whether distributing these monies would jeopardize the agreements with the parties who are leasing the Meadowlands and Monmouth Park.

Commissioner Keegan stated that maybe the future of racing in New Jersey is now and as pointed out by Freehold Raceway, money is needed to continue racing.

Commissioner Gross stated that if the money is awarded, would this jeopardize the agreement made by the Governor with the new owners of the Meadowlands and Monmouth Park, and thereby hurt the future of racing.

Commissioner Abbatiello stated his belief that the future of racing is today because the industry is losing horses and farms and if no help is provided, they will not exist.

Mr. Luchento agreed with the Commission that the future of racing is today and if the industry does not take care of racing today, there will not be a tomorrow. He reiterated the SBOA's agreement with the Governor, and added that he represents not only the standardbred horsemen but Freehold Raceway and if Freehold does not receive any money, they will be out of business.

Commissioner Abbatiello questioned if the money is not given out in 2011, does it create any budgetary problems in 2012. The Executive Director clarified to the Commissioner that if the Commission awards the monies today, he believes the Commission can defer distribution to 2012. He indicated that based on advice of counsel, the Commission is required to determine whether to establish purse supplement monies and how to distribute them to the industry before the end of the current fiscal year. Whatever action taken today, is subject to review by the Governor, who has veto authority of the minutes, which is reiterated in the legislation involving the purse supplement monies.

Mr. Garland commented on the question of Commissioner Caputo in regard to the future value of the monies awarded. He suggested that one of the values is it gives racing time and if you can buy time you can solve issues and get things done. While Atlantic City Race Course and Freehold Raceway need money now, he feels it is the better approach to have a better planned use of the money and suggested his belief that the money does not have to spent in the next fiscal year because the statute is silent on when the money has to be spent. Mr. Garland reiterated that Atlantic City and Freehold were not parties to the lease agreements and they were not asked about the issue.

Commissioner Caputo stated that it is necessary to have an open dialogue about what is good for the industry and that the sense of urgency has to continue and should not cease once the money is awarded.

Mr. Garland then pointed out that the critical participants are not present today and the future involves the new lessees along with representatives of the other aspects of the industry.

Mr. Musto of the THA referenced the Hanson Report and pointed out that it recommends that there needs to be a bridge between the new owners and it references subsidies and advancing money.

In regards to the Commissioners questions whether the allocation of monies will affect the deals that have tentatively been put into place, the Executive Director asked if there was anyone present who could provide information on this issue. Mr. Luchento stated there was an agreement that the horsemen would not request the monies because the Governor felt he did not want to subsidize the horse racing industry but when the Commission asked for written submissions on the use of the money, where would he be if he stuck with the Governor, which he is doing, and did not ask for money and then the Governor signs a paper and gives money to other parties.

Executive Director Zanzuccki pointed out that the letter submitted by Ralph Marra, Esq., on behalf of the New Jersey Sports and Exposition Authority, takes the position that the Racing Commission should not provide for an allocation of these funds and references the discussions the Sports Authority has had with the principals involved.

Commissioner Abbatiello questioned what will occur if the Commission determines not to award the money. The Executive Director responded that if the Commission decides not to allocate any money in this fiscal year, the Commission must decide whether to allocate monies in the next two in the next fiscal years.

Mr. Garland stated that the statute provides for the money derived from casino savings and is not State budgetary money. Executive Director Zanzuccki stated that if the money is utilized by racing, it remains with the casino industry and the Division of Gaming Enforcement would not have to identify the savings.

At this point, Commissioner Abbatiello made a motion that the Commission utilize \$15 million of the monies designated for racing in the State of New Jersey.

In response to questions from the Executive Director, Commissioner Abbatiello clarified his motion to state that \$15 million in purse supplement monies should be distributed as follows:

- \$2.5 million to Atlantic City Race Course
- \$2.5 million to Freehold Raceway
- \$5 million to Meadowlands Racetrack (standardbred)
- \$2.5 million to Monmouth Park
- \$2.5 million to Meadowlands Racetrack (thoroughbred)

Commissioner Abbatiello amended his motion to designate that the money be distributed in calendar year 2012. Commissioner Keegan seconded the amended motion.

At this time, Commissioner Caputo requested legal advice and the Commission reconvened to executive session.

Commissioner Gross motioned to return to public session. Commissioner Caputo seconded the motion and the public session reconvened.

