

TEXAS RACING COMMISSION

MEETING

10:31 a.m.
Tuesday,
June 11, 2019

Texas Animal Health Commission
Conference Room 1100
2105 Kramer Lane
Austin, Texas

COMMISSIONERS PRESENT:

JOHN T. STEEN III, Chair
TIM KLEINSCHMIDT
CONNIE McNABB, D.V.M.
STEVEN P. MACH
MARGARET L. MARTIN
ROBERT C. PATE
ARVEL "A.J." WAIGHT

ON THE RECORD REPORTING
(512) 450-0342

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P R O C E E D I N G S

1
2 CHAIRMAN STEEN: Good morning. The time is
3 10:31. At this time I'd like to call today's meeting of
4 the Texas Racing Commission to order.

5 Robert, could you please call the roll.

6 MR. ELROD: Commissioner Martin?

7 COMMISSIONER MARTIN: Present.

8 MR. ELROD: Commissioner Mach?

9 COMMISSIONER MACH: Present.

10 MR. ELROD: Commissioner McNabb?

11 COMMISSIONER McNABB: Present.

12 MR. ELROD: Commissioner Kleinschmidt?

13 COMMISSIONER KLEINSCHMIDT: Here.

14 MR. ELROD: Commissioner Pate?

15 COMMISSIONER PATE: Here.

16 MR. ELROD: Commissioner Waight?

17 COMMISSIONER WAIGHT: Here.

18 MR. ELROD: Chairman Steen?

19 CHAIRMAN STEEN: Present.

20 Do we have a quorum?

21 MR. ELROD: Yes.

22 CHAIRMAN STEEN: Thank you.

23 Moving to item II. First, I'd like to welcome
24 our three new commissioners: A.J. Waight, Mike Moore, and
25 Robert Pate. Thank you guys for your willingness to

1 serve, and we look forward to working with you.

2 We'd also like to recognize the contributions
3 of Commissioners Hicks, Schmidt, and Aber. Thank you for
4 your service, and you guys will be missed. We'll plan to
5 do a more formal recognition at a later date.

6 Item III. Moving on, public comment. Robert,
7 is anyone signed up for public comment?

8 MR. ELROD: No.

9 CHAIRMAN STEEN: Thank you.

10 The next is agenda item IV.A.1. Budget and
11 finance report.

12 Mr. Pence, would you please give us the update?

13 MR. PENCE: Good morning, commissioners. For
14 the record, my name is Patrick Pence, Finance director for
15 the Texas Racing Commission.

16 On pages 4 through 8 of your agenda packet is
17 the agency's fiscal year 2019 operating budget with
18 revenue collections and expenditures through the end of
19 April 2019.

20 With 66 percent of the 2019 fiscal year
21 completed, the agency has collected approximately
22 \$4.8 million, or about 62 percent of the projected revenue
23 that it anticipates getting.

24 It's expended \$4.4 million, or about 60 percent
25 of the budgeted expenditures, and of the \$4.4 million in

1 expenditures, approximately \$3.7 million are appropriated
2 expenses, and \$675,000, approximately, are unappropriated
3 expenses, including the agency's share of retirement
4 health costs, employee insurance costs, and FICA costs.

5 Unless you have questions related to the
6 finances, I'm just going to move to a brief legislative
7 report.

8 As you're aware, a few notable pieces of
9 legislation affecting agency finance were passed during
10 the recently completed 86th Session of the Texas
11 Legislature. Rules will need to be developed and approved
12 by the Commission for implementation of changes that will
13 result from the passage of these bills.

14 As of today, though, the only one of these
15 bills tracked by the agency that has been formally signed
16 by the Governor is House Bill 1995, a bill relating to the
17 distribution of funds to the Texas Racing Commission from
18 taxes deducted from simulcast pari-mutuel pools.

19 CHAIRMAN STEEN: Patrick, could you just
20 explain a little bit about what that might mean for the
21 agency going forward?

22 MR. PENCE: On House Bill 1995?

23 CHAIRMAN STEEN: Yes.

24 MR. PENCE: So it was signed by the Governor,
25 1995, and I have a couple of notes that I have related to

1 it. But basically what it will do is it will increase the
2 amount deducted from the simulcast pari-mutuel pools as
3 far as it will be available to the Racing Commission
4 itself.

