

MEETING  
STATE OF CALIFORNIA  
HORSE RACING BOARD

In the Matter of:                    )  
  )  
Regular Meeting                        )  
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PLEASANTON SATELLITE WAGERING FACILITY  
4501 PLEASANTON AVENUE  
PLEASANTON, CALIFORNIA

THURSDAY, JUNE 20, 2019

10:30 A.M.

Reported by:  
Gigi Lastra

APPEARANCES

COMMITTEE MEMBERS

Chuck Winner, Chair  
Madeline Auerbach, Vice Chair  
Fred Maas, Commissioner  
Dennis Alfieri, Commissioner

STAFF

Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director  
John McDonough, Chief Counsel  
Robert Brodnik, Staff Counsel  
Mike Marten, Associate Analyst  
Rick Arthur, Equine Medical Director

ALSO PRESENT

Ed Martin, ARCI  
Susan Branch  
Christopher Schick, Watch and Wager Standardbred  
Eric Storm, Xpressbet  
Becky Bartling, Sonoma County Fair  
Stacey Lapham, Sonoma County Fair  
Caitlyn Findley-Thorn, Sonoma County Fair  
Eric Sindler, The Stronach Group

APPEARANCESALSO PRESENT

Mary Forney, Thoroughbred Owners of California

Jack Liebau, Los Alamitos

James Morgan, Humboldt County Fair

Larry Swartzlander, California Authority of Racing Fairs

Dionne Benson, The Stronach Group

Richard Conway, Humboldt County Fair

Frank Stronach, The Stronach Group

Heather Wilson, Horse Racing Wrongs

Christina Verdial

Pat CuvIELLO

April Montgomery

Liv Bunting

Raven Deerbrook

Zafir Molina

Thomas Chang

Jennifer Brown

Wendy Marcus-Minovitz

Denise Bolbo

Kirsten Cluster

Robert Allen

Ian McClean

Lisa Jeffrey

Andy Stronach

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- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
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(Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)

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P R O C E E D I N G S

10:35 A.M.

PLEASANTON, CALIFORNIA, THURSDAY, JUNE 20, 2019

CHAIR WINNER: Good morning, Ladies and gentlemen.

This meeting of the California Horse Racing Board will come to order. Please take your seats. This is the regular noticed meeting of the California Horse Racing Board on Thursday, June 20th, 2019 at Alameda County Fairgrounds, 4501 Pleasanton Avenue, Pleasanton, California.

Present at today's meeting are myself, Chuck Winner, Chairman; Madeline Auerbach, Vice Chairman; Dennis Alfieri, Commissioner; Fred Maas, Commissioner.

Before we go on to the business of the meeting, I need to make a few comments.

The Board invites public comment on matters appearing on the meeting agenda. The Board also invites comments from those present today on matters not appearing on the agenda during a public comment period if the matter concerns horse racing in California.

In order to ensure all individuals have an opportunity to speak and the meeting proceeds in a timely fashion, I'll strictly enforce the three-minute time limit rule for each speaker. The three-minute time limit rule will be enforced during discussion of all matters as stated

1 on the agenda, as well as during the public comment period.

2           There's a public comment sign-in sheet for each  
3 agenda matter on which the Board invites comments. Also,  
4 there's a sign-in sheet for those wishing to speak during  
5 the public comment period for matters not on the Board's  
6 agenda but if it concerns horse racing in California.

7           If you would like to speak and you haven't yet  
8 filled out a card, please see Mr. Marten right over there  
9 and fill out a card.

10           Please print your name legibly on the public  
11 comment sign-in sheet.

12           When a matter is open for public comment, your  
13 name will be called. Please come to the podium. Introduce  
14 yourself by stating your name and organization clearly.  
15 This is necessary for the court reporter to have a clear  
16 record of all who speak. When your three minutes are up the  
17 Chairman, or I, will ask you to return to your seat so  
18 others can be heard.

19           When all the names have been called, I'll ask if  
20 there's anyone else who would like to speak on the matter  
21 before the Board. Also, the Board may ask questions of  
22 individuals who speak. If a speaker repeats himself or  
23 herself, I'll ask if the speaker has any new comments to  
24 make. If there are none, the speaker will be asked to let  
25 others make comments to the Board.

1           Okay, as indicated prior to the meeting in our  
2 announcement, we will now recess into Executive Session.  
3 And my understanding is that the only way that we can do  
4 this is for everyone to please get up and go to an area back  
5 there where space has been reserved and we will stay here  
6 for our Executive Session.

7           (Off record at 10:38 a.m.)

8           (On the record at 11:18 a.m.)

9           CHAIR WINNER: All right, the meeting will come  
10 back to order. Thank you all very much for your  
11 understanding and patience.

12           Let me announce that item number 13 will come off  
13 the agenda since the Medication Committee Meeting did not  
14 take place.

15           Let us go to the approval of the minutes. And  
16 those are the minutes from May 23rd. And I just want to  
17 make sure that everyone here was at the meeting and I think  
18 that we do have the four -- the four of us are here.

19           So is there a motion to approve?

20           There was one small change that I had, Jackie.

21           MS. WAGNER: Yes?

22           CHAIR WINNER: I believe, yeah, on item -- on page  
23 32 -- I'm sorry, 213, it states that Vice Chair Auerbach  
24 made the motion and Vice Chair Auerbach seconded the motion.  
25 Usually, a different person needs to second the motion.

1 MS. WAGNER: I was busy that day.

2 CHAIR WINNER: So you might want to just fix that.  
3 I don't have any other changes.

4 Are there any other changes, suggestions for the  
5 minutes from May 23rd? Is there a motion to approve?

6 COMMISSIONER MAAS: So moved.

7 COMMISSIONER ALFIERI: Second.

8 CHAIR WINNER: Commissioner Maas moves,  
9 Commissioner Alfieri seconds.

10 Vice Chair Auerbach?

11 VICE CHAIR AUERBACH: Yes.

12 CHAIR WINNER: Chairman votes yes.

13 Commissioner Maas?

14 COMMISSIONER MAAS: Yes.

15 CHAIR WINNER: Commissioner Alfieri?

16 COMMISSIONER ALFIERI: Yes.

17 CHAIR WINNER: Okay. The matter -- the minutes  
18 are approved with that one change.

19 Let's go on to the Executive Director's Report.

20 Mr. Baedeker?

21 EXECUTIVE DIRECTOR BAEDEKER: Thank you, Mr.

22 Chairman. Just a couple of things.

23 There was a meeting conducted at the Maddy Lab at  
24 UC Davis on Tuesday. It brought together all of the  
25 official veterinarians, those are state veterinarians, that

1 work for the CHRB, as well as, of course, Dr. Arthur, who  
2 organized the meeting. We also had several of our  
3 investigators and safety stewards join for the meeting.  
4 Very good opportunity to work with the, not only the doctors  
5 at the Maddy Lab, but also faculty and staff from the School  
6 of Veterinary Medicine there, and to learn the latest  
7 relative to research, testing. And it also was a good  
8 opportunity for our stewards and investigators to learn  
9 about things that can help them in their investigations  
10 going forward.

11           Just a couple of notes on the financials. We have  
12 an end-of-meet report for Watch and Wager Harness. Even  
13 though they had three fewer race days this year than last  
14 they were up in total handle 2.2 percent. Their average  
15 daily handle was up 10.7 percent. And they had a  
16 significant gain at the satellite wagering networks, up 26.9  
17 percent.

18           And that's -- well, I'll also give you the monthly  
19 and the year to date. Again, it's difficult to compare  
20 because we've had three days of racing at Santa Anita versus  
21 four over the same period last year, three days of racing  
22 per week versus four.

23           So as a result, we show a decline of 10.07 percent  
24 during the day, 11 percent at night, and a total for the  
25 month of May for 10.17. The numbers are almost identical

1 for the year, down 11.6 daytime, up point -- down 6.4  
2 nighttime, down 11.09 everything in.

3 And that's my report, Mr. Chairman.

4 CHAIR WINNER: Thank you very much.

5 Any comments on Mr. Baedeker's report?

6 Okay, we'll move on to item number four,  
7 discussion and action by the Board regarding the proposed  
8 withdrawal of CHRB membership in the Association of Racing  
9 Commissioner International, RCI.

10 Rick, are you going to speak on that?

11 EXECUTIVE DIRECTOR BAEDEKER: Yes, Mr. Chairman.

12 We've been a member of RCI since 1994. I've  
13 served on the Board for the last five years. RCI brings  
14 together regulators from around the country working on  
15 common areas of interest. And it's, really, it's been an  
16 effective organization promulgating model rules with  
17 bringing all of those regulators together. And behind them,  
18 of course, is the input from stakeholders from the  
19 jurisdictions that they represent. And then promulgating  
20 model rules on a national basis that then can be taken back  
21 to the state with a lot of the work already done.

