

**NEW JERSEY RACING COMMISSION
WEDNESDAY, NOVEMBER 30, 2011
LIBRARY ROOM
MONMOUTH PARK RACETRACK
OCEANPORT, NEW JERSEY**

A meeting of the New Jersey Racing Commission was held on Wednesday, November 30, 2011, in the Library Room at Monmouth Park Racetrack, located in Oceanport, New Jersey.

The following were present:

Anthony T. Abbatiello, Commissioner
Anthony R. Caputo, Commissioner
Peter J. Cofrancesco, III, Commissioner
Francis X. Keegan, Jr., Commissioner
Frank Zanzuccki, Executive Director
DAG Donald Palombi
DAG Lisa Lackay

The following were absent:

Dennis A. Drazin, Chairman

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 Monmouth Park Racing, LLC to toll the conditions imposed by the New Jersey Racing Commission relating to the issuance of the 2011 race permit;

Legal advice concerning the allocation of racing dates for thoroughbred and standardbred permit holders for 2012 for the following:

NJSEA Meadowlands Standardbred	FR Park Racing, LP
NJSEA Meadowlands Thoroughbred	Greenwood ACRA, Inc.
Monmouth Park Racing, LLC	

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 and/or matters involving pending or anticipated litigation."

It was noted that Commissioner Abbatiello and Commissioner Caputo are participating by telephone.

Commissioner Aponte motioned to adopt the resolution to adjourn. Commissioner Caputo seconded the motion. The Commission then adjourned to Executive Session.

The Commission ended the execution session and Commissioner Cofrancesco moved to reconvene the public session. Commissioner Keegan seconded the motion and the Commission concurring, the public session resumed.

CONSIDER THE REQUEST OF MONMOUTH PARK RACING, LLC (MPR) TO TOLL THE CONDITIONS IMPOSED BY THE NEW JERSEY RACING COMMISSION RELATING TO THE ISSUANCE OF THE 2011 RACE PERMIT

Executive Director Zanzuccki stated that subsequent to this item being placed on the agenda, the Commission is in receipt of a letter from Monmouth Park Racing, LLC, withdrawing the request. Commissioner Cofrancesco motioned to table the request. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER THE ALLOCATION OF RACING DATES FOR THOROUGHBRED AND STANDARD BRED PERMIT HOLDERS FOR 2012

Executive Director Zanzuccki read the following statement:

In preparation of this day, all interested parties were invited to forward comments in writing to the Commission for consideration. All the 2012 applications have been filed in a timely manner and requested dates have been announced. Each Commissioner has been supplied with the law of date allocations and the history and statistics of prior racing seasons and written comments received from the industry. You now have another opportunity to summarize your positions.

The meeting, in terms of the presentations of the applicants and horsemen's groups, will proceed in the following order:

We will begin with the thoroughbred date request. A representative from Atlantic City Racetrack will present their application. Following this presentation, a representative of the New Jersey Sports and Exposition Authority will present its 2012 Meadowlands proposed thoroughbred schedule, followed by a presentation from a representative of Monmouth Park Racing, LLC. Comments from the THA and the members of the public will follow the racetrack presentations. The Commission will then consider a motion concerning thoroughbred dates and vote on the requested dates.

Following the vote on thoroughbred dates, the Commission will then hear the presentation from Freehold Racetrack, followed by presentations from representatives from of the NJSEA concerning its proposed 2011 standardbred racing schedule. Comments from the SBOA and members of the public will follow. Once again, following this presentation, the Commission will consider a motion and vote on the requested dates.

In considering the allocation of 2012 racing dates for both thoroughbred and standardbred racing, the Commission will give due consideration to the public interest factors enumerated in the statute. Briefly, those factors are:

1. Protect the State's revenue.
2. Provide for continuity of racing and year-round racing so as to promote the racing industry and maintain and enhance the employment which is provided to this State.
3. Provide recreational opportunity for residents.
4. Maintain and improve this State's competitive position with regard to neighboring racing states.

While these are the main factors, the Commission must also recognize and address such issues as stabling, horse availability, the effect of overlapping racing dates, the financial situation of the various racetracks, the erosion of live racing dates, and the overall status of the racing industry.

THOROUGHBRED RACE DATES

Atlantic City Race Course

Mary Jo Coutts, Director of Operations of Atlantic City Race Course, stated that the Atlantic City Race Course stands by its application in requesting six days of racing—April 27, 28, 29 and May 1, 2 and 3. There were no questions for Ms. Coutts.