5 CHAIRMAN STEEN: Okay. So the Commission would
6 see, potentially, additional funds flow to its budget
7 through the taxes that were collected?

8 MR. PENCE: Correct.

9 CHAIRMAN STEEN: I guess for me what would be
10 important to understand -- and I don't know that we
11 know -- is how these funds would actually flow, and so
12 we're still, as far as I know, trying to understand the
13 nature of that. Is that correct?

14 MR. PENCE: That's correct. And it just was
15 recently signed by the Governor, so we don't know exactly
16 how the fee structure will be established going forward.

17 CHAIRMAN STEEN: Okay. Commissioners, do you
18 guys have any questions on anything that Patrick has
19 updated us on?

20 (No response.)

21 CHAIRMAN STEEN: I guess, if no other
22 questions, I'd make a few other comments. I'd like to
23 first understand how these funds will flow, obviously, and
24 how it will affect our budget.

25 And then I know that the Commission has been

1 operating with very little working capital as we've gone
2 through sort of the struggles that we've had on the budget
3 side, so I'd like to work on a proposal that it sort of
4 allows us to have some sort of working capital cushion
5 going forward relating to this.

6 And then third, I'd really like the industry to
7 work with the staff to come up with a reasonable proposal
8 that we can bring to the Finance Committee and ultimately
9 to the Commission to see how our fee schedule looks going
10 forward.

11 MR. PENCE: Well, 1995, as it redirects the
12 simulcast tax, it's going to have anywhere from a 2.6- to
13 \$2.7 million impact on budgets going forward and will move
14 it from general revenue to the Texas Racing Commission.
15 It will have a net effect on reducing the current
16 licensing fee structure.

17 CHAIRMAN STEEN: I guess we also need to
18 recognize that it will be variable in nature, given that
19 it's based on simulcasting, and so we should all think
20 about how to take that into account as we're thinking
21 about budgeting going forward.

22 If we don't have any other questions, I think
23 that's all. Thank you, Patrick.

24 COMMISSIONER MACH: I do think to your point,
25 though, having a sense of the cash flows and when they're

1 going to be coming in, because it's not, I don't believe,
2 be just \$2.6 million going into the bank, I believe it's
3 going to come in --

4 MR. PENCE: Correct. That fund will have to
5 start from essentially zero, and it will be increasing as
6 the taxes are collected through the Comptroller's Office.

7 And again, it hasn't been made fully clear to us at the
8 agency how the Comptroller will move those funds, so
9 again, it's just recently passed, we're working with the
10 whole committee over there to determine how this process
11 will move forward from this point on.

12 CHAIRMAN STEEN: Thanks, Patrick.

13 The next item is agenda item IV.A.2. Wagering
14 statistics report. Curley Trahan, would you please give
15 us the report.

16 MR. TRAHAN: Thank you, Mr. Chairman. Good
17 morning, Commissioners. For the record, I'm Curley
18 Trahan, the director of pari-mutuels for the agency.

19 In your materials on pages 9 through 11 is the
20 comparison report on wagering statistics. This report is
21 for the period ending April 30. The report compares 2019
22 handle figures against the figures from calendar year 2018
23 for the same period.

24 For 2019 total wagering activities at the
25 greyhound racetracks increased by 1.78 percent over the

1 same period in 2018, equating to an increase of just over
2 \$263,000 in additional handle, all of which was in the
3 export handle category.

4 Total wagering activities at the horse
5 racetracks showed a decrease of 7.77 percent for 2019 as
6 compared to 2018, representing a decrease in handle of
7 just over \$10.45 million.

8 It is worth noting that the number of live
9 horse race days included in the 2019 period is seven less
10 than that of 2018, which accounts for the large decreases
11 in live and export handle.

12 Overall, total wagers placed in Texas decreased
13 by 6.10 percent, or just over \$5.72 million, while total
14 wagers placed on Texas races decreased by 7.81 percent, or
15 just over \$4.82 million.

16 I'd be happy to answer any questions.

17 CHAIRMAN STEEN: Commissioners, do you have any
18 questions?

19 (No response.)