22 In the case of California, we can, the Board can,  
23 adopt a model rule relative to wagering without going  
24 through the rulemaking process in the state. All the  
25 others, though, any model rules relative to medication, we

1 can take the language, we can tweak it if we need to, but  
2 then that follows our usual process of sending it out for 45  
3 days, bringing it back for subsequent Board action, and so  
4 on and so forth.

5           However, over the years, things have changed a  
6 little bit. And particularly, in the last several months,  
7 racing in California has changed dramatically. There's,  
8 even on this agenda today, there is a proposal to codify the  
9 emergency action that the Board took a couple of months ago  
10 to eliminate anti-inflammatories and corticosteroids in  
11 post-race tests. There's now zero tolerance for any of  
12 those substances. That now supersedes the model rules that  
13 had previously been in place.

14           Of course, the reduction of Lasix, which also  
15 began about that same time, approved via Rule 1581 by the  
16 Board, reducing the maximum dosage from 10 cost centers to  
17 CCs to five Ccs, together with stated intentions of the  
18 Board to consider a broader program relative to Lasix moving  
19 forward. It's been talked about, no action yet taken by the  
20 Board. It's been talked about eliminating the use of Lasix,  
21 possibly, in two-year-olds beginning next year. And the  
22 Board has been rather vocal about its intention to explore  
23 regulatory language in the near future. As a matter of  
24 fact, we expect that language will be presented to the Board  
25 next month.

1           Similar to that, we have, also under 1581,  
2 imposed, via the conditions the racetracks have imposed,  
3 stand-downs on the administration of corticosteroids, a 14-  
4 day restriction. That was approved by the Board. And  
5 there's other things that have been done in the past that  
6 will come back before the Board for adoption relative to the  
7 reporting of any medical treatments for horses.

8           And so we have moved rapidly in, arguably, a  
9 little different direction than the current ARCI. And a  
10 change was made recently -- let me add one more thing that  
11 California has done, and that is I think the new rule has  
12 been in place limiting the use of the riding crop for about  
13 three years now. And no other state -- I think one other  
14 state has adopted a similar rule, I think that was  
15 Minnesota, but the item has not come up before RCI. None of  
16 these other things that I mentioned have been dealt with by  
17 RCI. It doesn't mean that they won't be.

18           But recently there was a change made to the RCI  
19 bylaws which put an emphasis or premium on greyhound racing.  
20 And as a result the formula that was used to determine the 5  
21 automatic board seats out of a total of 15 at RCI meant that  
22 California was eliminated from those automatic seatings.  
23 And West Virginia, which has more -- which has greyhound  
24 racing, was elevated to the spot.

25           So Staff has looked at the current situation and

1 brings the item before the Board to consider whether or not  
2 it is still appropriate for the Board to remain a member of  
3 the RCI, given the arguably different direction that this  
4 Board has taken. There are also sensitive animal rights  
5 issues associated with greyhound racing that this Board may  
6 be concerned about. And so we bring it to the Board for  
7 discussion today.

8 CHAIR WINNER: There's also a cost issue, Rick,  
9 you might want to mention.

10 EXECUTIVE DIRECTOR BAEDEKER: There's also a cost  
11 issue. We pay annual dues of \$27,500.

12 And one thing that I failed to mention was that  
13 the RCI board has been pretty vocal in its support of the  
14 current use of Lasix throughout the industry. That also is  
15 at odds with the direction that this Board has gone recently  
16 and has talked about going further in the same direction  
17 going forward.

18 So there are some contradictions here that the  
19 Board might want to, A, be aware of, but also then be  
20 determined whether or not it's appropriate for this Board to  
21 continue to be a member.

22 CHAIR WINNER: Thank you.

23 I have a couple of cards. And what I'll do is  
24 I'll call on the public to speak on this and then we can  
25 discuss it as a Board.

1 So let me begin with Ed Martin, ARCI. Where's Ed?

2 There you are.

3 MR. MARTIN: Good morning, Mr. Chairman, Board  
4 Members, Rick.

5 CHAIR WINNER: Good morning.

6 MR. MARTIN: I didn't know about the three-minute  
7 rule, so I'll try to shorten this up as quickly --

8 CHAIR WINNER: Thank you.

9 MR. MARTIN: -- as possible.

10 CHAIR WINNER: Thank you.

11 MR. MARTIN: Thanks for the opportunity to be  
12 here. When I first heard about this was from a reporter the  
13 other day. I don't want to spend a lot of time on the  
14 bylaws change. I'm not sure -- there was no discussion  
15 about giving any greater emphasis to greyhound. We do have  
16 some members who regulate greyhound racing.

17 You are not the only state that was knocked out of  
18 an automatic berth. I believe Florida displaced you and I  
19 believe West Virginia displaced New Jersey.

20 As I indicated to Rick, it was an oversight.  
21 Nobody caught it. None of the members caught it. Staff  
22 didn't catch it and it passed without objection. It is  
23 going to be revisited. And there's a discussion of whether  
24 there should be automatic seats.

25 As a practical matter, California serves on the

1 board, has always served on the board as long as they've  
2 been a member, and I don't see that ever changing, no matter  
3 how many board members are chosen.

4           Anybody who's attended an RCI meeting or  
5 participated at a model rules can attest that the  
6 organization's overwhelming focus is on matters pertaining  
7 to horse races.

8           I am going to take issue with something that was  
9 said in the Board packet and that is RCI disagrees --  
10 leadership disagrees that racing has a medication problem.

11           Excuse me for being blunt, but that is nonsense.  
12 The RCI Model Rules pertaining to medication were enacted  
13 upon the recommendations of the RMTC, developed with  
14 significant input from the CHRB through the involvement of  
15 Dr. Arthur and Dr. Stanley, who were on both the pertinent  
16 committees at the RMTC and the ARCI. I cannot think of an  
17 existing medication model rule that the CHRB objected to or  
18 offered an alternative for when it came through the ARCI.

19           Now just as the CHRB has demonstrated a  
20 willingness to revisit policies, as demonstrated by the  
21 changes you've recently made here in California, so has the  
22 RCI. For more than 15 years the RCI, we view our model  
23 rules as an evolving document. We just are trying to do the  
24 right thing by the horse, by the sport, and by the public.

25           We accept recommendations and policy changes from

1 anyone, although a special emphasis is placed on  
2 recommendations from member regulatory agencies, the RMTTC  
3 and major industry organizations, like the breed registries.

4 Our regulatory members, no one else, determine  
5 what the policy is to be. The adopted model rules are the  
6 collaborative work product of the regulators involved. My  
7 role is to manage that process and advocate for the policies  
8 that are contained in the rules. If the CHRB has a policy  
9 you think should be a model or adopted by everyone, we urge  
10 you to submit it to us for model rule consideration.

11 In the Board packet, Lasix was mentioned. That's  
12 our current model rule. In 2011, upon the request of two  
13 regulatory agencies, we revisited that policy. And at the  
14 end of that review, in the hearing testimony from the  
15 experts at the time, the members voted not to change the  
16 policy.

17 With the policy change that you have adopted here  
18 in California, as well as the requests being made to other  
19 Commissions, this issue is being revisited by those requests  
20 as those requests are considered. I do not know or predict  
21 what will happen with those requests.

22 We have not taken a position or urged the  
23 Commission to oppose a request. The commissions tell us  
24 what the policy should be.

25 We do not have a political agenda. When we -- we

1 often get it right and sometimes we don't. When we don't  
2 we've reopened issues and made changes, just as each and  
3 every one of our members do, just as you have done.

4 I can tell you that your colleagues are watching  
5 with great interest the changes you've made with the sincere  
6 hope that they are effective in reducing breakdowns. Our  
7 existing model rules have helped but not solved the problem.  
8 All of us must collectively do better and that is what the  
9 CHRB, as well as you colleagues, are all focused on.

10 Does racing have a medication problem? Certainly  
11 to the extent that legal therapeutic medications are being  
12 misused or overused or used to run horses that should not be  
13 getting into the starting gate. Yes, there is absolutely no  
14 argument on that score.

15 Nobody denies the problem. If we did we wouldn't  
16 spend as much time as we do on it. Your testing numbers and  
17 the testing numbers of your colleagues, however, do put it  
18 in context. I prefer to characterize our biggest problem as  
19 an equine suitability issue. The medication reforms, the  
20 prerace exams, the new initiatives you've just announced  
21 have and will help.