Meadowlands Racetrack (NJSEA)

The Executive Director stated that the letter submitted by Alex Dadoyan, Assistant Vice President, on behalf of the New Jersey Sports and Exposition Authority (NJSEA) requests that 70 days be run under the Meadowlands' thoroughbred permit at Monmouth Park, beginning on September 5 through December 22. The Executive Director indicated his understanding that the request was made in compliance with the mandatory minimum number of thoroughbred dates to be conducted in order to allow for account wagering and off-track wagering and that the request of the NJSEA recognizes that the THA, through a separate entity, has applied or will soon apply, for the Meadowlands' thoroughbred permit and the NJSEA anticipates that these dates will change substantially once the issue of the permit is resolved. Mr. Dadoyan had no additional comment to the date request to conduct 70 days at Monmouth Park.

The Executive Director indicated that the Commission is in receipt of a letter from the Thoroughbred Horsemen's Association (THA) concerning this request in which the letter states that Morris Bailey has advised the THA that he is not in favor of a 70-day race meet to be conducted at Monmouth Park under the Meadowlands' race permit, and is requesting that the 70 days be scheduled at the Meadowlands' site. In its letter, the THA indicated its support of Mr. Bailey's request. Mr. Robert Kulina, on behalf of Morris Bailey, stated that Monmouth Park Racing will table any comments at this time in that the parties are meeting this week to resolve this issue. Mr. Kulina also stated that the request of the NJSEA is intended to be a placeholder to comply with the law until the process is completed.

The Executive Director posed the question to Mr. Kulina whether Monmouth Park Racing would have any objection if the Commission granted approval to the request of the NJSEA or would he prefer the Commission table the matter until the next meeting tentatively scheduled for December 20, 2011. Mr. Kulina responded that the preference would be to table the NJSEA request in order to avoid any further confusion in the race date schedule.

The Executive Director referenced the statutory requirement that the Commission must make a determination prior to December 1 on applications for race dates filed prior to October 15. The Executive Director pointed out that because the NJSEA did not apply for thoroughbred dates until October 20, the Commission has sixty days in which to make a decision on the thoroughbred date request.

Thoroughbred Horsemen's Association

Michael Musto, Executive Director of the THA asked how off-track wagering and account wagering would be affected in the event there are no thoroughbred dates in place. The Executive Director responded that the Commission would consult with counsel in making a determination, and assured Mr. Musto that the Commission will be conducting a public meeting prior to the end of the year.

Monmouth Park Racing, LLC (MPR)

Robert Kulina, on behalf of MPR, stated that MPR is requesting 71 dates, starting the second Saturday in May and ending on Breeders' Cup weekend. He indicated that overnight purses will consist of \$400,000 a day, with \$4 million in graded stakes. He added that MPR is very optimistic that next year will be a great year and anticipates having two off-track wagering facilities opened.

There were no further comments on the thoroughbred race dates.

Executive Director Zanzuccki proposed the following motion:

The Racing Commission has received 2012 race date applications for thoroughbred racing from the Meadowlands Racetrack, Monmouth Park and Atlantic City Racecourse. The Racing Commission has also considered materials from staff and any commentary offered.

The application of the Meadowlands Racetrack - thoroughbred, submitted by the New Jersey Sports and Exposition Authority, proposed a 70 day meet from September 5, 2012 through December 22, 2012 to be held at Monmouth Park. I am recommending that that request be table to our December meeting which is currently scheduled for December 20. The application for Monmouth Park submitted by Monmouth Park Racing, LLC indicates 71 race dates commencing May 12, 2012 and ending November 4, 2012.

The application of Atlantic City Racecourse for 2012 consists of a six-day meet to be held on April 27, 28, 29, and May 1, 2, and 3.

The 2012 race date applications reflect an aggregate of 77 dates at the present time counting the tabling of the 70-day request of the Meadowlands thoroughbred meet.

I believe that approval of the thoroughbred race date applications is in the public interest as set forth in N.J.S.A. 5:5-22, et seq., specifically defined in the section 43 and 44. I believe that approval of these dates is consistent with the Racing Commission's obligation to endeavor to allot to each applicant the dates requested in the respective applications after giving due consideration to all factors involved including the interests of such applicants, the industry participants, and the public.