20 CHAIRMAN STEEN: Thank you, Curley.

21 MR. TRAHAN: Thank you.

22 CHAIRMAN STEEN: The next item is agenda item
23 IV.A.3. Enforcement report. Jim Blodgett, would you
24 please present the report.

25 MR. BLODGETT: Mr. Chairman, commissioners,

1 good morning.

2 Commissioners, your enforcement report this
3 morning can be viewed on pages 12 and 13 of your materials
4 packet. This report highlights the violations handled by
5 our personnel during the 2019 Sam Houston Thoroughbred
6 Meet, which concluded on March 30; and the 2019 Sam
7 Houston Quarter Horse Meet, which concluded on May 25,
8 2019.

9 Please keep in mind when reviewing these
10 enforcement stats that these numbers represent only the
11 violations that were adjudicated by our judges during that
12 time frame and that there are violations that remain in
13 process at this time.

14 Commissioners, within this material you notice
15 that we reported minimal medication violations; however,
16 there are additional medication violations, again, that
17 remain to be reported because they're under investigation.

18 Commissioners, Lone Star Park is currently the
19 only racetrack conducting live racing in Texas; however,
20 Retama Park and Gillespie County Fair are scheduled to
21 open a mixed-breed racing in early July. All active
22 status tracks in Texas are conducting simulcast operations
23 at this time.

24 Operational and safety inspections conducted at
25 racetracks in 2019 produced no unusual or concerning

1 issues at this point. Inspections are scheduled for
2 Retama Park and Gillespie County Fair within the month.

3 And I'd be happy to answer any questions that
4 you might have.

5 CHAIRMAN STEEN: Commissioners, any questions?

6 (No response.)

7 CHAIRMAN STEEN: Thank you, Jim.

8 So move on next to item IV.B. Commissioners,
9 in light of the recent incidence of catastrophic injuries
10 in race horses in California, I asked the staff to provide
11 some information about injury prevention here in Texas, so
12 we have Dr. James to make a presentation on this.

13 DR. JAMES: Good morning, Mr. Chairman,
14 commissioners. For the record, I'm Dr. Trey James, the
15 veterinary medical director for the Texas Racing
16 Commission.

17 At the request of Chairman Steen, I'm providing
18 a general overview of how the Commission addresses racing
19 injuries. Preventing racing injuries is a complex,
20 multifactorial issue which receives our top priority.

21 In support of the agency's mission to ensure
22 the safety, integrity, and fairness of Texas pari-mutuel
23 racing, we continuously strive to minimize racing injuries
24 through various initiatives.

25 The two primary areas of regulatory oversight

1 involve the Commission veterinarians observing and
2 examining all race animals and the drug testing conducted
3 by the Texas Veterinary Medical Diagnostic Laboratory, or
4 TVMDL.

5 Although there are some similarities between
6 the regulation of horses and greyhound racing, I'll
7 mention some relevant distinctions.

8 As for horse racing, the Commission takes a
9 comprehensive approach to minimizing catastrophic
10 injuries, those injuries resulting in euthanasia or death,
11 by evaluating race animals for signs of illness or injury.

12 On race day a stall-side examination is
13 performed by a Commission veterinarian on all horses
14 entered to race. Following this pre-race examination, the
15 Commission veterinarian continues observing these horses
16 as they proceed through the holding barn and saddling
17 paddock, while out on the racetrack during the post parade
18 and warmup, and loading in the starting gates.

19 At any time prior to the starting gates
20 opening, the Commission veterinarian will recommend the
21 steward scratch any horse determined to be unsound to
22 race. Following each race, post-race examinations are
23 performed on any horse experiencing an injury, and
24 emergency care is provided to those horses requiring
25 immediate treatment.

1 As for injury prevention, we remain steadfast
2 in our efforts to identify the underlying causes of
3 specific injury types and take appropriate measures to
4 avert their occurrence.

5 Some recent examples of these efforts include
6 our necropsy and training programs. In mid-2015 the
7 Commission initiated a necropsy program whereby the lower
8 four limbs of those animals experiencing catastrophic
9 injuries are submitted to the TVMDL for gross necropsy
10 examination. The necropsy findings are then analyzed for
11 data which could lead to new initiatives, rules, or
12 policies designed to prevent catastrophic injuries from
13 occurring.