22 The RCI has raised the issue that there is a  
23 significant portion of the racehorse industry that is not  
24 regulated. The breeding industry treatments and procedures  
25 done to young horses that may warrant greater scrutiny or

1 control, certainly disclosure to the regulatory vet when the  
2 horse shows up at the track. In my humble opinion --

3 CHAIR WINNER: Mr. Martin --

4 MR. MARTIN: -- there is a need --

5 CHAIR WINNER: Mr. Martin --

6 MR. MARTIN: -- to track vet records from --

7 CHAIR WINNER: You're --

8 MR. MARTIN: Am I over?

9 CHAIR WINNER: Yeah, you're over, so if you could  
10 wrap up really quickly --

11 MR. MARTIN: I'll wrap up --

12 CHAIR WINNER: -- I'd appreciate it.

13 MR. MARTIN: -- really quick.

14 Mr. Chairman and Members of the Commission, nobody  
15 is going to agree 100 percent of the time but it's no reason  
16 to end a marriage, especially when there is more common  
17 ground than not. We are not perfect. Nobody is. God knows  
18 I'm not. I know for myself there are things I should have  
19 done differently or expressed with different words.  
20 Hindsight is always 20/20.

21 I'm here today in the hope that you will table any  
22 action to disassociate yourself from your colleagues. I felt  
23 compelled to appear in person to correct the claim that we  
24 deny the problems we all face.

25 Let me close by saying this, the problems you have

1 in California are not California problems and what happens  
2 here effects everyone, just as what happens in other  
3 jurisdictions will affect you. In a sport where the  
4 constituency seeks some degree of uniformity, pulling away  
5 from that collaborative process runs counter to what our  
6 constituents seek.

7 Thanks for the opportunity.

8 CHAIR WINNER: Thank you.

9 Are there questions for Mr. Martin?

10 I have a couple, if I may.

11 First of all, if -- we believe, as you know and as  
12 you stated, that what we are doing is, with respect to  
13 medications and some of the other issues, the crop rule, et  
14 cetera, are, in our view, out front of what ARCI is doing.  
15 And we believe that by participating in ARCI, that's sort of  
16 a conflict with what we're doing because there's a  
17 difference. We're on -- we're there but the rules are  
18 different.

19 Furthermore, as was indicated by Rick, and as you  
20 indicated, greyhound racing, dog racing, is -- are  
21 participants and, in some ways, clear board participants  
22 because, at least, because of this new bylaw.

23 Some of us on this Board are very much opposed to  
24 greyhound racing and dog racing. So for us to be a part of  
25 that organization is also somewhat troubling for us.

1           So my question is: If we were to make a decision  
2 to withdraw at this time, and if ARCI catches up with what  
3 we're doing, and we're going to continue to make changes  
4 which we think benefit horse and rider, we could always  
5 rejoin, one assumes; is that correct?

6           MR. MARTIN: Oh, absolutely. I just, I did want  
7 to -- I do want to note that it was California that was the  
8 first jurisdiction to go to zero tolerance on clenbuterol in  
9 Quarter horse racing.

10          CHAIR WINNER: Yeah.

11          MR. MARTIN: And that was a variance from what the  
12 ARCI model rule was at the time.

13          CHAIR WINNER: Right.

14          MR. MARTIN: We observed what happened out there.  
15 We talked to people. We ended up adopting that policy.

16           It is not unusual for, excuse the expression, a  
17 commission to be lead pony. Everyone's trying to solve the  
18 same problem. And if you've got a better idea and want to  
19 enact it, you become the petri dish and we're rooting for  
20 you, because if it's working, everybody's going to want  
21 to do it.

22          CHAIR WINNER: Yeah. The question is: How do you  
23 determine if it's working and whether other jurisdictions  
24 view things the same way we do?

25          MR. MARTIN: I'd invite you to sit on the board,

1 Mr. Chairman.

2 But I would -- what I -- I would invite the CHRB  
3 to take a more active role in RCI and a more -- and get  
4 involved in the leadership and to propose things to the RCI,  
5 as others have, and you might be pleasantly surprised.  
6 People may disagree at the end of that game but at least  
7 you've given it a go.

8 CHAIR WINNER: Thank you, sir.

9 MR. MARTIN: Thank you.

10 CHAIR WINNER: Thank you, Mr. Martin.

11 MR. MARTIN: Thank you.

12 CHAIR WINNER: Any other questions for Mr. Martin?  
13 Susan Branch.

14 MS. BRANCH: Hi. I'm Susan Branch. I'm a horse  
15 owner.

16 My thought, when looking at this agenda, was why  
17 would we want to get out of an organization just because we  
18 are not in full agreement with everything?

19 From what I've read and from what I've heard from  
20 trainers and other owners, one of the things that horse  
21 racing needs is some uniformity. And this is the only  
22 organization that I'm aware of where jurisdictions work  
23 together on policies and issues and try to develop model  
24 rules, best practices, discuss issues. It seems to me that  
25 what our industry needs is more of that and not less of

1 that. And as a big state for horse racing, we ought to be  
2 in that mix, whether we agree with their position on every  
3 rule or not. Can't our role be to lead in a group? We  
4 don't have to see that as a conflict.

5 I am a proponent for the use of Lasix because is  
6 see that horses have a problem with EIPH and Lasix is  
7 currently the only solution. But what I think we really  
8 need, in order to address this divisive issue, is more  
9 discussion, more factual information, scientific evidence to  
10 convince people who currently are just stating opinions  
11 about what is in the best interest of the horse. It seems  
12 to me this is a forum where California could participate in  
13 sharing information, developing practices leading, and I  
14 don't think it's in our best interest to move out of that  
15 kind of form.

16 CHAIR WINNER: Thank you.

17 EXECUTIVE DIRECTOR BAEDEKER: Just a note about  
18 the model rules.

19 Regardless of a state's membership or not in RCI,  
20 a state can always take a model rule and promulgate it on  
21 the local level.

22 So California wouldn't be losing the benefit of  
23 that work if it was or was not a member. It could still  
24 bring it back here and --

25 MS. BRANCH: Well, we could take our money away

1 and let them do it without our money and then -- for free.

2 EXECUTIVE DIRECTOR BAEDEKER: Well, if you're only  
3 focusing on that issue, that could be, certainly, a valid  
4 point.

5 I think that on other issues where, as I stated  
6 earlier, this Board is going in an opposite direction on  
7 issues, then there is association with a group that is not  
8 moving in that direction. And then question then is: Is it  
9 fair to this Board to have that association? And this Board  
10 can decide.

11 MS. BRANCH: Well, certainly, the Board decides. I  
12 guess my thought is we don't know where we're going to end  
13 up with the rule, at least on Lasix, because we haven't yet  
14 entirely banned it. And maybe we'll discover that there are  
15 some either other solutions or we have a bigger problem with  
16 it not being the business but we don't know that yet.

17 CHAIR WINNER: Thank you.

18 Any other questions? Okay.

19 Is there a motion or discussion amongst the Board  
20 on this issue? Is there a motion to adopt?

21 COMMISSIONER MAAS: I'll make the motion.

22 CHAIR WINNER: Okay. Commissioner Maas moves to  
23 adopt.

24 Is there a second?

25 VICE CHAIR AUERBACH: I'll second.

1 CHAIR WINNER: Vice Chair Auerbach seconds.  
2 Commissioner Alfieri?  
3 COMMISSIONER ALFIERI: Yes.  
4 CHAIR WINNER: Commissioner Maas?  
5 COMMISSIONER MAAS: Yes.  
6 CHAIR WINNER: Chairman votes yes.  
7 Vice Chairman?  
8 VICE CHAIR AUERBACH: Yes.  
9 CHAIR WINNER: Motion carries.  
10 Moving on then to item number five, discussion and  
11 action by the Board regarding the distribution of race day  
12 charity proceeds of the Watchandwager.com, LLC 2018/2019  
13 race meeting in the amount of \$4,000 to five beneficiaries.  
14 MR. SCHICK: Good --  
15 CHAIR WINNER: Hello guys.  
16 MR. SCHICK: -- good morning, Chairman Winner --  
17 CHAIR WINNER: Good morning.  
18 MR. SCHICK: -- Members of the Board, Christopher  
19 Schick, Watch and Wager Standardbred. We're presenting to  
20 the Board our proposed charity distributions. A hundred  
21 percent of our proposed distributions are equine related and  
22 we ask for the Board's consideration.  
23 CHAIR WINNER: Thank you, Chris, and  
24 congratulations on the good numbers that Rick reported on  
25 you recently.

1 MR. SCHICK: Thank you.

2 CHAIR WINNER: Is there a motion to approve?

3 Commissioner Alfieri moves. Commissioner Maas seconds.

4 How do you vote, Vice Chair?

5 VICE CHAIR AUERBACH: Yes.

6 CHAIR WINNER: Vice Chair votes yes. Chairman  
7 votes yes.

8 COMMISSIONER MAAS: Yes.

9 CHAIR WINNER: Commissioner Maas votes yes.

10 Commissioner Alfieri --

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR WINNER: -- votes yes.

