



**TEXAS RACING COMMISSION**  
**P. O. Box 12080**  
**Austin, TX 78711-2080**  
**(512) 833-6699**  
**Fax (512) 833-6907**

Texas Racing Commission  
Tuesday, February 11, 2014  
10:30 a.m.  
John H. Reagan Building, Room JHR 120  
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) Report on Racetrack Inspections
- 4) Enforcement Report
- 5) Recognition of the Texas Horsemen's Partnership as the Official Horsemen's Organization

Discussion, consideration and action on the following matter:

**B. Election of the Vice Chair**

**IV. PROCEEDINGS ON RACETRACKS**

Discussion, consideration and possible action on the following matters:

- A. Request by PM Texas LLC for Approval of Two Changes in Management Committee
- B. Request by Retama Park for Approval of Amendment to Totalisator Contract with AmTote International, Inc.

**V. PROCEEDINGS ON RULEMAKING**

Discussion, consideration and possible action on the following matter:

Rule Adoption

Adoption of Amendment to Rule 313.103, Eligibility Requirements

**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 their attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and to discuss the Open Meetings Act and the Administrative Procedures Act.
- C. 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**



**Fiscal Year 2014  
Operational Budget**

Updated: January 16, 2014  
Thru: December 31, 2013

**Summary of Operating Revenue**

By Revenue Type:					Uncollected	
	Budget	Collected	Suspended	Balance	%	
<b>Account 597 - Racing Commission - GRD</b>	\$ 9,828,475	\$ 4,055,020	\$ -	\$ 5,773,455	59%	
<b>Account 1 - State of Texas - GR</b>	\$ -	\$ -	\$ -	\$ -		
<b>TOTAL - ALL REVENUES</b>	\$ 9,828,475	\$ 4,055,020	\$ -	\$ 5,773,455	59%	

**Summary of Appropriated Operating Expenses**

				Unexpended		
	Budget	Expended	Encumbered	Balance	%	
<b>1001 - Salaries and Wages:</b>	\$ 2,861,669	\$ 901,599	\$ -	\$ 1,960,070	68%	
<b>1002 - Other Personnel Cost:</b>	\$ 137,549	\$ 51,640	\$ -	\$ 85,909	62%	
<b>2001 - Professional Fees and Services:</b>	\$ 283,275	\$ 34,340	\$ -	\$ 248,935	88%	
<b>2003 - Consumable Supplies:</b>	\$ 39,500	\$ 2,768	\$ -	\$ 36,732	93%	
<b>2004 - Utilities:</b>	\$ 60,000	\$ 12,663	\$ -	\$ 47,337	79%	
<b>2005 - Travel:</b>	\$ 170,148	\$ 21,984	\$ -	\$ 148,164	87%	
<b>2006 - Rent Building:</b>	\$ 87,979	\$ 35,443	\$ -	\$ 52,536	60%	
<b>2007 - Rent Machine and Other:</b>	\$ 14,500	\$ 3,219	\$ -	\$ 11,281	78%	
<b>2009 - Other Operating Expense:</b>	\$ 566,270	\$ 73,551	\$ -	\$ 492,718	87%	
<b>4000 - Grants</b>	\$ 4,125,000	\$ 929,070	\$ -	\$ 3,195,930	77%	
<b>5000 - Capital Expenditures:</b>	\$ -	\$ 6,264	\$ -	\$ (6,264)	0.00%	
<b>TOTAL - ALL APPROPRIATED EXPENDITURES</b>	\$ 8,345,890	\$ 2,072,542	\$ -	\$ 6,273,347	75%	

