

Minutes of the Regular Meeting of the
Indiana Horse Racing Commission

March 5, 2014

Indiana State Library, Room 211
315 W. Ohio Street
Indianapolis, IN 46204

Commission members present: William Diener, Chairman; Steve Schaefer, Vice Chairman; Commissioners Greg Schenkel, Thomas Weatherwax and George Pillow. Also present were Joe Gorajec, IHRC Executive Director; Lea Ellingwood, IHRC General Counsel; Holly Newell, IHRC Deputy General Counsel; IHRC Assistant Executive Director Deena Pitman; Brian Elmore, Centaur General Manager of Racing; Jim Brown, President and COO of Centaur Gaming; Dr. Rick Sams, Director of HFL Sport Sciences; Dr. Dionne Benson, Executive Director of the Racing Medication and Testing Consortium; Jim Hartman, Indiana Breeder and Owner Protection, Inc.; Jessica Barnes, IHRC Director of Racing and Breed Development; and Rick Moore, General Manager of Racing at Hoosier Park.

I. Call to Order

Chairman William Diener called the meeting to order at approximately 9:00 a.m. A quorum was present.

Chairman Diener swore in the court reporter.

II. Approval of minutes of the December 10, 2013, meeting.

The Commission unanimously approved the December 10, 2013 minutes.

III. Agenda

Note: All items on the agenda were transcribed by a court reporter from Stewart Richardson. Transcripts are available at www.in.gov/hrc.

1. Presentation by Centaur regarding 2013 race meets and a 2014 preview.

Brian Elmore, General Manager of Racing for Centaur, and Jim Brown, President and COO of Centaur, provided an overview of the operations and plans for Indiana Grand and Hoosier Park for 2013 and a look ahead to the future.

2. Consideration of emergency rules including Association of Racing Commissioners International's ("ARCI") Model Rules regarding medication and penalties – Dr. Dionne Benson, Executive Director, Racing Medication and Testing Consortium ("RMTC").

Joe Gorajec, Executive Director of the IHRC, noted that the IHRC is now contracting with HFL Sport Sciences as its primary lab, and he introduced Dr. Rick Sams, director of HFL, who was present at the meeting. Mr. Gorajec then introduced the rules before the IHRC, recommending that the Commission approve the rules. He discussed the advantages of uniformity within the industry.

Dr. Benson offered details of the rules, and addressed some misconceptions about the development of the rules. She detailed the credentials of the industry professionals involved in establishing the rules.

Chairman Diener moved to allow for an April 7, 2014 deadline for additional

industry comments on the rules. The rules will not be voted on until the April 30, 2014 Commission meeting. Vice Chairman Schaefer seconded. Motion passed 5-0.

3. Approval of settlement agreement between United Tote and commission staff.

Deputy Counsel Holly Newell presented the settlement agreement for Commission approval. Chairman Diener moved to approve the settlement; the Commission voted 5-0 to approve the settlement.

4. Review of Commission Rulings – December 1, 2013 through January 31, 2014.

Deputy Counsel Newell reported on the rulings issued during the period in question. No questions from the Commission.

5. Approval of split sample laboratories for 2014 and beyond pursuant to 71 IAC 8-4-3 and 71 IAC 8.5-3-3.

Mr. Gorajec presented two laboratories (UC Davis and University of Pennsylvania) for approval for split sample testing. Both labs are approved by the Commission's primary lab (HFL).

Chairman Diener moved to approve the labs. Commissioner Schenkel seconded; the Commission voted 5-0 to approve the labs.

6. Approval of laboratories for out-of-competition testing for 2014 and beyond pursuant to 71 IAC 8-3-5(h) and 8.5-2-5(h).

Chairman Diener made a motion to approve the out-of-competition testing labs. Commissioner Schenkel seconded and the Commission approved the labs, 5-0.

7. Waiver of 71 IAC 5.5-3-1(i) **Eligibility**.

Mr. Gorajec requested a waiver of the requirement for continuing education for the trainers because the online course by UC Davis and the California Horse Racing Board is not available yet.

Chairman Diener moved to grant the waiver of 71 IAC 5.5-3-1(i) for 2014. The Commission voted 5-0 to grant the waiver.

8. Consideration of Request to Repeal 71 IAC 10-3-20(b).

General Counsel Lea Ellingwood explained the petition filed by Indiana Breeder and Owner Protection, Inc. ("IBOP") and clarified the consequences of repealing the rule.

Chairman Diener moved to deny the petition to repeal 71 IAC 10-3-20(b). Commission Schaefer seconded the motion. The Commission voted 5-0 to deny the petition to repeal.

9. Consideration of Request to Repeal 71 IAC 1.5-1-40 **“Foreign Substance” defined.**

General Counsel Ellingwood addressed IBOP’s petition to repeal the definition of foreign substance.

Commission Schaefer and Chairman Diener both moved to deny the petition. The Commission voted 5-0 to deny the petition to repeal the rule.

10. Presentation of the 2014 program by Thoroughbred Breed Development Advisory Committee and consideration of emergency rules 71 IAC 13.5-3-3 **Out-of-state breeder’s awards** and 71 IAC 13.5-3-5 **Purse supplement in open races.**

IHRC Director of Breed Development Jessica Barnes read remarks from Wendy Brown of the Thoroughbred Breed Advisory Committee. Ms. Barnes then addressed the rule for out-of-state breeder’s awards and the rule for purse supplement in open races and requested Commission approval of the program.

Chairman Diener moved to approve the Thoroughbred Breed Development Advisory Committee program for the year and the proposed amendments to the two rules. The Commission voted 5-0 to approve the program and pass the proposed amendments as emergency rules.

11. Presentation of the 2014 program by Quarter Horse Breed Development Advisory Committee and consideration of emergency rules 71 IAC 14.5-3-4 **Purse supplement in open races** and 71 IAC 14.5-3-6 **Sired purse supplement.**

Ms. Barnes presented the 2014 Quarter Horse program and accompanying rules. Chairman Diener moved to approve the program and the rules. The Commission unanimously approved the program and rules.

12. Consideration of petition from Centaur to expand FastBet Mobile to Indiana Downs.

John Keeler, General Counsel for Centaur, presented the petition to expand the Fast Bet Mobile technology at Indiana Grand Racing & Casino.

Chairman Diener moved to approve the petition to expand the FastBet Mobile system at Indiana Grand. The Commission approved the motion 5-0.

13. Approval of Hoosier Park’s 2014 Standardbred racing official list pursuant to 71

IAC 3-1-2.1.

Rick Moore, Vice President and General Manager of racing at Hoosier Park noted that two people on the list provided to the commission would not be returning.

Chairman Diener moved to approve the list as amended and delegate authority to the executive director to permanently select replacement staff for the photo finish technician and the judges stand tote assistant. The Commission approved the motion 5-0.

IV. Old Business

V. New Business

Commissioner Diener advised that the next meeting will be scheduled in late April or early May. He stated that supplemental comments on the medication rules should be filed on or before April 7, 2014.

VI. Adjournment

With no further business, Chairman Diener adjourned the meeting at 12:00 p.m. on March 5, 2014.

Respectfully submitted,