13 Thank you very much, Chris.

14 Discussion and action by the Board regarding the  
15 proposed changes by Xpressbet, LLC, a licensed Advance  
16 Deposit Wagering, ADW, provider to its current plan of  
17 operation.

18 Who's going to speak?

19 EXECUTIVE DIRECTOR BAEDEKER: Eric.

20 CHAIR WINNER: Eric?

21 MR. STORM: Good morning. Eric Storm (phonetic)  
22 on behalf of Xpressbet.

23 CHAIR WINNER: Good morning.

24 MR. STORM: Good morning.

25 MR. MCDONOUGH: Mr. Chairman, on behalf of Staff,

1 I've got a number of questions we'd like to ask Eric --

2 CHAIR WINNER: Okay. Please go ahead.

3 MR. MCDONOUGH: -- regarding this application.

4 CHAIR WINNER: Do you want to let him make a  
5 statement --

6 MR. MCDONOUGH: Certainly.

7 CHAIR WINNER: -- first?

8 MR. MCDONOUGH: Certainly. Go ahead.

9 MR. STORM: Oh.

10 CHAIR WINNER: Go ahead, Eric.

11 MR. STORM: Sure.

12 CHAIR WINNER: You had a statement?

13 MR. STORM: Oh. Thank you.

14 So before we begin with the statement, we would  
15 like to thank, first, thank Richard Conway. He recommended  
16 a number of potential locations and actually Duane Music  
17 (phonetic) around and introduced him to all the business  
18 unit owners, so we would like to thank him for his support.  
19 We have discussed with the TOC and they are also in support  
20 of this location opening.

21 To be clear, this is a -- let's try this. This  
22 might be better.

23 This is a customer service center. There are no  
24 tellers. Xpressbet personnel to not interact with the tote  
25 system in any way. And there are no Xpressbet employees.

1 There is no cash handling with respect to wagering. These  
2 are all just account wagers. There will always be a  
3 television dedicated to the Southern California daytime  
4 track and one to the Northern California daytime track. Our  
5 goal is to promote California racing, so those two signals  
6 will always be on.

7           If you remember, there was actually an OTB up in  
8 this area up about ten years ago and it shut down. We're  
9 trying to provide a social environment for families or  
10 friends to get together. While the community could not  
11 support a traditional OTB, we are hopeful it can support  
12 this location.

13           CHAIR WINNER: Is there discussion? John?

14           MR. MCDONOUGH: Yes. We have a few questions for  
15 you.

16           MR. STORM: Absolutely.

17           MR. MCDONOUGH: You mentioned the fact that --  
18 pardon me -- that there will be staffing there that will  
19 assist patrons in regards to placing bets; correct?

20           MR. STORM: No, not with placing bets. There --  
21 at certain locations, currently Duane Music from Expressbet  
22 is there. He'll be helping people who need help opening an  
23 account.

24           MR. MCDONOUGH: Okay.

25           MR. STORM: But these are all account wagers, so

1 no Expressbet personnel is placing the wager.

2 MR. MCDONOUGH: I see.

3 MR. STORM: He's just helping opening an account.

4 MR. MCDONOUGH: Helping opening an account?

5 And does Xpressbet have a financial interest in  
6 this particular restaurant, Smoking Barrel?

7 MR. STORM: No. It's owned by a third party.

8 MR. MCDONOUGH: All right.

9 MR. STORM: And we -- from the hub fee, a large  
10 portion of the hub fee goes to this location, so Xpressbet  
11 makes very little money from wagering being conducted at  
12 this location.

13 MR. MCDONOUGH: And so the personnel that are  
14 available to assist people in regards to understanding the  
15 system, will they be compensated by Xpressbet? How do  
16 they -- how are they compensated?

17 MR. STORM: So at this one location, this is the  
18 only one we're discussing --

19 MR. MCDONOUGH: Right.

20 MR. STORM: -- there is one individual to kind of  
21 get it open. And after things are up and running he is  
22 actually going to be leaving, so he is an Xpressbet, yes.

23 MR. MCDONOUGH: Okay. So he's -- so this  
24 particular person is only there on a temporary basis?

25 MR. STORM: While it's getting up and going. And

1 if it becomes successful and we need a permanent person,  
2 we'll discuss it at that point.

3 MR. MCDONOUGH: All right. Now you mentioned in  
4 your statement that there won't be any contact with the  
5 Totalizer System, is that correct?

6 MR. STORM: That is correct.

7 MR. MCDONOUGH: Okay.

8 EXECUTIVE DIRECTOR BAEDEKER: A couple of  
9 questions.

10 MR. STORM: Absolutely.

11 EXECUTIVE DIRECTOR BAEDEKER: You say that you're  
12 going to help people open an account. Will that just be  
13 working with their laptop or is there going to be some kind  
14 of computer system in the location where they can go up and  
15 open an account?

16 MR. STORM: So they can either do it through their  
17 phone or laptop or tablet. And currently, there is also a  
18 separate a laptop that just goes to Expressbet.com and --

19 EXECUTIVE DIRECTOR BAEDEKER: And will there be  
20 any kind of --

21 MR. STORM: -- just the system.

22 EXECUTIVE DIRECTOR BAEDEKER: -- ATM-type feature  
23 where somebody can make a withdrawal from their account?

24 MR. STORM: Let me answer this carefully. There  
25 is a system where something could be -- a ticket will be

1 produced that is -- has a barcode and you can take that  
2 ticket to the bartender and it will scan the barcode and you  
3 can get cash that way.

4 CHAIR WINNER: Go ahead.

5 EXECUTIVE DIRECTOR BAEDEKER: I know that there's  
6 a CHRB Rule that says that a deposit from an ADW account  
7 must be -- or a withdrawal, I'm sorry, must be paid by  
8 check.

9 MR. STORM: No, there's a cash exception.

10 EXECUTIVE DIRECTOR BAEDEKER: Is there a cash  
11 exception?

12 MR. STORM: Yeah, there is. Um-hmm.

13 EXECUTIVE DIRECTOR BAEDEKER: Okay. So what  
14 regulatory ask to bring before the Board? What do you want?  
15 We've not sure because, as a matter of fact, if it's a  
16 restaurant down the street, you can go in with your laptop.  
17 And if there's a television on or not, you can play via ADW  
18 internet wagering in a restaurant or a department store, it  
19 doesn't matter. It's legal anywhere in the state.

20 So what is it exactly that you need from the  
21 Board?

22 CHAIR WINNER: Well, let me --

23 EXECUTIVE DIRECTOR BAEDEKER: Sure.

24 CHAIR WINNER: Wait a minute. Let me ask this  
25 question because you added something there at the end, which

1 is that, like anywhere else, you can go in with your tablet  
2 or whatever --

3 EXECUTIVE DIRECTOR BAEDEKER: Um-hmm.

4 CHAIR WINNER: -- and make your wager on  
5 Expressbet or you could do it on TVG or TwinSpires or  
6 anything.

7 MR. STORM: Yeah.

8 CHAIR WINNER: The difference here, as I just  
9 heard you state, it sounds to me there are two differences.  
10 One is, at least in the early stages, there will be someone  
11 from Expressbet there to help educate people with respect to  
12 wagering on their tablet or laptop or whatever. And then  
13 the other one was that they could cash their ticket with a  
14 bartender. That then raises a whole --

15 MR. STORM: Okay.

16 CHAIR WINNER: -- different set of questions  
17 because you can't just go into any bar --

18 MR. STORM: Right. So --

19 CHAIR WINNER: -- or department store and cash  
20 your ticket.

21 MR. STORM: Right. So to be -- it's not a  
22 parimutuel ticket, and I'm sorry if I gave that impression,  
23 it is not a parimutuel ticket. It is a piece of paper and  
24 this piece of paper has a barcode on it.

25 EXECUTIVE DIRECTOR BAEDEKER: Is it a credit

1 voucher, similar to a credit voucher?

2 MR. STORM: No, it's a withdrawal.

3 CHAIR WINNER: But how -- I'm not quite sure I  
4 understand. So if I put \$10.00 in the -- I make a bet of --  
5 how do I -- where does that cash voucher come from?

6 MR. STORM: I mean, it's a machine that produces  
7 the cash voucher. So you go to a machine, you put in our  
8 account information, you say I'd like to withdraw whatever  
9 you have in your balance.