**Unappropriated Operating Expenses**

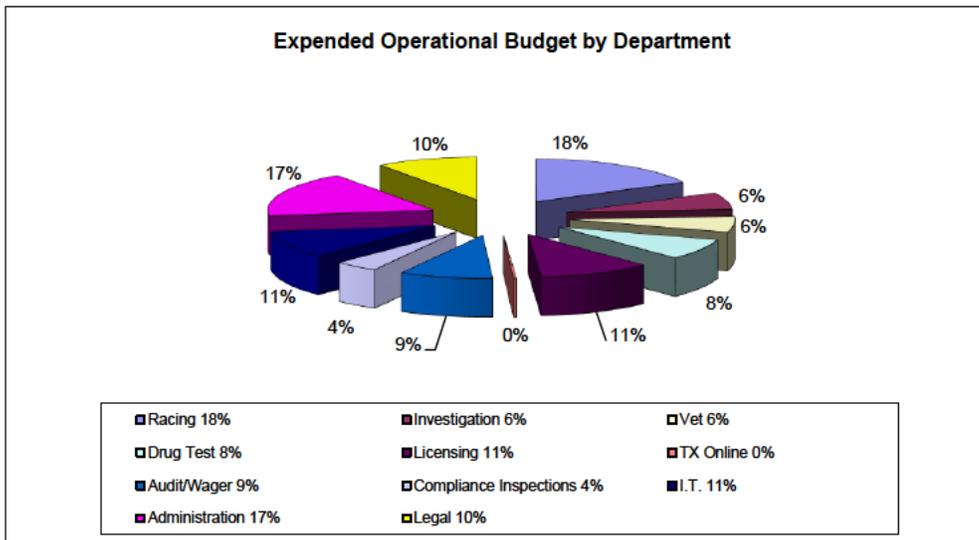
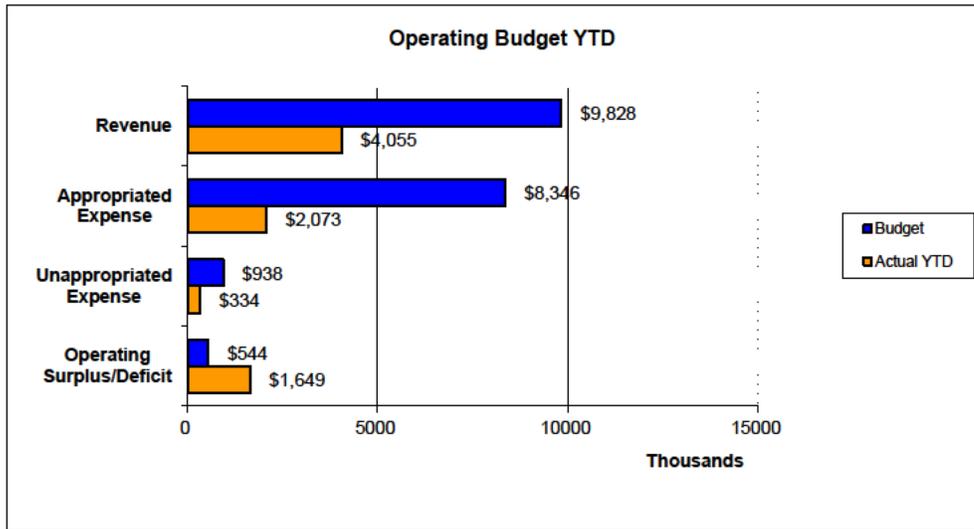
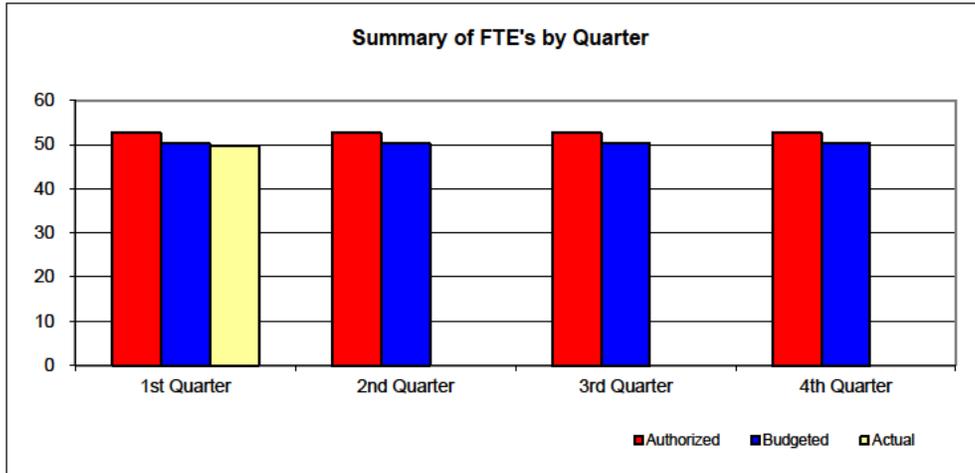
Type:					Unexpended	
	Budget	Expended	Encumbered	Balance	%	
<b>TOTAL - ALL UNAPPROPRIATED EXPENDITURES</b>	\$ 938,111	\$ 333,943	\$ -	\$ 604,169	64%	
<b>TOTAL - ALL EXPENDITURES</b>	\$ 9,284,001	\$ 2,406,485	\$ -	\$ 6,877,516	74%	

**OPERATING SURPLUS / (DEFICIT)**

\$ 544,474 \$ 1,648,535

**Summary of FTE's**

By Fiscal Quarter:	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Authorized FTE's	52.60	52.60	52.60	52.60
Budgeted FTE's	50.20	50.20	50.20	50.20
Actual FTE's	49.70	0.00	0.00	0.00
<b>Actual FTE's Over / (Under) Budget</b>	(0.50)	n/a	n/a	n/a
<b>Actual FTE's Over / (Under) Authorization</b>	(2.90)	n/a	n/a	n/a





**Texas Pari-Mutuel Racetracks Wagering Statistics  
Comparison Report on Total Wagers Placed  
in Texas & on Texas Races**