14 For example, a current project involves using
15 the necropsy results along with background information of
16 injured horses, including their past performance records,
17 to develop profiles that assist the Commission
18 veterinarians in identifying at-risk horses.

19 Also, the necropsy studies are revealing the
20 prevalence of significant preexisting pathologic lesions
21 in horses suffering catastrophic injuries, which has led
22 us to monitor all horses during morning training for any
23 signs of unsoundness.

24 By observing horses during training, Commission
25 veterinarians now have an expanded opportunity to observe

1 each horse not just during pre-race but also while they
2 are out on the track working with rider weight on their
3 back and during exercise.

4 The essence of this training program is to be
5 proactive and notify the trainers any time their horse is
6 observed by a Commission veterinarian to be lame or
7 unsound. Our goal is to prevent catastrophic injuries
8 from occurring by requiring these horses be sound before
9 returning back to training.

10 As for future initiatives, efforts are now
11 underway to secure funding to expand the necropsy and
12 training programs and to develop additional research
13 projects aimed at identifying the correlation between
14 preexisting lesions and catastrophic injuries.

15 As an example, we have a proposed project that
16 involves conducting various diagnostic imaging studies on
17 the lower four limbs being submitted to TVMDL to determine
18 whether the significant preexisting lesions identified
19 during necropsy can be similarly detected on live horses,
20 thereby alerting trainers that their horse may be at risk
21 of experiencing a catastrophic injury.

22 In regards to drug testing, the agency strives
23 to remain in alignment with the Association of Racing
24 Commissioners International's thresholds on permissible
25 medications and its prohibitions on substances that either

1 relieve pain, mask other drugs or have performance
2 enhancing effects.

3 Also, the agency limits the practice of
4 administering multiple anti-inflammatory drugs in order to
5 assist our veterinarians in their ability to detect
6 unsound horses. All blood and urine samples are submitted
7 to the TVMDL at its new laboratory facility where they are
8 drug tested using state-of-the-art equipment.

9 As for greyhounds, on race day the Commission
10 veterinarian examines the greyhounds on lead to determine
11 if they are sound to race. Outside of race day,
12 Commission veterinarians inspect dogs reported to be ill
13 or injured.

14 During official schooling races, an association
15 veterinarian observes the dogs on the track. Any injured
16 dogs are then examined by the Commission veterinarian and
17 reported accordingly. The Commission veterinarian
18 investigates all cases and reports all significant
19 findings.

20 In catastrophic injury cases, if the Commission
21 veterinarian is unable to determine the cause of death or
22 injury, samples are submitted to TVMDL for necropsy.
23 Post-race urine samples are similarly analyzed by TVMDL
24 for prohibited substances.

25 In regards to injury rates, in 2018 there were

1 15 horses with race-related catastrophic injuries out of
2 11,046 total starters, for a rate of 1.36 per 1,000
3 starts. In contrast, the Jockey Club reports the national
4 average in 2018 was 1.68 catastrophic injuries per 1,000
5 starts.

6 As for greyhound injuries, there were two
7 catastrophic racing injuries out of 3,319 total starts,
8 for a rate of 0.6 per 1,000 starts. I'm unable to locate
9 a comparative national injury rate for greyhounds, most
10 likely because there's no central reporting database.

11 In conclusion, we continuously evaluate our
12 programs and policies for areas of improvement and always
13 keep the health, safety, and welfare of all race animals
14 and their riders as our highest priority.

15 I appreciate your attention, and I'm happy to
16 address any questions.

17 CHAIRMAN STEEN: Commissioners, any questions
18 of Dr. James?

19 COMMISSIONER MARTIN: I don't have any
20 questions, but I wanted to thank you for it, because it's
21 certainly been something that's been brought up to me, and
22 so this comprehensive white paper is really important
23 information. So thank you for your work on it.

24 DR. JAMES: Thank you, Commissioner Martin.

25 COMMISSIONER McNABB: And just a commentary.

1 I've had an opportunity to go to the track and observe the
2 processes that Dr. James and the staff have put into
3 place. Having a veterinarian out by the gap, so this is
4 where the horses are coming off the track as they've been
5 out exercising, so if you're going to pick a critical
6 control point, that's it.