10 CHAIR WINNER: So that's like an ATM? I mean --

11 MR. STORM: No. It's just a piece of paper that  
12 entitles you to receive cash from a human.

13 CHAIR WINNER: Based on wagers? Where does it  
14 come from?

15 MR. STORM: Based on --

16 CHAIR WINNER: What is -- where does that money  
17 come from?

18 MR. STORM: It comes from the money that's in your  
19 account.

20 CHAIR WINNER: In your ADW account?

21 MR. STORM: Yes. So you could put \$5.00 in and  
22 take \$5.00 out.

23 CHAIR WINNER: So if I have \$1,000 in my ADW  
24 account, I make a \$5.00 bet and I want to cash out, I can  
25 cash out \$1,005 or, what --

1 MR. STORM: \$995.

2 CHAIR WINNER: -- \$995 or what? How does it work?

3 MR. STORM: Yeah, correct, assuming that you  
4 didn't win your wager.

5 CHAIR WINNER: So that bartender --

6 MR. STORM: If you're --

7 CHAIR WINNER: -- is going to have --

8 MR. STORM: -- if you're handicap like me --

9 CHAIR WINNER: -- enough cash to give me --

10 MR. STORM: -- it's probably the case.

11 CHAIR WINNER: -- \$1,000?

12 MR. STORM: There's a limit on how much you can  
13 withdraw per day per location, yes.

14 CHAIR WINNER: I'm just wondering, I don't know,  
15 John or Rob, it seems to me that once a bartender becomes  
16 involved in the process it changes it. Then it does fall  
17 under some of our regs; is that correct?

18 MR. MCDONOUGH: That is correct, Your Honor -- Mr.  
19 Chairman.

20 MR. STORM: May I ask how so? Because under the  
21 regulations, you can get money by cash.

22 MR. MCDONOUGH: There is a cash option. However,  
23 my understanding is that this is not an ADW employee.  
24 You're getting cash from this third party, the bartender.

25 MR. STORM: Yes, an agent of the ADW.

1 MR. MCDONOUGH: Okay. Mr. Chairman, I would  
2 recommend that we explore this more fully, get some more  
3 details, before the Board take any action at this time.

4 CHAIR WINNER: One other question, and I would  
5 discuss what John is recommending.

6 This bartender or this Xpressbet employee who's  
7 there, at least in the early stages, are they union  
8 employees?

9 MR. STORM: No. This one employee is not a union  
10 employee.

11 CHAIR WINNER: Okay. But --

12 EXECUTIVE DIRECTOR BAEDEKER: So --

13 CHAIR WINNER: Go ahead. I'm sorry.

14 EXECUTIVE DIRECTOR BAEDEKER: -- one distinction  
15 is clear, this is not a parimutuel ticket that's being  
16 cashed out by the bartender.

17 MR. STORM: It is not a parimutuel ticket.

18 COMMISSIONER MAAS: Can I ask a question, Mr.  
19 Chairman?

20 CHAIR WINNER: Please.

21 COMMISSIONER MAAS: What's the nearest brick-and-  
22 mortar OTB?

23 MR. STORM: I couldn't begin to guess. Rick might  
24 know.

25 COMMISSIONER MAAS: I'd be interested to see the

1 impact it may have --

2 MR. STORM: I mean, it's got to be --

3 COMMISSIONER MAAS: -- with some of our other  
4 licensed facilities.

5 MR. STORM: So this is in Humboldt County.

6 COMMISSIONER MAAS: Right.

7 MR. STORM: It's got to be a significant distance  
8 but Rick might know that answer.

9 EXECUTIVE DIRECTOR BAEDEKER: I don't know but  
10 it's --

11 COMMISSIONER MAAS: A long way?

12 EXECUTIVE DIRECTOR BAEDEKER: -- many, many miles.

13

14 COMMISSIONER MAAS: Okay.

15 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

16 VICE CHAIR AUERBACH: I was going to -- my first  
17 question was is this like a minisatellite, but now I can  
18 hear the difference because you're not going to have  
19 machines like that --

20 CHAIR WINNER: Huh-uh.

21 VICE CHAIR AUERBACH: -- like a minisatellite.  
22 You're not going to have that personnel.

23 MR. STORM: Correct.

24 VICE CHAIR AUERBACH: So is this --

25 MR. STORM: So as Rick was discussing before,

1 there's nothing that goes on here that I can't already do if  
2 I go to multiple locations. It's just a matter of  
3 convenience.

4 VICE CHAIR AUERBACH: Okay. So is this kind of a  
5 forerunner to the internet café vision that you talked --  
6 not you personally but --

7 MR. STORM: Yes, it is.

8 VICE CHAIR AUERBACH: So this would be like a  
9 trial run, a way to see what's right and what's wrong with  
10 it?

11 MR. STORM: Yeah. Correct.

12 EXECUTIVE DIRECTOR BAEDEKER: Mr. Chairman, I  
13 think we're at the point where Legal Staff probably should  
14 make a determination as to whether or not there is some  
15 action, actually, to be taken by the Board and come back to  
16 you with more detail on that opinion because this is kind of  
17 all brand new to me.

18 It seems to me the only difference that you're  
19 talking about is this mechanism to withdraw money from your  
20 account and then have it cashed by a bartender. I mean,  
21 that's different than what I described where I can go down  
22 the street now to a restaurant and play on my laptop. I  
23 can't do that other part where I withdraw. I don't know --

24 MR. STORM: Correct. But --

25 EXECUTIVE DIRECTOR BAEDEKER: -- if that's

1 significant or not but Legal can look at that and -- what  
2 was your ETA for starting this?

3 MR. STORM: We've already started installation and  
4 beta testing to make sure everything works properly.

5 EXECUTIVE DIRECTOR BAEDEKER: Well, the other  
6 determination I think that needs to be made is whether or  
7 not they need any kind of permission from the Board.

8 VICE CHAIR AUERBACH: Maybe they don't.

9 CHAIR WINNER: Yeah. No. I --

10 VICE CHAIR AUERBACH: Maybe they don't.

11 CHAIR WINNER: That's a valid question.

12 MR. STORM: Yeah. This --

13 CHAIR WINNER: You may not need to come to us for  
14 approval.

15 MR. STORM: Right. We wanted to make sure we were  
16 in the open with this. That's why --

17 CHAIR WINNER: Oh, we appreciate that.

18 MR. STORM: -- we informed Staff.

19 CHAIR WINNER: We appreciate that.

20 MR. STORM: But I do agree, I'm not sure what  
21 approval we actually need because, as has been stated, right  
22 now I can print off past performances at home, go to a bar,  
23 ask them to put on TVG, place bets, then go to Golden Gate  
24 Fields and cash out.

25 VICE CHAIR AUERBACH: Yeah.

1 MR. STORM: So everything is already doable, it's  
2 just much more convenient --

3 CHAIR WINNER: Got it.

4 MR. STORM: -- and player friendly.

5 CHAIR WINNER: Okay. Let us do this, without  
6 putting a stop or doing anything to impede what you're  
7 already doing, let's put this over to the next meeting and  
8 let's let Rob and John take a look at it and see if there's  
9 anything that we have to be concerned about.

10 In the meantime the only thing that concerns me is  
11 the bartender cashing this voucher. And I have no idea  
12 whether that's a concern or not. I just, I think we ought  
13 to just find out that we're not doing anything  
14 inappropriate.

15 MR. STORM: Absolutely. And that's why we're here  
16 because we didn't want to do this under the cover of  
17 darkness.

18 CHAIR WINNER: Thank you. We really appreciate  
19 it.

20 COMMISSIONER ALFIERI: Mr. Chairman --

21 CHAIR WINNER: Yes?

22 COMMISSIONER ALFIERI: -- we also -- there's an  
23 item -- there's three items that were listed still needed  
24 for this application, horsemen's agreement, workers comp,  
25 concessionary --

1 CHAIR WINNER: No, no, no.

2 VICE CHAIR AUERBACH: No, no, no, no, no.

3 EXECUTIVE DIRECTOR BAEDEKER: No, you're on --

4 VICE CHAIR AUERBACH: You're on the wrong page.

5 CHAIR WINNER: Another item.

6 COMMISSIONER ALFIERI: Is it the next one?

7 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

8 COMMISSIONER ALFIERI: Oh.

9 EXECUTIVE DIRECTOR BAEDEKER: You moved ahead of

10 us.

11 COMMISSIONER ALFIERI: Did I jump ahead?

12 CHAIR WINNER: Yeah.

13 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

14 COMMISSIONER ALFIERI: I'm sorry.

15 CHAIR WINNER: It's all right.

16 MR. STORM: Not a problem.

17 COMMISSIONER ALFIERI: I was going to keep your

18 feet to the fire.

19 MR. STORM: I'll be up here again. You can --

20 you'll have another opportunity.

21 COMMISSIONER ALFIERI: Jackie; she'd correct me on

22 this.

23 CHAIR WINNER: Okay. Is there any disagreement

24 with that decision?

