



Massachusetts Horse Racing Committee Meeting Minutes

Date/Time: June 3rd, 2020 at 2:00 p.m.

Place: VIA CONFERENCE CALL NUMBER: 1-646-741-5293

PARTICIPANT CODE: 111 346 6087

Given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Horse Race Committee will conduct a public meeting utilizing remote collaboration technology.

Present: Brian Fitzgerald, Chair
Joe Savage, New England HBPA, Thoroughbred Representative
Peter Goldberg, Standardbred Representative
Commissioner Gayle Cameron, MGC Representative
Emily Kowtoniuk, Treasurer's Representative
Todd Grossman, MGC Acting General Counsel
Shara Bedard, MGC Paralegal

Call to Order

2:01 a.m. The Chair called the Horse Racing Committee ("Committee") meeting to order. He then had the Committee members introduce themselves and state their designation.

Approval of Minutes

The Chair moved to approve the minutes from the Committee meeting of May 14, 2020. The motion passed unanimously.

Discussion

The Chair called upon the Committee to discuss their proposed amendment to the state regulation regarding distribution of the Racehorse Development Fund

(“RDF”). Commissioner Cameron suggested Mr. Grossman explain the process of proposing distribution changes to the Massachusetts Gaming Commission (“MGC”). Mr. Grossman explained that MGC cannot make changes to the distribution percentages or process of their own accord; MGC may only heed the Committee’s recommendations on such things. MGC does, however, have the final say on changes to distribution regulation. The Chair suggested making a correction to the distribution change proposal, noting that on the first page the sentence regarding the Harness Racing Association should be changed to include both horse breeds.

The Chair then asked Mr. Grossman to describe the next step in the process of proposing a distribution amendment. Mr. Grossman explained that if the Committee made a strong enough case for it, MGC could move to treat this proposal matter as one of emergency, expediting their deliberation process. If MGC approves the proposed changes, they will hold a public meeting so as to hear any public comments, then, if MGC and the Committee agree on the proposal, start the process of officially instating the regulation amendments. All this would take around 60-90 days if not deemed an emergency by MGC.

Commissioner Cameron pointed out that the third phase of the statewide reopening plan will open casinos approximately within the month, along with the horse racetrack, thus enabling the racing season to start. Because of the upcoming reopening, Commissioner Cameron opined that the Committee has a good chance of moving MGC to act urgently regarding the distribution amendments. The Chair asked the Committee to vote on whether to submit the proposed amendments to MGC for possible expedited promulgation. Commissioner Cameron moved to submit the Committee’s proposed amendments to the Commission. Mr. Goldberg seconded the motion. With one abstention, the Committee voted to carry the motion.

The Chair asked the Committee for feedback on the proposed criteria for recalculating the distribution percentage (“split”) between Thoroughbreds and Standardbreds for purposes of funding purses, breeding programs, and health and welfare benefits. The Chair shared each industry’s and his own proposals. Mr. Savage and Mr. Goldberg offered suggestions for ensuring appropriate fund distribution, industry growth, and the consideration of all eligible racing employees under health and wellness programs.

Mr. Savage moved that the Committee adopt the proposed criteria with the discussed suggestions. Commissioner Cameron seconded the motion. The Committee voted to carry the motion.

Mr. Goldberg inquired as to the timing of possible emergency Commission approval of their proposal and whether the industries would have enough time to write executive summaries. Mr. Grossman opined that the Committee need not wait on the Commission's decision in order to submit executive summaries and discuss adjustments to the allocation.

Discussion of Next Steps

The Chair will compile the approved criteria proposal and industry items into an outline for circulation while awaiting the Commission's decision.

3:13 p.m. *With no further topics for discussion, the Chair adjourned the meeting.*

List of Documents and Other Items Used

1. Massachusetts Racehorse Development Fund regulations document
2. Criteria outline for executive summaries
3. 2019 Racehorse Development Fund figures

/s/ Tania Perez

Secretary