I believe an approval of the thoroughbred race date application, while not achieving a year-round circuit, does provide for reasonable continuity of racing from April 27 to December 22, 2012. And again, this envisions approving the Meadowlands dates which we are tabling at this time. This schedule shall serve to: promote the thoroughbred industry, maintain and enhance the employment which thoroughbred racing provides, encourages horses to stay in New Jersey, provides the maximum possible revenue to the State and to the New Jersey horsemen, will help the state maintain its competitive position in relation to neighboring states, and provides for recreational opportunities for New Jersey residents who desire to attend thoroughbred races.

In making this Motion, I note that the dates applied for satisfy the conditions of the Off-track and Account Wagering Act as amended, which is not true at this point in that the Commission will have to wait on this subject until the December meeting because at this time the Commission will act on the 77 thoroughbred dates.

In making this Motion, which calls for the approval of the race date applications consistent with conditions recommended by staff, consideration was given of the dates proposed by the other breed of racehorse. In making respective allocations of race dates for each horse breed, the Commission is mindful of the benefits of providing a continuity of thoroughbred and standardbred racing between and amongst each horse race breed to the extent feasible, while minimizing harmful intrastate competition.

I, therefore, move for the following:

- 1) Approval of the 2012 application of the Atlantic City Racecourse for a six-day meet;
- 2) Tabling of the 2012 thoroughbred race date application of the Meadowlands Racetrack that totals 70 dates;
- 3) Approval of the 2012 thoroughbred race date application of MPR, LLC to conduct 71 race dates at Monmouth Park racetrack is subject to MPR entering into a ground lease with the New Jersey Sports and Exposition Authority on or before midnight on December 31, 2011.
- 4) As part of this Motion, I propose that the Executive Director be authorized to issue Orders of Allocation, including conditions, consistent with the determination of the full Commission.

Commissioner Aponte motioned to accept the proposed motion. Commissioner Keegan seconded the motion and all Commissioners voted yes.

STANDARD BRED RACE DATES

Freehold Raceway

Howard Bruno, General Manager of Freehold Raceway, requested a 90-day meet beginning March 1 to May 26 and August 30 to December 22, consisting of racing three days per week, to be conducted throughout the entire year. Commissioner Aponte asked Mr. Bruno what the level of the purses will be for 2012. Mr. Bruno responded that the amount of purses will depend on the money generated throughout the down time in January and February, and he believes it will be similar to what is currently being given out, which is approximately \$40,000 per day. The Executive Director asked Mr. Bruno to explain why the raceway is not racing during January and February when traditionally there is less competition within the horse population. Mr. Bruno indicated that Freehold, in conjunction with the SBOA, developed the dates based upon weather-related conditions and cancellations associated with those months and determined to avoid the months and have more continuity in their schedule.

Meadowlands Racetrack

Alex Dadoyan, appeared again on behalf of the New Jersey Sports and Exposition Authority, requested 81 standardbred dates, beginning January 6 and ending August 18, with two dates scheduled at the end of December which will lead into the start of the 2013 season. He indicated that the racetrack will conduct live racing three days a week in the winter, then racing two days per week in the spring, followed by three days per week in the summer months.

Standardbred Breeders' and Owners' Association

Leo McNamara, representative of the SBOA, indicated the horsemen's support for both the Freehold Raceway and Meadowlands Racetrack date requests. He stated that the reduction in race dates is clearly due to purse funding. It was noted for the record that the Commission is in receipt of written consent from the SBOA for the Meadowlands Racetrack and Freehold Raceway to run fewer than the mandatory minimum number of standardbred dates in 2012.

There were no further comments on the standardbred race dates.

Executive Director Zanzuccki proposed the following motion:

The Racing Commission has received 2012 race date applications for standardbred racing from the Meadowlands Racetrack (NJSEA) and Freehold Raceway. The Racing Commission has also considered materials from staff and any commentary offered.

The application of the Meadowlands Racetrack - harness - seeks approval to race a total of 81 dates. Racing will be held in 2012 from January 6, through August 18, and December 28 and 29.

Freehold Raceway proposes to race 39 days from March 1, 2012 through May 26, 2012 and 51 days from August 3, 2012 through December 22, 2012 for a total of 90 dates.

The 2012 standardbred race date applications reflect in the aggregate 171 harness dates. As required by statute, the Standardbred Breeders' & Owners' Association has approved, in writing, the reduction from the minimum race dates requirements for Freehold and the Meadowlands Racetrack.