25 VICE CHAIR AUERBACH: No.

1 CHAIR WINNER: Okay. That's what we'll do.

2 Thank you.

3 MR. STORM: Thank you, Mr. Chairman.

4 CHAIR WINNER: Thanks, John.

5 Thank you, Eric.

6 MR. STORM: Thank you.

7 CHAIR WINNER: Discussion and action by the Board  
8 on the Application for License to Conduct a Horse Racing  
9 Meeting of the Sonoma County Fair at Santa Rosa, commencing  
10 August 1, 2019 through August 11th, 2019, inclusive.

11 Hi there. How are you, Becky?

12 MS. BARTLING: Good morning.

13 CHAIR WINNER: Good morning.

14 MS. BARTLING: Becky Bartling, CEO, Sonoma County  
15 Fairgrounds. And today, I have Stacey Lapham, who is our  
16 Director of Racing, and Caitlyn Findley-Thorn, who is our  
17 Chief Operating Officer and oversees all of our marketing,  
18 so she'll give you a little bit of some information about  
19 that.

20 Wanted to give you just a little bit of  
21 information.

22 We've got eight days of racing. August 1 through  
23 11 are the fair dates. We've got live racing days August 1  
24 through 4 and August 8 through 10. Bob Moreno will be  
25 returning as our Racing Secretary again. And he and Stacey

1 have been working very hard to put together a great race  
2 meet.

3 CHAIR WINNER: I'd like to just stop you, just for  
4 a second, if I may?

5 MS. BARTLING: Sure.

6 CHAIR WINNER: Unless these items have been turned  
7 in, do we have outstanding items still, Jackie?

8 MS. WAGNER: Jackie Wagner, CHRB Staff.

9 To my knowledge the items are still outstanding.  
10 The TOC agreement, we have not received. The Workers  
11 Compensation license is an automatic renewal and that will  
12 automatically renew and be sent to us on July the 1st. And  
13 the concessionaire approval is in the process. The  
14 information is at headquarters and we're just processing it.

15 CHAIR WINNER: So the only one we really need is  
16 the TOC agreement; is that correct?

17 MS. LAPHAM: Yeah. I sent it on Monday up to --

18 MS. BARTLING: I don't have it.

19 MS. LAPHAM: It was sent on Monday.

20 MS. BARTLING: Oh, okay.

21 EXECUTIVE DIRECTOR BAEDEKER: Apparently, she has  
22 it.

23 MS. BARTLING: It was sent on Monday.

24 MS. LAPHAM: And Mary is here, so she can verify  
25 that.

1 CHAIR WINNER: Do we now have it?

2 MS. BARTLING: We now have the TOC agreement.

3 CHAIR WINNER: Thank you. Sorry about that.

4 MS. BARTLING: That's fine. Thank you.

5 CHAIR WINNER: Please go ahead.

6 MS. BARTLING: We're sorry about that, as well.

7 With the help of TOC, we are dropping the Joseph  
8 T. Grace Stake race this year. There are discussions that  
9 Golden Gate is going to be picking that up.

10 We are offering two stakes on the turf, one each  
11 weekend.

12 Our overnight purses are in line with other racing  
13 fairs, so we feel good about that.

14 The turf course last year was in great shape and  
15 we anticipate it's going to be in great shape again this  
16 year for our two-week meet.

17 Again, we will be doing the dinners in the park  
18 for our horsemen afterwards that are hosted by our board of  
19 directors and those are held each Saturday at the end of the  
20 races, include a drawing for lots of prizes and annual  
21 awards for best barn, and all kinds of fun little things to  
22 do.

23 In an effort to educate our racing patrons on  
24 safety protocols and horse retirement and rehabilitation  
25 information, we're going to be offering the following this

1 year.

2 Educational videos produced by the Alameda County  
3 Fair. And thank you to our friends here for sharing us with  
4 this. Those will be streamed on the jumbotron between  
5 races.

6 GEVA, an equine sanctuary for retirement and  
7 rehabilitation of horse races [sic], they've been located in  
8 the bottom portion of our grandstand for years and will be  
9 back. They have educational literature available for  
10 patrons and are always available to answer any questions  
11 regarding aftercare of our equine athletes. Their  
12 representatives will be participating in our paddock tours  
13 and racing seminars to provide information and field the  
14 questions of our racing patrons.

15 Like other California tracks, we will be  
16 participating in the optional charity contribution for  
17 thoroughbred aftercare via the AmTote unattended terminals.

18 And I'm going to let Caitlyn tell you a little bit  
19 about some of the fun, amazing, wonderful marketing things  
20 we're going to be doing.

21 MS. FINDLEY-THORN: Thank you, Becky.

22 So our advertising, publicity and promotions  
23 budget for the entire fair, about 90 percent of that is  
24 actually inclusive of the horse racing that we do there, and  
25 it's towards the live race meet.

1 I also wanted to note that our grandstand and race  
2 meet is also the highest sponsored area in our -- at our  
3 fairgrounds. So the promotional value that our sponsors are  
4 seeing is very much in that area.

5 So some of the things that we do at the Sonoma  
6 County Fairgrounds to promote our race meet, we do targeted  
7 email campaigns which goes out to our subscribers, about  
8 60,000, and we do several targeted e-blasts promoting our  
9 live race meet before and during the fair.

10 We also do a specific Wine Country Racing social  
11 media campaign, which we've grown over the years, which  
12 focuses primarily on Facebook, Twitter and Instagram.

13 We've also started to do a targeted digital  
14 campaign which is focused in Sonoma County, Napa County,  
15 Marin County and San Francisco County that focuses on native  
16 ads, geotargeting and keyword targeting to place our ads  
17 across websites in apps that match the topic, look, feel and  
18 visual context of what our target demographic is for the  
19 race meet.

20 One thing that we just actually did is we recently  
21 did a geofencing campaign at County Summer, which is a  
22 three-day music festival at our fairgrounds, which means  
23 that our ads were getting out to the over 20,000 people who  
24 attended that event.

25 We also have created a Wine Country Racing

1 Snapchat filter that is accessible only in the grandstand  
2 area.

3           The horse racing is featured in over 50 print ads  
4 that we do for the fair. And this year we will be  
5 dedicating a full-page ad in the Press Democrat, which is  
6 the largest publication in our area, towards the racing.

7           We also create Wine County Racing spots in English  
8 and in Spanish for our radio stations, which we have about  
9 over 20 in our area.

10           And a new thing we did is we created a specific  
11 RAC (phonetic) card, which is a promotional card, that we  
12 did that is dedicated only to racing. And this will go out  
13 with our posters and other print materials that we send out  
14 to businesses in different locations for that.

15           We also will be continuing to host Wine Country  
16 Hat Day at the races, which is to be held the final Saturday  
17 of fair which is August 10th. The Wine Country Hat Day is a  
18 fund raiser that -- with all proceeds going to the Fair  
19 Scholarship Fund. And a ticket includes gate admission,  
20 grandstand seating, race program, hat, and then there's a  
21 hat competition, as well as refreshments, with a named race  
22 and a group photo taken in our paddock.

23           Due to the continued success, our Derby Dog Dash  
24 will be offered on our two Sundays. This encourages fair-  
25 goers who may not have considered going to the races to be

1 in the grandstands and experience our racing program.

2 Also, on the first Saturday, we will be holding  
3 our Third Annual Nor Cal Brew Fest, which is a brew  
4 competition and an extra ticketed event that is held next to  
5 the races. So you can go enjoy the different kind of craft  
6 beers of our area, as well as getting to see the races.

7 We have designated our Showcase Café as the  
8 speakeasy featuring Sierra Nevada. This building is  
9 adjoining the grandstand and will be a place where people  
10 can come in, eat, and enjoy craft brew, live sport action  
11 wagering. Live TVs will be showcasing the races and there  
12 will be betting machines available.

13 And finally, also brand new this year, we will be  
14 doing Out at the Fair on Sunday, August 11th, which we hope  
15 will bring a new demographic to the fair, as well as there  
16 will be a set meeting place for people to come, and they'll  
17 be given tickets to the grandstand.

18 And that's just some of it.

19 CHAIR WINNER: Thank you.

20 Any questions? Is there a motion?

21 COMMISSIONER MAAS: Moved.

22 COMMISSIONER ALFIERI: Second.

23 CHAIR WINNER: Okay. Moved by Commissioner Maas,  
24 second by Commissioner Alfieri.

25 How do you vote, Commissioner Alfieri?

1 COMMISSIONER ALFIERI: Yes.

2 COMMISSIONER MAAS: Yes.

3 CHAIR WINNER: And Commissioner Maas?

4 COMMISSIONER MAAS: Yes.

5 CHAIR WINNER: Chair votes yes.

6 Vice Chair --

7 VICE CHAIR AUERBACH: Yes

8 CHAIR WINNER: -- votes yes.

9 Have a great meet. Stay there because we have the

10 next item --

11 MS. BARTLING: Thank you.

12 CHAIR WINNER: -- is also yours.

13 Discussion and action by the Board regarding

14 approval of an agreement, pursuant to CHRB Rule 1581, Racing

15 Secretary to Establish Conditions, between the Sonoma County

16 Fair and the Thoroughbred Owners of California, regarding

17 entry conditions and specified drug substances or

18 medications to be implemented by the Sonoma County Fair

19 during its 2019 race meeting.

