



TEXAS RACING COMMISSION

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Texas Racing Commission
Tuesday, October 11, 2016
10:30 a.m.
John H. Reagan Building
105 W. 15th Street
Austin, Texas 78701

AGENDA

I. CALL TO ORDER

Roll Call

II. PUBLIC COMMENT

III. GENERAL BUSINESS

Discussion and consideration of the following matters:

- A. Reports by the Executive Director and Staff regarding Administrative Matters
 - 1) Budget and Finance Update
 - 2) Report on Wagering Statistics
 - 3) Inspection and Enforcement Reports
- B. Reports by the Executive Director and Staff on Industry Trends
 - 1) Staff Presentation on Program Trainers
 - 2) Presentation by Representative of New Mexico Racing Commission regarding Out of Competition Testing

Discussion, consideration and possible action on the following matters:

- C. Potential Appointment of a Committee on Out of Competition Testing
- D. Legislative Proposal by the Texas Racing Commission to the 82nd Texas Legislature, Regular Session
- E. Approval of Memorandum of Understanding with Texas Veterinary Medical Diagnostic Laboratory for Fiscal Year 2017
- F. Approval of the Internal Audit Plan for Fiscal Year 2017

IV. PROCEEDINGS ON RACETRACKS

Discussion, consideration and possible action on the following matters:

- A. Action on Application by Manor Downs for License Renewal under Commission Rule 309.52, including Possible Withdrawal of Referral to the State Office of Administrative Hearings
- B. Allocation by the Texas Greyhound Association of Interstate Cross-Species Purse Money
- C. Allocation of Funds for the Texas Bred Incentive Program as provided under Commission Rule 321.505(b)
- D. Allocation of Purses as provided under Commission Rule 321.505(a)
- E. Distribution of Funds in the Escrowed Purse Account among the Various Breeds of Horses under Commission Rule 321.509
- F. Approval of Concession Contract between Sam Houston Race Park and 97, Inc.
- G. Approval of Concession Contract between Valley Race Park and VG Beverage, Inc.
- H. Approval of Agreement between Retama Park and The Bracken Store Café

V. PROCEEDINGS ON RULEMAKING

Discussion, consideration and possible action on the following matters:

Rule Proposals. If approved by the Commission, these proposals will be published in the Texas Register for public comment.

- A. Proposal to Amend Rule 321.2, Odds Manipulation
- B. Proposal to Amend Rule 321.11, Access to Magnetic Media
- C. Proposal to Amend Rule 321.35, Claim for Payment
- D. Proposal to Amend Rule 321.41, Cashing Outstanding Tickets
- E. Proposal to Amend Rule 321.42, Cashing Outstanding Vouchers
- F. Proposal to Amend Rule 307.62, Disciplinary Action, by Amending Subsection (b), Notice of Hearing
- G. Proposal to Amend Rule 307.62, Disciplinary Action, by Creating New Subsection (j), Discovery

Rule Adoption. This proposal was published in the August 26, 2016, edition of the *Texas Register* and is eligible for adoption.

- H. Adoption of Amendment to Rule 303.102, Greyhound Rules

VI. EXECUTIVE SESSION

The following items may be discussed and considered in executive session or open meeting and have action taken in the open meeting:

- A. Under Government Code Sec. 551.071(1), the Commission may open an executive session to seek the advice of its attorney regarding pending or contemplated litigation, or regarding a settlement offer.
- B. Under Government Code Sec. 551.071(2), the Commission may open an executive session to discuss all matters identified in this agenda where the commission seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. This may include, but is not limited to, legal advice regarding the Open Meetings Act, the Administrative Procedures Act, and the Texas Racing Act.
- C. Under Government Code §551.074(a)(1), the Commission may open an executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the executive director.
- D. Under Texas Racing Act, Tex. Rev. Civ. Stat. Ann. art. 179e, Sec. 6.03, the Commission may open an executive session to review security plans and management, concession, and totalisator contracts.

VII. SCHEDULING OF NEXT COMMISSION MEETING

VIII. ADJOURN