For the Period: 01/01/13 - 02/02/13 to 01/01/14 -02/02/14

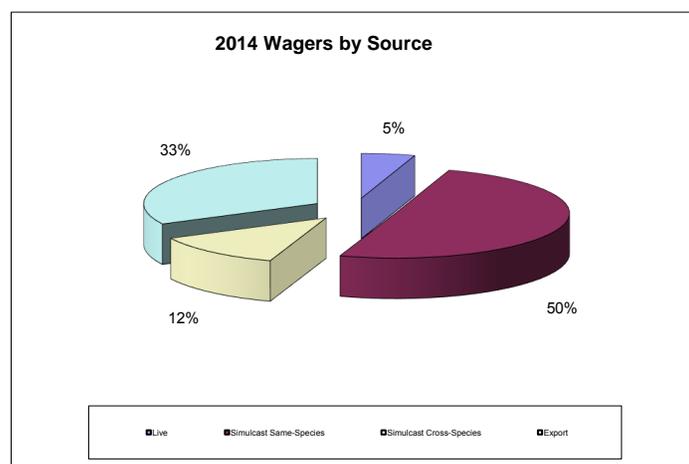
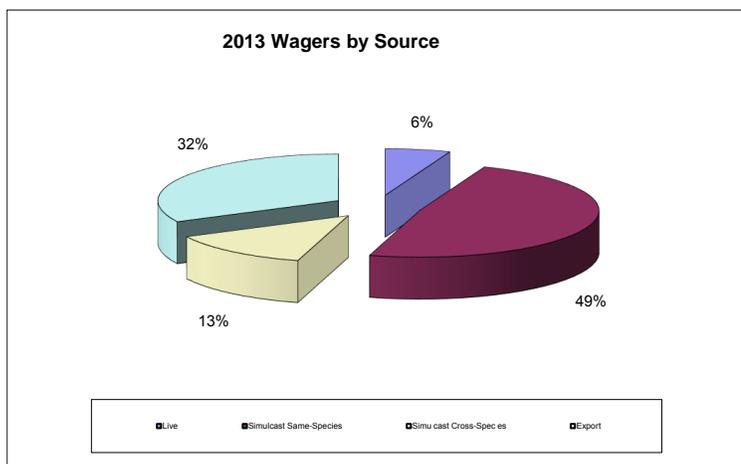
Sources of Wagers	# Days	Year 2013 01/01 - 02/02		# Days	Year 2014 01/01/ - 02/02		Percentage Change In		
		Total Wagers	Avg. Wager		Total Wagers	Avg. Wager	Total Wagers	Avg. Wagers	
<b>Greyhound Racetracks</b>									
Live	24	770,674	\$ 32,111	23	668,277	\$ 29,056	-13.29%	-9.52%	
Simulcast Same-Species	85	2,446,222	\$ 28,779	87	2,482,505	\$ 28,535	1.48%	-0.85%	
Simulcast Cross-Species	85	1,810,627	\$ 21,301	87	1,786,106	\$ 20,530	-1.35%	-3.62%	
Export	24	<u>1,122,746</u>	<u>\$ 46,781</u>	23	<u>1,050,145</u>	<u>\$ 45,658</u>	<u>-6.47%</u>	<u>-2.40%</u>	
<b>Total Wagers</b>		6,150,269	N/A		5,987,033	N/A	-2.65%	N/A	

<b>Sources of Wagers Horse Racetracks</b>									
Live	10	1,450,283	\$ 145,028	10	1,325,286	\$ 132,529	-8.62%	-8.62%	
Simulcast Same-Species	141	16,082,537	\$ 114,061	145	17,584,755	\$ 121,274	9.34%	6.32%	
Simulcast Cross-Species	118	3,154,515	\$ 26,733	145	3,140,648	\$ 21,660	-0.44%	-18.98%	
Export	10	<u>11,244,710</u>	<u>\$ 1,124,471</u>	10	<u>11,936,067</u>	<u>\$ 1,193,607</u>	<u>6.15%</u>	<u>N/A</u>	
<b>Total Wagers</b>		31,932,044	N/A		33,986,755	N/A	6.43%	N/A	

<b>Sources of Wagers All Texas Racetracks</b>									
Live	34	2,220,957	\$ 65,322	33	1,993,563	\$ 60,411	-10.24%	-7.52%	
Simulcast Same-Species	226	18,528,759	\$ 81,986	232	20,067,259	\$ 86,497	8.30%	5.50%	
Simulcast Cross-Species	203	4,965,142	\$ 24,459	232	4,926,754	\$ 21,236	-0.77%	-13.18%	
Export	34	<u>12,367,455</u>	<u>\$ 363,749</u>	33	<u>12,986,211</u>	<u>\$ 393,522</u>	<u>5.00%</u>	<u>8.19%</u>	
<b>Total Wagers</b>		38,082,313	N/A		39,973,788	N/A	4.97%	N/A	

<b>Total Wagers Placed in Texas</b>		25,714,858	N/A		26,987,576	N/A	4.95%	N/A
-------------------------------------	--	------------	-----	--	------------	-----	-------	-----

<b>Total Wagers Placed on Texas Races</b>		14,588,413	N/A		14,979,774	N/A	2.68%	N/A
---	--	------------	-----	--	------------	-----	-------	-----





**Greyhound Racetrack Wagering Statistics  
Comparison Report on Total Wagers Placed**

**in Texas & on Texas Races**

For the Period: 01/01/13 - 02/02/13 to 01/01/14 -02/02/14

Sources of Wagers	Year 2013 01/01 - 02/02				Year 2014 01/01 - 02/02				Percentage Change In	
	# Days	Total Wagers	Avg. Wager	# Days	Total Wagers	Avg. Wager	Total Wagers	Avg. Wager		
<u>Gulf Coast Racing</u>										
Live	0	0	\$ -	0	0	\$ -	N/A	N/A		
Simulcast Same-Species	24	643,941	\$ 26,831	26	686,488	\$ 26,403	6.61%	-1.59%		
Simulcast Cross-Species	24	348,602	\$ 14,525	26	308,331	\$ 11,859	-11.55%	-18.36%		
Export	0	0	\$ -	0	0	\$ -	N/A	N/A		
<b>Total Wagers</b>		<b>992,543</b>	<b>N/A</b>		<b>994,819</b>	<b>N/A</b>	<b>0.23%</b>	<b>N/A</b>		