I believe that approval of the race date applications is in the public interest as set forth in N.J.S.A. 5:5-22, et seq., specifically defined in the Section 43 and 44. I believe that approval of these dates is consistent with the Racing Commission's obligation to endeavor to allot to each applicant the dates requested in the respective applications after giving due consideration to all factors involved including the interests of such applicants, the industry participants, and the public.

The proposed schedule of racing dates allows for an orderly transition of standardbred horses from one facility to another, provides for continuity of standardbred racing, and reflects a schedule for nearly year-round harness racing. This schedule will serve to promote the standardbred racing industry, maintain and enhance the employment which it provides, provide revenue to the state and horsemen, help the State maintain and improve its competitive position in relation to neighboring states, and provide for recreational opportunities for New Jersey residents who choose to visit standardbred racetracks.

In making this Motion, I note that the dates applied for satisfy the conditions of the Off-track and Account Wagering Act as amended, and approval would therefore be compatible with the issuance to the New Jersey Sports and Exposition Authority of an account wagering license.

In making this Motion, which calls for the approval of the race date applications consistent with conditions recommended by staff, consideration was given of the dates proposed by the other breed of racehorse. In making respective allocations of race dates for each horse breed, the Commission is mindful of the benefits of providing a continuity of thoroughbred and standardbred racing between and amongst each horse race breed to the extent feasible, while minimizing harmful intrastate competition.

I, therefore, move for the following:

- 1) Approval of the 2012 application of the Freehold Raceway for 90 days;
- 2) Approval of the 2012 harness race date application of the Meadowlands Racetrack for a total of 81 dates;
- 3) As part of this Motion, I propose that the Executive Director be authorized to issue Orders of Allocation, including conditions, consistent with the determination of the full Commission.

Commissioner Aponte motioned to accept the proposed motion. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER THE PETITION OF THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY FOR APPROVAL TO RENEW THE ACCOUNT WAGERING LICENSE FOR 2012

The Executive Director stated that approval of this application will enable the Authority to continue to offer account wagering services and telephone wagering through an IVR interactive voice response system and internet computer wagering to qualified New Jersey residents. Staff has reviewed the renewal application and finds it to be complete and in substantial compliance with the regulatory requirements.

Alex Dadoyan, representing the NJSEA, did not have anything further to add to the application.

Michael Musto, on behalf of the THA, posed a question concerning the live video stream of races from New York wherein you are able to place wagers on New York races but are unable to see the live race. Mr. Dadoyan explained the economical reasoning for New Jersey not broadcasting the races and indicated that this issue is expected to be resolved for next year.

Executive Director proposed the following motion:

The Racing Commission has received, from the New Jersey Sports and Exposition Authority, an application for the 2012 renewal of its account wagering license;

And the Authority, by said application and subject to a contract extension or new contract for 2012, has again proposed to use Sportech Racing, LLC, as the totalisator provider, IVR/telephone wagering provider and internet wagering provider in connection with the 2012 license renewal term;

In addition to the receipt of the application materials submitted by the Authority, the Racing Commission has been provided with materials from its staff, as well as a proposed order with license conditions as to the Authority and Sportech, should the Racing Commission determine to grant the relief requested through the Authority's application. In reviewing these materials, I would note that the license conditions properly include that the license renewal decision of this Commission is subject to the review and approval of Attorney General Paula T. Dow.

Based upon my review, I find that the Authority continues to meet the legal requirements set forth in the "Off-Track and Account Wagering Act," and continues to meet all the requirements set forth in the Racing Commission's related regulations. I also find that Sportech is qualified to provide totalisator services in connection with the account wagering system and as a Racing Commission licensed vendor in such capacity, is appropriately licensed and qualified to provide IVR/telephone wagering and internet wagering services to the Authority. I further find that the Authority, as well as Sportech, are in substantial compliance with the conditions and license terms previously imposed upon them. I also find that the proposed order and license conditions for 2012, as to each, are satisfactory and appropriate.

I, therefore, move that the Authority's renewal application be approved, and that the Authority's request to utilize Sportech as a vendor for the noted services be approved subject to a contract extension or new 2012 contract. I further move that: this Racing Commission authorize the Executive Director to issue the proposed order and license conditions as to the Authority and Sportech; and that the issuance of the account wagering renewal license is subject to and conditional upon the approval of the determination of this Commission by the Attorney General.