7 And having their presence -- having them there
8 every day, initially any change at a racetrack creates a
9 little bit of people, you know, what are you doing? -- but
10 now they're seeing that that veterinarian is there every
11 day, that individual is a known quantity, they're not
12 harassing anybody, but still they're getting a chance to
13 actually see those horses. And people then do understand
14 this is about saving those horses' lives; certainly for
15 the riders it's about saving their lives. So I've found
16 that the folks on the racetrack accept that vet when the
17 vet says, Come here, who are you, if they don't know
18 already.

19 So they're not going in and doing a massive
20 disruption because they get to know who the players are
21 and what's happening. But it gives a very low, low
22 profile, so low disruption to the standard of the day, but
23 it gives that veterinarian an invaluable opportunity to
24 see a horse.

25 If a horse is coming off and he's a little bit

1 off, the vet watches for him to come back, so then if it
2 comes up and this horse is coming into a race, if that
3 trainer thought they were sound, that veterinarian had
4 already seen that horse a few times, and so that pre-race
5 exam can be much more pointed and the conversation much
6 more meaningful with that trainer: Are you sure? Are we
7 where we want to be? Because we want to make sure we're
8 supporting racing but we don't want to do it at the
9 expense of having horses and having fatalities.

10 Also, for what Dr. James is saying, any
11 catastrophic injury on a racetrack is a tragedy. Compared
12 to 20 years ago, the best rates on the planet were still
13 nearly double what he's talking about, so even places that
14 had the most stringent rules, the numbers then that people
15 thought they were doing a pretty good job were nearly
16 double of what he's reporting.

17 So even though it's tragic when we have
18 breakdowns, you know, one is always too many, but what
19 they're doing is really engaging with that population,
20 becoming part of that and making sure that we know the
21 horses and we know the people. And we're not there to be
22 heavy-handed, we're there to make sure that those animals
23 are fit to race when they go to the post.

24 Great job, sir.

25 DR. JAMES: Thank you, Commissioner McNabb.

1 CHAIRMAN STEEN: Thank you. Any other
2 questions or comments?

3 (No response.)

4 CHAIRMAN STEEN: Thank you, Dr. James.

5 DR. JAMES: Yes, sir.

6 CHAIRMAN STEEN: Next we will take up section
7 V.A.1. Amendments to Section 321.320, Super Hi-Five.

8 Devon, will you please present the item.

9 MS. BIJANSKY: Yes, sir.

10 Commissioners, these next several rules were
11 proposed at the March meeting. 321.320 Super Hi-Five was
12 requested by Lone Star to address a situation where a
13 meeting is unexpectedly ended early.

14 In their case, a Thoroughbred meet ended early
15 because of excessive heat. There was a carryover that
16 should have been paid out at the end of the meet, but the
17 meet ended early, and so that carryover had to go to a
18 meet that was a different breed. So this rule would
19 address that situation and allow them to hold that
20 carryover until the next meet of the same breed.

21 There were no comments, and this is before you
22 today for final action.

23 CHAIRMAN STEEN: Thank you, Devon.

24 Robert, is anyone signed up to speak on this
25 item?

1 MR. ELROD: No, sir.

2 CHAIRMAN STEEN: If not, then I would entertain
3 a motion to adopt the amendments to Section 321.320.

4 COMMISSIONER McNABB: So moved.

5 COMMISSIONER MACH: Second.

6 CHAIRMAN STEEN: Motion made by Commissioner
7 McNabb, seconded by Commissioner Mach.

8 Any further discussion?

9 (No response.)

10 CHAIRMAN STEEN: If not, let's take this up for
11 a vote. All in favor please signify by saying aye.

12 (A chorus of ayes.)

13 Chairman STEEN: Any opposed?

14 (No response.)

15 CHAIRMAN STEEN: That motion carries.

16 The next item we will consider are the
17 amendments to 303.93, Quarter Horse Rules.

18 Devon, would you please present this item.

19 MS. BIJANSKY: Yes, sir.

20 These amendments were requested by the Texas
21 Quarter Horse Association. Essentially, they would
22 eliminate the requirement that a brood mare be permanently
23 domiciled in Texas to be accredited as an accredited Texas
24 Bred. This is to expand those horses that can be
25 accredited as Texas Breds, and the goal of the TQHA was to

1 allow it to extend to allow more accredited Texas Breds.