20 Go ahead, Becky.

21 MS. BARTLING: Thank you. I will let Stacey

22 address if there's any questions to that. I mean, obvious,

23 we're supporting of it and --

24 MS. LAPHAM: Do you want me to submit anything?

25 CHAIR WINNER: You're supportive of that? This

1 is --

2 MS. LAPHAM: We're supportive of that.

3 MS. BARTLING: Yes, absolutely.

4 CHAIR WINNER: This is essentially the same thing  
5 we've done with other --

6 MS. BARTLING:

7 CHAIR WINNER: -- with other meets or with the --

8 MS. BARTLING: Yeah.

9 EXECUTIVE DIRECTOR BAEDEKER: Does --

10 CHAIR WINNER: -- yeah.

11 EXECUTIVE DIRECTOR BAEDEKER: -- does the  
12 agreement include the 14-day stand-down on --

13 MS. BARTLING: Yeah.

14 EXECUTIVE DIRECTOR BAEDEKER: -- corticosteroids?

15 CHAIR WINNER: Corticosteroids.

16 MS. BARTLING: Yes.

17 EXECUTIVE DIRECTOR BAEDEKER: Okay. I don't think  
18 it's mentioned in the staff report for the ones later  
19 either. But presumably, my understanding is from the  
20 documents that we received, which, by the way, I may not  
21 have forwarded to Staff, my understanding is that they all  
22 do include both of those components.

23 CHAIR WINNER: Okay. So we need to vote on that.

24 EXECUTIVE DIRECTOR BAEDEKER: Yes. You're  
25 approving --

1 CHAIR WINNER: Any discussion?

2 EXECUTIVE DIRECTOR BAEDEKER: -- Rule 1581.

3 CHAIR WINNER: This is approving 1581 with respect  
4 to the Sonoma County Fair.

5 Move?

6 VICE CHAIR AUERBACH: I move.

7 CHAIR WINNER: Vice Chair Auerbach moves. I'll  
8 second.

9 How do vote?

10 COMMISSIONER MAAS: Yes.

11 CHAIR WINNER: Commissioner Maas votes yes.

12 Commissioner?

13 COMMISSIONER ALFIERI: Yes.

14 CHAIR WINNER: Votes yes.

15 VICE CHAIR AUERBACH: Yes.

16 CHAIR WINNER: Yes. Thank you.

17 MS. LAPHAM: All right. Thank you.

18 MS. BARTLING: Thank you.

19 CHAIR WINNER: Moving on then to item number nine,  
20 discussion and action by the Board on the Application for  
21 License to Conduct a Horse Racing Meeting of the Pacific  
22 Racing Association II at Golden Gate Fields, commencing  
23 August 15, 2019 through September 29, 2019.

24 Rob, I assume Eric is going to also speak on this?

25 MR. BRODNIK: Yes, but I'll just discuss a couple

1 of --

2 CHAIR WINNER: Are there items missing?

3 MR. BRODNIK: -- other issues. Yes, there are.

4 Good morning, Chairman, Members of the Board.

5 Robert Brodnik, Staff Counsel, California Horse Racing

6 Board.

7 Item number ten on the agenda address PRA's  
8 application for a race meet at -- oh, I'm sorry, nine --

9 CHAIR WINNER: Nine.

10 MR. BRODNIK: -- on the agenda --

11 CHAIR WINNER: Yeah.

12 MR. BRODNIK: -- yes -- addresses PRA's

13 application for a race meet at Golden Gate Fields.

14 Staff has reviewed the application and submitted  
15 an analysis which addresses some items that are still  
16 outstanding. One item that I wanted to bring to your  
17 attention, which I've brought to you attention the last  
18 three times, I believe, Golden Gate Fields has come before  
19 you seeking an application, is that their application  
20 currently fails to include any Northern California satellite  
21 wagering facilities.

22 Per Rule 2058, a racing association may simulcast  
23 its racing program as the host association either by forming  
24 its own simulcast organization acting on its own behalf by  
25 contracting with each fair racing association facility or by

1 contracting with an existing simulcast organization. If the  
2 association acts on its own behalf it's still responsible  
3 for the provisions in Rule 2060.

4 PRA is obligate to simulcast its racing program  
5 pursuant to the provisions in California Business and  
6 Professions Code 19608 because they make more than \$1.5  
7 million in average daily handle.

8 Similarly, attached within their application, they  
9 are requesting to only submit -- or only send their signals  
10 to Southern California simulcast wagering facilities. And  
11 Staff believes this proposal to be in violation of the law.

12 And as we've discussed, the Business and  
13 Professions Code mandates that when an association makes  
14 more than \$1.5 million in average daily handle, they are  
15 required to make their audio-visual signal available to all  
16 authorized satellite wagering facilities. This is supported  
17 by Rule 2058(e) which says that all wagers made available by  
18 a hosting association shall be made available to all  
19 simulcast facilities. And as I've stated, this application  
20 does not suggest that.

21 So for those reasons it's Staff's opinion that  
22 this application as currently submitted is contrary to our  
23 rules and in violation of the law.

24 One thing that I would like to point out is that  
25 the Business and Professions Code section 19460 states that

1 all licensees are subject to conditions prescribed by the  
2 Board that the Board deems are necessary or desirable in the  
3 best interest of horse racing and for the purposes of the  
4 horse racing law, one of which is to provide the maximum  
5 expansion of horse racing opportunities.

6           If the Board felt that the application submitted  
7 was not in the public interest the Board could condition the  
8 application to achieve what interest the Board believes are  
9 required. Previously, this Board has conditioned Golden  
10 Gate's application to achieve this goal.

11           The public has an interest in wagering on horse  
12 racing. Those members of the public who are not close to a  
13 racetrack or who do not wager through advance deposit  
14 wagering are left with only one option and that's satellite  
15 wagering facilities. If satellite wagering facilities in  
16 Northern California cease to exist because they are unable  
17 to wager on Golden Gate's signal, arguably, the public  
18 interest is not served.

19           So for those reasons, I wanted to bring that to  
20 your attention again.

21           And similarly, the application as submitted does  
22 not have a Thoroughbred Owners agreement at this time. And  
23 so that's another outstanding issue for the Board to  
24 consider.

25           CHAIR WINNER: Thank you. We do have language

1 which is similar to the language from last year; correct?

2 MR. BRODNIK: Yes, it's similar to the language.

3 So just for historical purposes, this issue was  
4 initially brought up this time last year, actually. And I  
5 believe, and Eric can correct me if I'm wrong, but this  
6 Board has granted at least three licenses since that time of  
7 June of last year. And in all instances the Board has  
8 conditioned the license requiring Golden Gate -- PRA, excuse  
9 me, PRA to send their signal to the Northern California  
10 satellites.

11 CHAIR WINNER: Also, there are some other items  
12 that, at least in our book, are missing. How are we doing  
13 on those?

14 MR. BRODNIK: So my understanding, and Eric can  
15 fill in, is that at this point the TOC agreement remains  
16 outstanding, and then as well as the agreements with  
17 BetAmerica, which is still outstanding as well.

18 VICE CHAIR AUERBACH: If I'm not mistaken you got  
19 the TOC agreement into them and they haven't had a chance to  
20 respond yet, TOC; is that correct?