Commissioner Keegan moved to accept the motion. Commissioner Cofrancesco seconded the motion and all Commissioners voted yes.

CONSIDER THE PETITION OF THE PERMITTED RACETRACKS, AND RELATED ENTITIES, FOR APPROVAL TO RENEW THE FOLLOWING OFF-TRACK WAGERING LICENSES:

- a) Toms River Township 1/1/12 through 12/31/12
- b) Vineland City 1/1/12 through 12/31/12
- c) Bayonne City 1/1/12 through 12/31/12

Robert Kulina of MPR, LLC, posed the question concerning the license renewal for Woodbridge OTW. The Executive Director indicated that the Woodbridge renewal does not need to be considered in that in August 2011, the Commission authorized the transfer of the permit to Morris Bailey which is valid for one year. In September 2012, the Commission will reconsider the renewal at which time the Commission will extend the renewal to the end of the calendar year.

There were no issues reported on the Toms River and Vineland City facilities.

In regard to the Bayonne City OTW, Alex Dadoyan, on behalf of the NJSEA, reported to the Commission that the original Bayonne OTW application submitted to the NJRC called for a two-story facility with approximately 29,000 square feet. Due to the recent change in the racing landscape, the NJSEA is in the process of turning over the Bayonne OTW and the Meadowlands Racetrack to private operators and they have looked to change some of the Bayonne OTW design. The change in design will include the elimination of the mezzanine level and reducing the footprint of the building slightly.

The Commission inquired on the status of the construction for the Bayonne facility and Alex Dadoyan indicated that the construction is scheduled to begin within the week and the environmental issues surrounding the project have been addressed and corrected. The estimated completion date is July 2012.

At this time, a presentation was provided by the architects of Mark Petrella and Michael Mangini of SOSH Architects. The architects provided the following specifics of the proposed design changes:

- 1) The new occupancy level will be 1,024 as opposed to the former 2,043 occupancy level;
- 2) The original first floor square footage was 29,000 sq. feet and the new footprint is 25,000 sq. feet;

- 3) Simulcast area (I) is reduced from 4,500 sq. feet (143 carols) and is now 2,900 sq. feet (95 carols);
- 4) Simulcast area (II) is reduced from 4,200 (128 carols) and is now 1,900 sq. feet (58 carols);
- 5) The VIP simulcast area remains unchanged with 18 seats;
- 6) The restaurant area remains in the same location, however, the design element is changed to a sports bar theme;
- 7) Live mutuel teller windows remain the same with 12 mutuel tellers;

There was no further discussion.

Executive Director Zanzuccki proposed the following motion:

The Racing Commission has received applications to renew the off-track wagering licenses for calender year 2012, concerning the following: the presently operating Vineland City off-track wagering facility; and the presently Toms River Township off-track wagering facility. We have also received an application for a continuation of the status, or renewal, of the November 2009 action taken by the Commission in conditionally approving the application of the proposed Bayonne off-track wagering facility. That facility has not yet been built and is not, therefore, operational.

In addition to the application materials submitted by the parties, the Racing Commission has been provided with materials from its staff, which includes proposed orders and proposed license conditions, should the Racing Commission determine to grant one or more of the license renewal requests. In reviewing these materials, I would note that the license conditions in each case properly include the condition that the decision of this Commission is subject to the review and approval of Attorney General Paula T. Dow.

Based upon my review, I find that each operational OTW applicant continues to meet the legal requirements set forth in the "Off-Track and Account Wagering Act," that each applicant continues to meet all legal requirements set forth in the rules of the Racing Commission, inclusive of N.J.A.C. 13:74-2.2, and that each applicant is in substantial compliance with the conditions and license terms individually imposed upon it, for each to hold the license applied for and to operate the respective off-track wagering facility.

I also find that the proposed orders and license conditions, as to each applicant, are satisfactory and appropriate.