Executive Director Zanzuccki stated that a motion was made by Commissioner Abbatiello to identify that \$15 million was needed for the racing industry and to propose a distribution method that divides the money equally between the two breeds and distributes the thoroughbred money as follows: \$2.5 million to Atlantic City Race Course, \$2.5 million to the permit holder at Monmouth Park and \$2.5 million to the thoroughbred permit holder at the Meadowlands. The standardbred money will be distributed according to the motion as follows: \$2.5 million to the permit holder at Freehold Raceway and \$5 million to the harness permit holder at the Meadowlands.

The Commissioners provided the following reasoning to support the motion.

Commissioner Abbatiello stated the reason he made this motion is: 1) to enhance purses which will bring in better horses into the State of New Jersey to increase the betting and help racing; 2) it will help south Jersey which is a great part of our state which we seem to not take care of at times and this will enhance extra racing dates at Atlantic City Race Course which utilizes approximately 60 or 70 percent of Jersey-bred horses and New Jersey owners. Freehold Raceway will also be aided as it races minor leagues where horses get an opportunity to start and it will allow them to stay in business and improve the caliber of horses they race and this will again, enhance the betting. He concluded that awarding this money would be a big boost for the State of New Jersey for racing and for handle.

Commissioner Caputo stated that besides how you improve the breed and the type of racing, a more critical issue to him is the loss of jobs in our state and our country and he does not want to see jobs lost because of the industry not being supported. The Commissioner added that, as a comprehensive idea, not just racing, anything that jeopardizes the loss of jobs in our state is a critical point to me when, I think, that money might be necessary.

Commissioner Keegan agreed with and reiterated what Commissioners Abbatiello and Caputo stated.

Commissioner Gross agreed with the Commissioners and added that the farms that are breeding race horses that are part of New Jersey should also be included as the reason for awarding the money.

There was no further discussion and a roll call of the Commissioners indicated that all Commissioners voted yes and the motion passed unanimously.

CONSIDER THE REQUEST OF THE STANDARDBRED BREEDERS' AND OWNERS' ASSOCIATION OF NEW JERSEY TO WAIVE OR MODIFY A PROVISION OF N.J.A.C. 13:71-16.4 (QUALIFYING RACES), BY INCREASING THE TIME PERIOD FROM 30 DAYS TO 45 DAYS FROM A HORSE'S LAST START, PURSUANT TO N.J.A.C. 13:71-1.34 (WAIVER OF COMMISSION'S RULES)

Leo McNamara, Executive Administrator of the S.B.O.A. provided specific details concerning the request of the standardbred horsemen to increase the qualifying time period for a horse that has not started for 30 days in a chartered meeting, to a period of 45 days. Mr. McNamara asked that the Commission consider waiving the rule at this time, and subsequently amending the rule to reflect the 45-day period.

Howard Bruno, General Manager of Freehold Raceway indicated his support of the request.

Chairman Drazin made a motion to waive the 30-day time frame to a 45-day period for the balance of the year, and directed staff to proceed with the rulemaking process. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER RATIFICATION OF THE APPROVAL GRANTED TO THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY TO INSTALL SEVERAL SELF-SERVICE PARI-MUTUEL MACHINES IN THE PADDOCK KITCHEN AREA OF THE MEADOWLANDS RACETRACK

Chairman Drazin motioned to ratify prior approval granted to the NJSEA to install self-service pari-mutuel machines in the paddock kitchen area of the Meadowlands Racetrack. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER THE REQUEST OF THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY TO CONDUCT A MULTI-STATE PICK 4 WAGER AT THE MEADOWLANDS RACETRACK ON FRIDAY, JULY 15, 2011, CONSISTING OF ONE RACE FROM: THE MEADOWLANDS RACETRACK, NORTHFIELD PARK, MAYWOOD PARK AND ONE RACE FROM YONKERS RACEWAY.

Commissioner Abbatiello motioned to approve the request. Chairman Drazin seconded the motion and all Commissioners voted yes.

CONSIDER THE REQUEST OF THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY TO ALTER THE WAGERING FORMAT AT THE MEADOWLANDS RACETRACK BY DISCONTINUING THE PICK 3 WAGER ON THE FIRST RACE AND TO BEGIN OFFERING A PICK 5 WAGER, BEGINNING ON JULY 2, 2011

Commissioner Abbatiello motioned to approve the request. Chairman Drazin seconded the motion and all Commissioners voted yes.

There being no further discussion or comments from the public, Chairman Drazin moved that the meeting be adjourned. Commissioner Keegan seconded the motion and it was approved unanimously.

ATTEST:



Executive Director Frank Zanzuccki