2 There were no comments submitted in response to
3 the posting of this proposal.

4 CHAIRMAN STEEN: Thank you, Devon.

5 Robert is anyone signed up to speak on these
6 items?

7 MR. ELROD: No, sir.

8 CHAIRMAN STEEN: Is there a motion to adopt the
9 amendments to Section 303.93?

10 COMMISSIONER MARTIN: So moved.

11 COMMISSIONER MACH: Second.

12 CHAIRMAN STEEN: Motion made by Commissioner
13 Martin, seconded by Commissioner Mach.

14 Any further discussion?

15 (No response.)

16 CHAIRMAN STEEN: All in favor please signify by
17 saying aye.

18 (A chorus of ayes.)

19 CHAIRMAN STEEN: Any opposed?

20 (No response.)

21 CHAIRMAN STEEN: Motion carries.

22 Next we'll take up amendments to Section
23 309.129, 321.1, 321.36, 321.318, 321.503, and 321.509.

24 Devon, will you please present these items.

25 MS. BIJANSKY: Yes, sir.

1 These last six items are non-substantive
2 changes. You saw a round of them last time. This is the
3 last round that you'll be seeing following the
4 codification of the Racing Act that took effect in April
5 as a result of legislation from the last legislative
6 session back in 2017, and there were no comments submitted
7 in response to these proposals.

8 CHAIRMAN STEEN: Thank you, Devon.

9 Is anyone signed up to speak, Robert?

10 MR. ELROD: No, sir.

11 CHAIRMAN STEEN: Then is there a motion to
12 adopt the amendments to Sections 309.129, 321.1, 321.36,
13 321.318, 321.503, and 321.509?

14 COMMISSIONER MARTIN: So moved.

15 CHAIRMAN STEEN: Motion made by Commissioner
16 Martin.

17 COMMISSIONER MACH: Question. On the briefing
18 agenda there's a reference to 309.120, but it does not
19 appear on that.

20 MS. BIJANSKY: Was that a typo for 309.129?

21 COMMISSIONER MACH: It's the very first one in
22 the briefing agenda list is 309.120, and I didn't see
23 that.

24 MS. BIJANSKY: I think that should have been
25 129.

1 COMMISSIONER MACH: Okay. Because it does show
2 309.129 right below that. Just to be clear, the ones that
3 he read out are the ones that we are considering?

4 MS. BIJANSKY: Yes.

5 COMMISSIONER MACH: I have no further
6 questions.

7 MS. BIJANSKY: I apologize. Yes, 309.129 is
8 Automatic Banking Machines; 321.1 is Definitions and
9 General Provisions, and then from there, that's right.

10 CHAIRMAN STEEN: So just for the record, can
11 you just state were the numbers correct?

12 MS. BIJANSKY: The numbers on the agenda are
13 correct, the numbers you read out are correct, yes.

14 CHAIRMAN STEEN: Okay. So we had a motion by
15 Commissioner Martin. Do we have a second?

16 COMMISSIONER MACH: I'll second.

17 CHAIRMAN STEEN: Second by Commissioner Mach.
18 Any further discussion?

19 (No response.)

20 CHAIRMAN STEEN: All in favor please signify by
21 saying aye.

22 (A chorus of ayes.)

23 CHAIRMAN STEEN: Any opposed?

24 (No response.)

25 CHAIRMAN STEEN: The motion carries.

1 Moving on to item V.B.1. Closure of rule
2 reviews of Chapters 313 and 315.

3 Devon, will you please present this item?

4 MS. BIJANSKY: Yes, sir.

5 Commissioners, the Government Code requires
6 state agencies to review each of its rules every four
7 years. We typically take those in chunks by chapter. Last
8 summer you proposed the review of Chapters 313 and 315.
9 We received no comments in response to the proposed rule
10 review, and so staff is recommending that you re-adopt
11 those chapters.