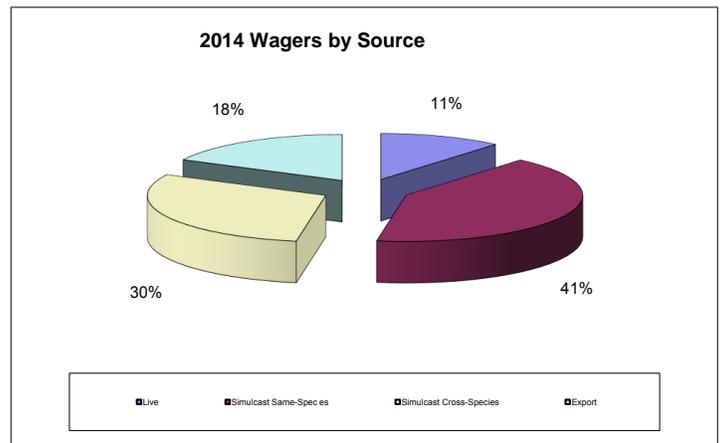
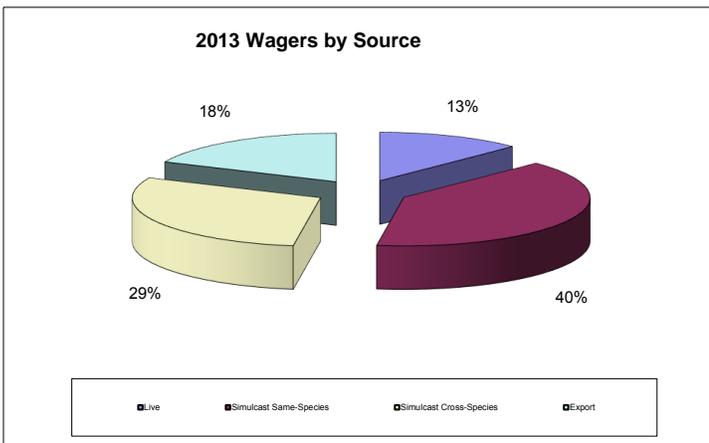
Sources of Wagers <u>Gulf Greyhound Park</u>										
	# Days	Total Wagers	Avg. Wager	# Days	Total Wagers	Avg. Wager	Total Wagers	Avg. Wager		
Live	24	770,674	\$ 32,111	23	668,277	\$ 29,056	-13.29%	-9.52%		
Simulcast Same-Species	33	1,198,830	\$ 36,328	32	1,058,098	\$ 33,066	-11.74%	-8.98%		
Simulcast Cross-Species	33	941,349	\$ 28,526	32	920,976	\$ 28,781	-2.16%	0.89%		
Export	24	1,122,746	\$ 46,781	23	1,050,145	\$ 45,658	-6.47%	-2.40%		
<b>Total Wagers</b>		<b>4,033,599</b>	<b>N/A</b>		<b>3,697,496</b>	<b>N/A</b>	<b>-8.33%</b>	<b>N/A</b>		

Sources of Wagers <u>Valley Race Park</u>										
	# Days	Total Wagers	Avg. Wager	# Days	Total Wagers	Avg. Wager	Total Wagers	Avg. Wager		
Live	0	0	\$ -	0	0	\$ -	N/A	N/A		
Simulcast Same-Species	28	603,451	\$ 21,552	29	737,919	\$ 25,445	22.28%	18.07%		
Simulcast Cross-Species	28	520,676	\$ 18,596	29	556,798	\$ 19,200	6.94%	3.25%		
Export	0	0	\$ -	0	0	\$ -	N/A	N/A		
<b>Total Wagers</b>		<b>1,124,127</b>	<b>N/A</b>		<b>1,294,717</b>	<b>N/A</b>	<b>15.18%</b>	<b>N/A</b>		

Sources of Wagers <u>All Greyhound Racetracks</u>										
	# Days	Total Wagers	Avg. Wager	# Days	Total Wagers	Avg. Wager	Total Wagers	Avg. Wager		
Live	24	770,674	\$ 32,111	23	668,277	\$ 29,056	-13.29%	-9.52%		
Simulcast Same-Species	85	2,446,222	\$ 28,779	87	2,482,505	\$ 28,535	1.48%	-0.85%		
Simulcast Cross-Species	85	1,810,627	\$ 21,301	87	1,786,106	\$ 20,530	-1.35%	-3.62%		
Export	24	1,122,746	\$ 46,781	23	1,050,145	\$ 45,658	-6.47%	-2.40%		
<b>Total Wagers</b>		<b>6,150,269</b>	<b>N/A</b>		<b>5,987,033</b>	<b>N/A</b>	<b>-2.65%</b>	<b>N/A</b>		

<b>Total Wagers Placed in Texas</b>	<b>5,027,523</b>	<b>N/A</b>	<b>4,936,888</b>	<b>N/A</b>	<b>-1.80%</b>	<b>N/A</b>
-------------------------------------	------------------	------------	------------------	------------	---------------	------------

<b>Total Wagers Placed on Texas Races</b>	<b>1,893,420</b>	<b>N/A</b>	<b>1,718,422</b>	<b>N/A</b>	<b>-9.24%</b>	<b>N/A</b>
---	------------------	------------	------------------	------------	---------------	------------