With regard to the proposed Bayonne OTW facility, although we conditionally approved the application for an OTW license in November 2009, a physical license has not been issued because the facility has not yet been built and, therefore, conditions precedent to the operating license issuance have not yet occurred. I would note that in its 2012 renewal application, the Authority has proposed design changes to the proposed OTW facility, which the Commission heard about today, which is a slightly smaller floor plan and elimination of the second floor mezzanine level. Based upon a review of the application and these proposed design changes, I find that the legal requirements of the Act continue to be met, and propose that the Commission grant a continuation of the status of the Bayonne OTW application through December 31, 2012. Accordingly, I propose that the conditional approval set forth in our initial order of November 23, 2009, be continued for such period. I also would direct staff to notify the parties of any additional requirements or procedures after receipt of additional advice from counsel, and lastly, as concerns the Bayonne OTW matter, I take this opportunity to advise the Authority that it must comply with Condition No. 3 to the November 2009 Order, which reporting requirement it has not fully complied with. That condition requires a monthly status report on the progress of the OTW facility during the construction phase.

I therefore move that each renewal application be approved, and as part of this motion, I further move that: this Racing Commission authorize the Executive Director to issue the proposed orders and related license conditions as to each applicant, and that the issuance of each renewal license is subject to and conditional upon the approval of the Attorney General.

Commissioner Keegn moved to accept the motion. Commissioner Cofrancesco seconded the motion and all Commissioners voted yes.

SIMULCASTING

Casino Simulcasting

At this time Commissioner Aponte recused himself from Agenda Items 6.A.(1-5) and he took a seat in the audience.

Consider approval of Bally's Park Place, Inc. (Bally's Atlantic City), Marina District Development Company, LLC (Borgata Hotel Casino and Spa), the Boardwalk Regency Corporation (Caesars Atlantic City), Harrah's Atlantic City Operating Company (Harrah's Resort Atlantic City), Showboat Atlantic City Operating Company, LLC (Showboat Casino Hotel), and Trump Taj Mahal Casino Resort to receive simulcast horse races (thoroughbred and standardbred) from approved out-of-state tracks, through December 31, 2012, pursuant to N.J.S.A. 5:12-199

Commissioner Cofrancesco motioned to approve the item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

Consider approval of the following racetrack permitholders to conduct casino simulcasting (to casinos approved or to be approved), through December 31, 2012, for dates granted pursuant to their respective 2012 annual applications for horse race meetings: Monmouth Park, Freehold Raceway, Meadowlands Racetrack and Atlantic City Race Course

Commissioner Cofrancesco motioned to approve the item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

Consider the request of Sportech Racing, LLC, to act as a hub facility at the Mount Laurel Data Center, through December 31, 2012, concerning: casino simulcasting pursuant to N.J.S.A. 13:71 et seq., to Bally's, the Borgata, Caesars, Harrah's, Showboat and the Taj Mahal, and to any other casinos to be approved for casino simulcasting

Commissioner Cofrancesco motioned to approve the agenda item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

Consider the applications for approval of the attached list of out-of-state racetracks to participate in casino simulcasting (to casinos approved or to be approved) for selected dates through 2011

Commissioner Cofrancesco made a motion to approve the agenda item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

Consider the request of the approved casinos to enter into an agreement (which may call for the payment of more than 3.5 percent of the casino pari-mutuel pool to the sending track)

Six percent for the Donn Handicap from Gulfstream Park on February 11
Six percent for the Santa Anita Handicap from Santa Anita Park on March 3.

Five percent for the Vinery Racing Spiral Stakes from Turfway Park on March 24
Six percent for the Florida Derby from Gulfstream Park on March 31
Six percent for the Santa Anita Derby from Santa Anita Park on April 7
Six percent for the Wood Memorial from Aqueduct Racetrack on April 7
Six percent for the Kentucky Oaks from Churchill Downs on May 4
Six percent for the Kentucky Derby from Churchill Downs on May 5
Six percent for the Preakness from Pimlico Racetrack on May 19
Six percent for the Metropolitan Handicap from Belmont Park on May 28
Six percent for the Belmont Stakes from Belmont Park on June 9
Six percent for the Woody Stephens from Belmont Park on June 9
Six percent for the Just a Game from Belmont Park on June 9
Six percent for the Manhattan Handicap from Belmont Park on June 9
Six percent for the Whitney Handicap from Saratoga Raceway on August 11
Six percent for the Kings Bishop from Saratoga Raceway on August 25
Six percent for the Travers Stakes from Saratoga Raceway on August 25
Six percent for the Woodward from Saratoga Raceway on September 1
Six percent for the Malibu Stakes from Santa Anita Park in December

Commissioner Cofrancesco motioned to approve the agenda item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

Racetrack Simulcasting

Consider a request of the approved New Jersey racetracks to conduct inter and intra-state, common pool and separate pool simulcasting with approved racing facilities and off-track betting locations

Commissioner Keegan motioned to approve the agenda item. Commissioner Cofrancesco seconded the motion and all Commissioners voted yes.