12 CHAIRMAN STEEN: Robert, is anyone signed up to
13 speak?

14 MR. ELROD: No, sir.

15 CHAIRMAN STEEN: Then is there a motion to re-
16 adopt the rules for Chapters 313 and 315?

17 COMMISSIONER KLEINSCHMIDT: So moved.

18 COMMISSIONER MACH: Second.

19 CHAIRMAN STEEN: Motion made by Commissioner
20 Kleinschmidt, seconded by Commissioner Mach.

21 Any further discussion?

22 (No response.)

23 CHAIRMAN STEEN: All in favor please signify by
24 saying aye.

25 (A chorus of ayes.)

1 CHAIRMAN STEEN: Any opposed?

2 (No response.)

3 CHAIRMAN STEEN: The motion carries.

4 We will now consider item V.B.2. opening rule
5 reviews of Chapters 321 and 323.

6 Devon, will you please present this item.

7 MS. BIJANSKY: Yes, sir.

8 And Commissioners, this last item is opening
9 rule review on the next two chapters, Chapter 321 and
10 Chapter 323, and so we'll go through that same process,
11 and we'll revisit this probably around this time next
12 year.

13 CHAIRMAN STEEN: Thank you, Devon.

14 Robert, is anyone signed up to speak on this
15 item?

16 MR. ELROD: No, sir.

17 CHAIRMAN STEEN: Then is there a motion to
18 publish Chapters 321 and 323 in the *Texas Register* for
19 rule review?

20 COMMISSIONER McNABB: So moved.

21 COMMISSIONER MACH: Second.

22 CHAIRMAN STEEN: Motion made by Commissioner
23 McNabb, seconded by Commissioner Mach.

24 Any further discussion?

25 (No response.)

1 CHAIRMAN STEEN: All in favor please signify by
2 saying aye.

3 (A chorus of ayes.)

4 CHAIRMAN STEEN: Any opposed?

5 (No response.)

6 CHAIRMAN STEEN: The motion carries.

7 The next item to consider is Section VI.
8 Designation of an application period for race dates under
9 Rule 303.41.

10 Devon, could you please present this one as
11 well.

12 MS. BIJANSKY: Chuck is going to present this
13 one.

14 MR. TROUT: Each year we ask for a period to be
15 open so that the racetracks can request race dates, and
16 this will be for the calendar year of 2021 -- I'm sorry --
17 2020, and it goes from January 1 of 2020 to December 31 of
18 2020, and January 1, 2021 through August 31, 2021. We
19 recommend that the application period for these race dates
20 be open on June 11 and be closed on July 16.

21 CHAIRMAN STEEN: Thank you, Chuck.

22 Robert, is anyone signed up to speak?

23 MR. ELROD: No, sir.

24 CHAIRMAN STEEN: Then is there a motion to open
25 an application period from June 11, 2019, through July 16,

1 2019, for race dates to be conducted from January 1
2 through December 31, 2020, and from January 1 through
3 August 31, 2021?

4 COMMISSIONER MARTIN: So moved.

5 COMMISSIONER MACH: Second.

6 CHAIRMAN STEEN: Motion made by Commissioner
7 Martin, seconded by Mach.

8 Any further discussion?

9 (No response.)

10 CHAIRMAN STEEN: All in favor please signify by
11 saying aye.

12 (A chorus of ayes.)

13 CHAIRMAN STEEN: Any opposed?

14 (No response.)

15 CHAIRMAN STEEN: The motion carries.

16 We will not be entering into executive session
17 today.

18 The next meeting is currently scheduled for
19 August 13; however, we're going to look to move the
20 meeting to September, depending on schedules, to
21 understand the legislation a bit better and give staff
22 some time to work through additional items, so staff will
23 be reaching out to the commissioners to look at schedules
24 on that.

25 The time is now 11:02. With all business

1 concluded, we are now adjourned. Thank you.

2 (Whereupon, at 11:02 a.m., the meeting was

3 adjourned.)

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C E R T I F I C A T E

MEETING OF: Texas Racing Commission
LOCATION: Austin, Texas
DATE: June 11, 2019

I do hereby certify that the foregoing pages,
numbers 1 through 30, inclusive, are the true, accurate,
and complete transcript prepared from the verbal recording
made by electronic recording by Nancy H. King before the
Texas Racing Commission.

DATE: June 17, 2019

(Transcriber)

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