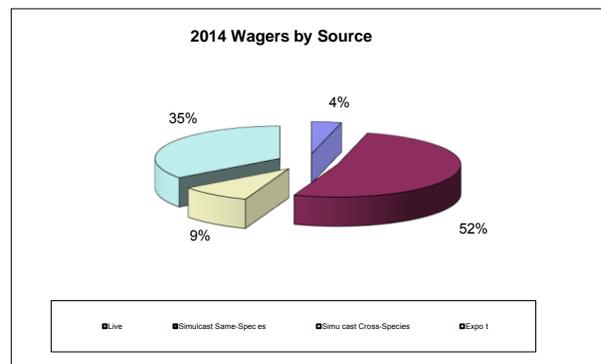
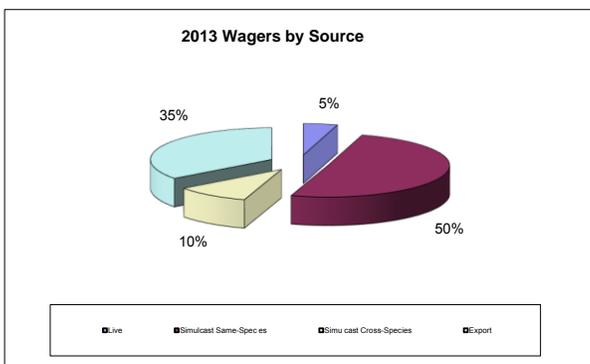


**Horse Racetrack Wagering Statistics  
Comparison Report on Total Wagers Placed**

**in Texas & on Texas Races**

For the Period: 01/01/13 - 02/02/13 to 01/01/14 -02/02/14

<u>Sources of Wagers</u>	<b>Year 2013</b> 01/01 - 02/02				<b>Year 2014</b> 01/01 - 02/02				<b>Percentage</b> Change In	
	<u># Days</u>	<u>Total Wagers</u>	<u>Avg. Wager</u>	<u># Days</u>	<u>Total Wagers</u>	<u>Avg. Wager</u>	<u>Total Wagers</u>	<u>Avg. Wager</u>		
<b>Gillespie County Fair</b>										
Live	0	0	\$ -	0	0	\$ -	N/A	N/A		
Simulcast Same-Species	19	226,133	\$ 11,902	20	169,019	\$ 8,451	-25.26%	-28.99%		
Simulcast Cross-Species	19	36,526	\$ 1,922	20	33,618	\$ 1,681	-7.96%	-12.56%		
Export	0	0	\$ -	0	0	\$ -	N/A	N/A		
<b>Total Wagers</b>		<b>262,659</b>	<b>N/A</b>		<b>202,637</b>	<b>N/A</b>	<b>-22.85%</b>	<b>N/A</b>		
<b>Lone Star Park</b>										
Live	0	0	\$ -	0	0	\$ -	N/A	N/A		
Simulcast Same-Species	33	7,531,687	\$ 228,233	33	8,679,892	\$ 263,027	15.24%	15.24%		
Simulcast Cross-Species	33	592,949	\$ 17,968	33	703,182	\$ 21,309	18.59%	18.59%		
Export	0	0	\$ -	0	0	\$ -	N/A	N/A		
<b>Total Wagers</b>		<b>8,124,637</b>	<b>N/A</b>		<b>9,383,074</b>	<b>N/A</b>	<b>15.49%</b>	<b>N/A</b>		
<b>Retama Park</b>										
Live	0	0	\$ -	0	0	\$ -	N/A	N/A		
Simulcast Same-Species	33	3,109,921	\$ 94,240	33	2,989,699	\$ 90,597	-3.87%	-3.87%		
Simulcast Cross-Species	33	753,886	\$ 22,845	33	728,224	\$ 22,067	-3.40%	-3.40%		
Export	0	0	\$ -	0	0	\$ -	N/A	N/A		
<b>Total Wagers</b>		<b>3,863,807</b>	<b>N/A</b>		<b>3,717,923</b>	<b>N/A</b>	<b>-3.78%</b>	<b>N/A</b>		
<b>Saddle Brook Park</b>										
Live	0	0	\$ -	0	0	\$ -	N/A	N/A		
Simulcast Same-Species	23	320,096	\$ 13,917	26	385,478	\$ 14,826	20.43%	6.53%		
Simulcast Cross-Species	0	0	\$ -	26	43,593	\$ 1,677	100.00%	100.00%		
Export	0	0	\$ -	0	0	\$ -	N/A	N/A		
<b>Total Wagers</b>		<b>320,096</b>	<b>N/A</b>		<b>429,071</b>	<b>N/A</b>	<b>100.00%</b>	<b>N/A</b>		
<b>Sam Houston Race Park</b>										
Live	10	1,450,283	\$ 145,028	10	1,325,286	\$ 132,529	-8.62%	-8.62%		
Simulcast Same-Species	33	4,894,699	\$ 148,324	33	5,360,667	\$ 162,444	9.52%	9.52%		
Simulcast Cross-Species	33	1,771,154	\$ 53,671	33	1,632,031	\$ 49,455	-7.85%	-7.85%		
Export	10	11,244,710	\$ 1,124,471	10	11,936,067	\$ 1,193,607	6.15%	6.15%		
<b>Total Wagers</b>		<b>19,360,846</b>	<b>N/A</b>		<b>20,254,050</b>	<b>N/A</b>	<b>4.61%</b>	<b>N/A</b>		
<b>All Horse Racetracks</b>										
Live	10	1,450,283	\$ 145,028	10	1,325,286	\$ 132,529	-8.62%	-8.62%		
Simulcast Same-Species	141	16,082,537	\$ 114,061	145	17,584,755	\$ 121,274	9.34%	6.32%		
Simulcast Cross-Species	118	3,154,515	\$ 26,733	145	3,140,648	\$ 21,660	-0.44%	-18.98%		
Export	10	11,244,710	\$ 1,124,471	10	11,936,067	\$ 1,193,607	6.15%	N/A		
<b>Total Wagers</b>		<b>31,932,044</b>	<b>N/A</b>		<b>33,986,755</b>	<b>N/A</b>	<b>6.43%</b>	<b>N/A</b>		
<b>Total Wagers Placed in Texas</b>		<b>20,687,335</b>	<b>N/A</b>		<b>22,050,688</b>	<b>N/A</b>	<b>6.59%</b>	<b>N/A</b>		
<b>Total Wagers Placed on Texas Races</b>		<b>12,694,993</b>	<b>N/A</b>		<b>13,261,352</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>		