Michael Musto, on behalf of the THA, indicated that no consent has yet been granted from the Thoroughbred Horsemen's Association.

Consider a request of Sportech Racing, LLC, to act as a hub facility at the Mount Laurel Data Center to handle approved simulcast and live wagering activities in connection with the following racetracks: Meadowlands Racetrack, Monmouth Park, Freehold Raceway and Atlantic City Race Course

Commissioner Aponte motioned to approve the agenda item. Commissioner Cofrancesco seconded the motion and all Commissioners voted yes.

New Jersey Account Wagering and Off-Track Wagering

Consider a request of the New Jersey Sports and Exposition Authority to conduct account wagering with all approved racing facilities

Commissioner Cofrancesco motioned to approve the agenda item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

Consider a request of Sportech Racing, LLC, to act as a hub facility at the Mount Laurel Data Center through December 31, 2012 concerning account wagering and off-track wagering pursuant to N.J.A.C. 13:74 et seq.

Commissioner Cofrancesco motioned to approve the agenda item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

Consider the application for approval of the attached list of in-state and out-of-state racetracks to participate in simulcasting (with off-track wagering facilities approved or to be approved) through December 31, 2012

Commissioner Cofrancesco motioned to approve the agenda item. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER THE REQUEST OF THE RACETRACKS, APPROVED CASINOS, NEW JERSEY ACCOUNT WAGERING SYSTEM AND APPROVED OFF-TRACK WAGERING FACILITIES TO CONDUCT ADVANCE WAGERING (FULL OR PARTIAL CARD) ON THE FOLLOWING RACES OF NATIONAL INTEREST: ARC DE TRIOMPHE, BELMONT STAKES, BREEDERS CROWN DAY, BREEDERS CUP (ULTRA PICK 6), CANE PACE, CLAIMING CROWN, DUBAI RACING, ELITOPP (SWEDEN), FLORIDA DERBY, KENTUCKY DERBY, HAMBLETONIAN ELIMINATIONS DAY, HAMBLETONIAN DAY, HASKELL INVITATIONAL, JAPAN CUP, MEADOWLANDS PACE DAY, MELBOURNE CUP, PENNSYLVANIA DERBY, PREAKNESS, PRIX D' AMERIQUE RACE, SANTA ANITA DERBY, SANTA ANITA HANDICAP, TRAVERS, AND WOODFORD RESERVE.

Commissioner Aponte motioned to approve the request of the racetracks, casinos and account wagering and off-track wagering facilities to conduct advance wagering on the listed

racetracks of national interest. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER THE REQUEST OF THE RACETRACKS, APPROVED CASINOS, NEW JERSEY ACCOUNT WAGERING SYSTEM AND APPROVED OFF-TRACK WAGERING FACILITIES TO OFFER 2012 SPECIAL WAGERS OF NATIONAL INTEREST AND CONDUCT ADVANCE WAGERING.

Commissioner Aponte motioned to approve the request of the racetracks, casinos and account wagering and off-track wagering facilities to offer special wagers of national interest and conduct advance wagering on those races. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER APPROVAL OF THE NEW JERSEY RACING REVISED PROGRAM BUDGETS FOR FISCAL YEAR 2012

The Executive Director indicated that at the November 16, 2011 meeting, the Commission approved part of the program budget until additional information was provided to the Commissioners concerning an increase in the licensing section. A clarification for the increase was provided to the Commissioners which involved one employee being miscoded in the licensing section. The Commissioners were satisfied with the explanation and it was noted that there will be a \$2,145,978 overall reduction in the FY 2012 program budget.

The Executive Director also indicated that in the budget that was presented at the November 16 meeting, the budget failed to include a carry-forward balance of approximately \$561,000 from the prior fiscal year. This amount has been included in the amended budget which will reduce the net amount of funding needed to be billed to the industry.

Commissioner motioned to approve the budget as amended. Commissioner Keegan seconded the motion and all Commissioners voted yes.

There being no further discussion or comments from the public, Commissioner Keegan moved that the meeting be adjourned subject to the provisions of the "Open Public Meeting Act." Commissioner Aponte seconded the motion and it was approved unanimously.

ATTEST:

Executive Director Frank Zanzuccki