# Texas Racing Commission

## Report on Racetrack Inspection Activities

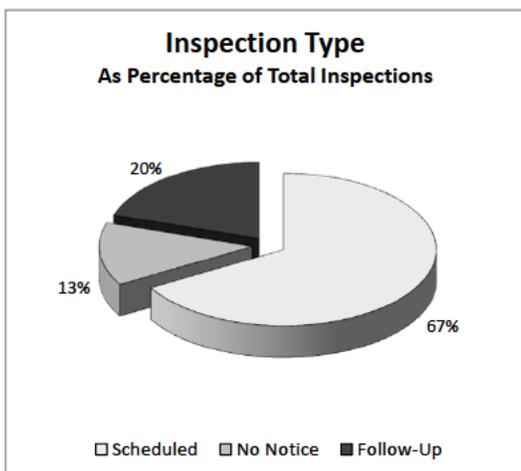
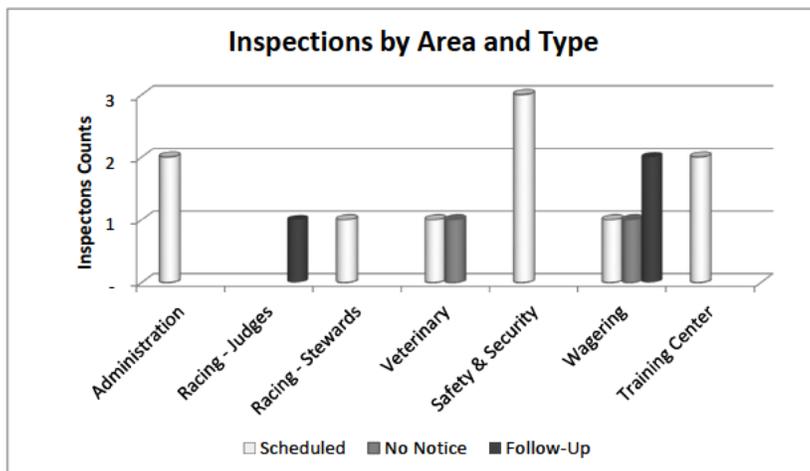
February 11, 2014

Summary of Inspections Performed For The Period of December 1, 2013 through January 31, 2014					
Track	Area of Inspection	Date of Inspection	Number of Unsatisfactory Items	Track Remediation	Remaining Unsatisfactory Items
Saddle Brook	Administrative	12/20/2013	0		
	Wagering	12/20/2013	1		
	Security	12/20/2013	0		
	Wagering	1/27/2014	(Follow-up from 12/20/13)	1	0
Gulf Greyhound Park	Veterinary	12/1/2013	0		
	Judges	12/6/2013	(Follow-up from 11/14/13)	3	0
	Security	1/16/2014	0		
Diamond D Training	Security	1/7/2014	0		
Oak Leaf Training	Security	1/7/2014	0		
Gillespie County Fair	Wagering	12/27/2013	3		
	Wagering	1/31/2014	(Follow-up from 12/27/13)	3	0
Sam Houston Race Park	Veterinary	1/8/2014	0		
	Administrative	1/10/2014	0		
	Security	1/10/2014	0		
	Stewards	1/15/2014	0		

Inspection Counts by Area and Type				
Area of Inspection	Scheduled	No Notice	Follow-Up	Totals
Administration	2			2
Racing - Judges			1	1
Racing - Stewards	1			1
Veterinary	1	1		2
Safety & Security	3			3
Wagering	1	1	2	4
Training Center	2			2
<b>TOTAL INSPECTIONS</b>	<b>10</b>	<b>2</b>	<b>3</b>	<b>15</b>

**Important Notes Regarding Inspections at Racetracks:**

- 1) Scheduled inspections typically occur before the beginning of each race meet. No Notice inspections typically are planned to occur during the middle of a meet, but may occur at any time.
- 2) Follow-Up inspections are performed when a Scheduled or No Notice inspection identifies an unsatisfactory item. The Follow-Up inspection is performed after the association has had an opportunity to remedy any unsatisfactory item initially reported.



**Texas Racing Commission  
Enforcement Report  
Selected Regulatory Statistics  
December 1, 2013 – January 31, 2014**

	GREYHOUND	HORSE	NOTES
# of Live Race Performances/Days	46	17	
# of Live Races	585	162	
# of Animals Inspected	4,636	1,446	
# of Samples	585	328	
# of Animal Drug Positives	0	2	Horse Violations – (2) Class 4
% of Samples Testing Positive	0	.6%	
# of Simulcast Days	155	259	
# of Simulcast Races	45,672	69,936	
# of Import and Export Requests	183	360	
# of New Licenses Issued	308		
# of Licenses Renewed	556		
# of Gate, Barn, and Kennel Searches	3		
# of Administrative Investigations	8		
# of Rulings	0	36	
# of Suspensions	0	8	
# of Revocations	0	3	
# of Animals DQ'ed for Drug Positive – Purse Redistributed	0	1	
# of Rulings with Fines	0	22	
Total Fines Assessed	0	\$8,100.00	

CLASSIFICATION OF DRUG POSITIVES: Drugs are classified by their effect on the animals. Class 1 is the most serious for greyhounds and horses. The least serious violations are class 6 for greyhounds and class 5 for horses.



**TEXAS RACING COMMISSION**  
**P. O. Box 12080**  
**Austin, TX 78711-2080**  
**(512) 833-6699**  
**Fax (512) 833-6907**

February 6, 2014

To: Chuck Trout  
Executive Director

From: Jim Blodgett  
Director of Investigations

Re: Change in Management Committee of PM Texas LLC

On November 25, 2013, the Commission received a request on behalf of PM Texas LLC (PM Texas) to approve the substitution of Houston Gaming Ventures' two member representatives on PM Texas' management committee. PM Texas is the entity that owns the racing licenses for Sam Houston Race Park, Valley Race Park, and Laredo Race Park. Houston Gaming Ventures owns 50% of PM Texas and is a wholly owned subsidiary of Penn National Gaming, Inc. The remaining 50% of PM Texas is owned by PM Texas Holdings LLC, a wholly owned subsidiary of Maxxam, Inc.

The requested change would substitute Timothy J. Wilmott and David Eric Schippers for the current member representatives Peter Carlino and Steven Snyder. The Department of Public Safety completed its review of the two proposed new members on December 9, 2013, and reported that it found no disqualifying information.

The procedural and background requirements of Commission Rule 309.151 having been met, I recommend that PM Texas' request be considered by the Commission for approval.



DUGGINS  
WREN  
MANN &  
ROMERO, LLP

2013 NOV 25 PM 4:03

One American Center  
600 Congress  
Suite 1900  
Austin, TX 78701

November 25, 2013

RECEIVED  
NOV 25 2013

P.O. Box 1149  
Austin, TX 78767

**HAND DELIVERY**

p: 512.744.9300  
f: 512.744.9399  
www.dwmrlaw.com

Mark Fenner, General Counsel  
Texas Racing Commission  
8505 Cross Park Drive, Ste. 110  
Austin, Texas 78754

**RE:** PM Texas LLC Member Representatives of Penn National subsidiary

Dear Mark:

As you know, the Commission in 2011 approved the transfer of a 50% ownership interest in Sam Houston Race Park, Valley Race Park, and Laredo Race Park from Maxxam to an entity called PM Texas LLC. As you may recall, PM Texas LLC has two members: a subsidiary of Maxxam, Inc. and a subsidiary of Penn National Gaming, Inc. The transactional documents contemplated that each member would appoint two representatives to the Board of PM Texas LLC. The Penn National subsidiary, Houston Gaming Ventures, Inc., appointed Steven Snyder and Peter Carlino as its representatives.

Penn National recently completed a tax-free spin-off to its shareholders of certain *non-Texas* gaming properties. In conjunction with that transaction, several officers and directors of Penn National entities have changed or will change. Houston Gaming Ventures, Inc. proposes to appoint two different representatives to the Board of PM Texas LLC. The first is Timothy J. Wilmott, who submitted complete DPS disclosure forms and fingerprint cards in connection with the 2011 transfer of ownership proceeding. The other is David Eric Schippers, who has not to date undergone a DPS background investigation.

In support of PM Texas LLC's request for approval of these changes, I enclose the following documents:

- Request for Change of Board of Directors or Management Committee Form (proposing to replace Peter Carlino with Timothy J. Wilmott);
- Timothy J. Wilmott's Authorization for Examination and Release of Information for Use in Approving Prospective Racetrack Ownership/Participation;
- Request for Change of Board of Directors or Management Committee Form (proposing to replace Steven Snyder with David Eric Schippers); and

November 25, 2013

Page 2

- Sealed and Labeled Envelope containing David Eric Schippers's completed fingerprint cards and DPS disclosure forms.

Please let me know if I can provide anything further to facilitate the processing of this request. And thanks so much for your help.

Sincerely,



Marnie A. McCormick  
mmccormick@dwmrlaw.com

MAM  
Enclosures



## **Texas Racing Commission**

MAILING ADDRESS: P.O. BOX 12080 - AUSTIN, TX 78711-2080

PHONE: (512) 833-6699 FAX: (512) 833-6907

www.txrc.state.tx.us

### **MEMORANDUM**

To: Mark Fenner, General Counsel

From:  Sammy Jackson, Deputy Director for Finance and Wagering

Date: January 27, 2014

Subject: Totalisator Contract between Retama Park and AmTote International

---

Attached to this memorandum is an amendment to the tote contract between Retama Park and AmTote International that has been requested to be placed on the February 11, 2014, Commission Agenda for consideration. The amendment extends the contract previously approved by the Commission through June 30, 2014. Staff has completed a review of the amendment and finds it to be in compliance with the Texas Racing Act and the Texas Rules of Racing.

If you have any questions, please feel free to contact Curley Trahan or me.

Cc: Curley Trahan, Compliance Auditor

## Mark Fenner

---

**From:** Steve Ross  
**Sent:** Thursday, January 23, 2014 2:46 PM  
**To:** Mark Fenner  
**Cc:** Lisa Medrano; Chris Corrado; Sammy Jackson; Curley L. Trahan; Lila Smith; Phyllis LaPaglia  
**Subject:** Retama - AmTote Agreement  
**Attachments:** Amtote RDC Agreement with Addendum 5.pdf

Hi Mark,

Retama Park respectfully requests that the attached Retama Development Corporation - AmTote International, Inc. totalisator agreement be considered for approval at the Commission's February meeting. This is an extension of the current agreement, which expires March 1, 2014. The extension is through June 30, 2014, with a provision that the agreement will continue through the end of the year if neither party gives notice of intent not to renew.

We are currently conducting discussions with AmTote for a new agreement, with updated equipment, modified services, etc. This will not be done in a week, necessitating the extension. Any new agreement will be too late for consideration at the February meeting and could only be considered at an April meeting. Without the extension, we would be without an approved agreement between March 1 and the April meeting.

Please contact me with any questions.

Thanks.

Steve

The contents of this e-mail and any attachments to it contain confidential and/or legally privileged information from Pinnacle Entertainment Inc., and/or its subsidiaries. This information is only for the use of the intended recipient. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of the contained information is strictly prohibited and that the documents should be returned to the company immediately. In this regard, if you have received this e-mail in error, please notify us by e-mail immediately.

**TEXAS RACING COMMISSION  
COMMITTEE ON RULES**

Date of Request: November 8, 2013

***Request for Proposed Change to an Existing Rule or  
Addition of a New Rule to the Rules of Racing***

Please submit this information to the attention of the Executive Director *at least 14 days* in advance of the next scheduled Committee on Rules meeting. An electronic form is available to assist in your submission or feel free to add additional pages as necessary in order to provide as much detail as possible. Filing this request does not guarantee that your proposal will be considered by the Committee on Rules.

Texas Racing Commission  
8505 Cross Park Drive, Suite 110  
Austin, TX 78754-4552  
Phone: 512/833-6699 Fax: 512-833-6907  
email: [info@txrc.state.tx.us](mailto:info@txrc.state.tx.us)

**Contact Information:**

Name:	TXRC staff	Phone(s):	512-833-6699
E-mail address:		Fax number:	512-833-6907
Mailing address:	8505 Cross Park Drive, Suite 110, Austin, Texas 78754		

Check appropriate box(s)

<input type="checkbox"/>	Personal Submission <i>OR</i>
<input checked="" type="checkbox"/>	Submission on behalf of <u>TXRC staff</u> <small>(Name of Organization)</small>

<input checked="" type="checkbox"/>	If known, Proposed Change to Chapter:	Chapter: <u>313</u>	Rule: <u>103</u>
<input type="checkbox"/>	If known, Proposed Addition to Chapter:	Chapter: _____	Rule: _____
<input type="checkbox"/>	If known, Other Rules Affected by Proposal:	Chapter: _____	Rule: _____
		Chapter: _____	Rule: _____
		Chapter: _____	Rule: _____
		Chapter: _____	Rule: _____

## **A. Brief Description of the Issue**

Section 313.103 establishes a variety of requirements for a horse to be entered in a race, including, in subsection (g), the requirements that must be satisfied before a quarter horse may be entered for the first time in a race around a turn. These requirements apply equally to paint horses and appaloosas, but they are not explicitly included in the rule.

## **B. Discussion of the Issue and Problem**

Paint horses and appaloosas are currently subject to the requirements of Section 313.103(g), although they are not identified in the rule. Because these horses are different breeds for racing purposes, the current language of the rule is incomplete and should be amended to specifically apply the requirements of Section 313.103(g) to these breeds.

## **C. Possible Solutions and Impact**

Amending the text of Section 313.103 to explicitly include paint horses and appaloosas will make the rule clearer and will reflect the current requirements for these breeds to be entered in a race around a turn for the first time.

## **D. Support or Opposition**

This proposal was published in the December 27, 2013, edition of the *Texas Register*. The Commission received no comments, either in support or opposition, in response to the publication.

## **E. Proposal**

See next page.

CHAPTER 313. OFFICIALS AND RULES OF HORSE RACING  
SUBCHAPTER B. ENTRIES, SCRATCHES, AND ALLOWANCES  
DIVISION 1. ENTRIES

**313.103 Eligibility Requirements**

(a)-(f) (No change.)

(g) To be entered in a race around a turn for the first time, a quarter horse, paint horse, or appaloosa must:

(1) have a published workout around a turn at a minimum distance of 660 yards in the 60-day period preceding the race; and

(2) be approved by the clocker, the outrider and, if the horse is worked from the gate, the starter.

(h) (No change.)