21 MR. SINDLER: That is correct. We sent them the  
22 exact same agreement that they signed in the winter.

23 VICE CHAIR AUERBACH: I think we had a problem  
24 with vacations and stuff, so they've done the agreement now  
25 and TOC has to verify it, so --

1 CHAIR WINNER: Well, we could --

2 VICE CHAIR AUERBACH: -- but, obviously, we need  
3 to --

4 CHAIR WINNER: -- we could -- yeah.

5 VICE CHAIR AUERBACH: -- put up a vote, so --

6 CHAIR WINNER: We could make that in the motion.

7 VICE CHAIR AUERBACH: Yeah.

8 CHAIR WINNER: Correct.

9 VICE CHAIR AUERBACH: It's going to have go in.

10 MR. SINDLER: But, yes, you're correct, this is  
11 identical to the winter meet --

12 VICE CHAIR AUERBACH: Yeah.

13 MR. SINDLER: -- just different days.

14 VICE CHAIR AUERBACH: Okay.

15 MR. BRODNIK: Just for historical reference, my  
16 recollection is that the TOC last year had at least held off  
17 on signing the agreement until the northern satellites  
18 were -- agreements were achieved --

19 CHAIR WINNER: They were achieved?

20 MR. BRODNIK: -- with the northern --

21

22 CHAIR WINNER: All right.

23 MR. BRODNIK: -- satellite agreements.

24 VICE CHAIR AUERBACH: Mary's here.

25 Sorry to interrupt.

1 CHAIR WINNER: Mary, can you --

2 VICE CHAIR AUERBACH: Well, you're addressing this  
3 issue as an (indiscernible) person --

4 CHAIR WINNER: Yeah.

5 VICE CHAIR AUERBACH: -- and that's okay.

6 CHAIR WINNER: Do you want to identify yourself  
7 please, Mary?

8 MS. FORNEY: Mary Forney, Thoroughbred Owners of  
9 California.

10 Eric is correct. We don't have any substantive  
11 disagreement issues with regards to the horsemen's  
12 agreement. However, the one point is regarding the  
13 satellite signal to the Northern California wagering sites.  
14 Since that represents 40 percent of purses generated by  
15 Golden Gate Fields, unless there were a significant  
16 guarantee from The Stronach Group for purses, regardless of  
17 the handle generated, the TOC is unable to approve the race  
18 meet agreement with that stipulation in it.

19 VICE CHAIR AUERBACH: Eric, why can't we seem to  
20 get this resolved so we don't have to be putting language in  
21 somebody's mouth any year? Do we know?

22 MR. SINDLER: As far as --

23 VICE CHAIR AUERBACH: Is there something --

24 MR. SINDLER: -- the northern satellite issue goes  
25 or as far --

1 VICE CHAIR AUERBACH: Well, right.

2 MR. SINDLER: The courts will decide that issue  
3 shortly. Obviously, we have a legal disagreement. It's  
4 going through the court system.

5 VICE CHAIR AUERBACH: Do you have any update on it  
6 or do we know where we are?

7 EXECUTIVE DIRECTOR BAEDEKER: There's a court date  
8 in July, I think.

9 VICE CHAIR AUERBACH: Okay. So maybe by next year  
10 this time it won't be necessary to do it this way? Okay.

11 MR. SINDLER: That is our hope, that the courts --

12 VICE CHAIR AUERBACH: Okay.

13 MR. SINDLER: -- will have it figured out by then.

14 VICE CHAIR AUERBACH: Thank you.

15 CHAIR WINNER: Any other discussion on this? If  
16 not, I'll move the motion.

17 EXECUTIVE DIRECTOR BAEDEKER: No. You want Jack.

18 CHAIR WINNER: Jack. Mr. Liebau, identify  
19 yourself please.

20 MR. LIEBAU: Jack Liebau, Los Alamitos Quarter  
21 Horse.

22 Just for the record, the Northern California  
23 satellite network is of extreme importance to the night  
24 industry as far as the distribution of their signal and  
25 would be highly detrimental if it didn't exist.

1 Thank you.

2 CHAIR WINNER: Thank you.

3 Jim?

4 MR. MORGAN: Thanks. On behalf of Humboldt  
5 County, this only pertains to overlap between August --

6 EXECUTIVE DIRECTOR BAEDEKER: Identify yourself.

7 MR. MORGAN: Oh, James Morgan, Humboldt County  
8 Fair.

9 Typically, a few years ago, at the suggestion of  
10 Chairman - then-Chairman Brackpool, the license during the  
11 overlap period was restricted to riding races of \$5,000 or  
12 higher at Golden Gate Fields during the overlap period.  
13 Back then we had Wednesday-Thursday host status by agreement  
14 with Golden Gate Fields which is no longer there. We're  
15 asking that that condition be raised to \$6,250 this year.  
16 We have -- note we're overlapped our entire meet and we  
17 would need the help to get our fields as full as they should  
18 be during the overlap period rather than the \$5,000. And we  
19 ask that that be a condition of their license.

20 CHAIR WINNER: Right now the condition is \$5,000;  
21 is that correct?

22 MR. MORGAN: That's what it's been.

23 CHAIR WINNER: Yeah. Okay. Thank you.

24 VICE CHAIR AUERBACH: Is this for nine?

25 EXECUTIVE DIRECTOR BAEDEKER: I don't know if you

1 need to make a reference to the previous conditions, the  
2 \$5,000 limit, in your motion for this meet or --

3 CHAIR WINNER: Isn't it in -- it's not in the --  
4 it's not in their application?

5 EXECUTIVE DIRECTOR BAEDEKER: I don't know. Is  
6 that --

7 CHAIR WINNER: I didn't recall --

8 EXECUTIVE DIRECTOR BAEDEKER: -- is that  
9 acknowledgement --

10 CHAIR WINNER: -- seeing that on --

11 EXECUTIVE DIRECTOR BAEDEKER: -- of the --

12 CHAIR WINNER: -- the application.

13 EXECUTIVE DIRECTOR BAEDEKER: -- \$5,000 and up?

14 CHAIR WINNER: \$5,000 limit?

15 EXECUTIVE DIRECTOR BAEDEKER: Is that in your  
16 application?

17 CHAIR WINNER: Eric?

18 MR. SINDLER: It is not in our application,  
19 though, historically, you have imposed the condition on us.

20 CHAIR WINNER: Well, we might want to put that in  
21 the motion. I mean, it's up to the Board. If they want to  
22 go higher than \$5,000, they can. But either way we should  
23 put in the motion --

24 EXECUTIVE DIRECTOR BAEDEKER: For the record.

25 CHAIR WINNER: -- whether a \$5,000 -- no more than

1 \$5,000 limit or, no, \$5,000 --

2 MR. SINDLER: \$5,000 or up.

3 CHAIR WINNER: Yeah.

4 COMMISSIONER MAAS: Are you comfortable with  
5 \$6,250 or --

6 MR. SINDLER: I honestly would have to ask our  
7 racing secretary if that would be feasible or not.

8 CHAIR WINNER: I'm not even sure I'm comfortable  
9 with it.

10 VICE CHAIR AUERBACH: Uh-huh.

11 CHAIR WINNER: Neither is Madeline so --

12 VICE CHAIR AUERBACH: Uh-huh.

13 MR. SINDLER: Okay. That's good enough.

14 CHAIR WINNER: Larry?

15 MR. SWARTZLANDER: Yeah. Larry Swartzlander,  
16 Executive Director of CARF.

17 I just want to make it -- that I'm understanding  
18 it, that this license is still contingent on a satellite  
19 agreement with the northern satellites, CARF and Santa Rosa;  
20 is that correct?

21 VICE CHAIR AUERBACH: Yeah. We're going to --

22 EXECUTIVE DIRECTOR BAEDEKER: It depends on the  
23 motion --

24 VICE CHAIR AUERBACH: -- put it in our language.

25 EXECUTIVE DIRECTOR BAEDEKER: -- made by the

1 Board.

2 CHAIR WINNER: It's going to be in the motion.

3 VICE CHAIR AUERBACH: It will be in our language.

4 MR. SWARTZLANDER: All right. Thank you.

5 VICE CHAIR AUERBACH: It wasn't in there, so it  
6 will be in ours.

7 MR. SWARTZLANDER: Thank you.

8 EXECUTIVE DIRECTOR BAEDEKER: You know, while  
9 they're conversing there, I just might say to Jim Morgan and  
10 anybody else, that this is an example of a request, like  
11 changing the minimum to \$6,250, it would be helpful if that  
12 was submitted to the Board in advance to Staff so that we  
13 could get it into the Board and before the Commissioners so  
14 they could be aware of the request instead of real-time, as  
15 of today, you know, give them time to analyze it and form  
16 their opinions.

17 Thank you.

18 CHAIR WINNER: Hold on just one moment. We're  
19 finding the language.

20 COMMISSIONER ALFIERI: Can I ask, Mr. Chairman,  
21 there's --

22 CHAIR WINNER: Yes.

23 COMMISSIONER ALFIERI: -- items in here, too, that  
24 are dated, like third-party Lasix administration agreement,  
25 things that are dated back to 2017. There are new rules and

1 amendments now, are there or are there not, that effect --

2 VICE CHAIR AUERBACH: But that's on the motion  
3 that's after this one.

4 COMMISSIONER ALFIERI: It's in this package.

5 CHAIR WINNER: Yeah, I know.

6 VICE CHAIR AUERBACH: The original is in the  
7 package, but then after that --

8 COMMISSIONER ALFIERI: Okay. But it's part of  
9 their whole -- all of their --

10 EXECUTIVE DIRECTOR BAEDEKER: I think Commissioner  
11 Alfieri is referring to third-party Lasix administration.

12 COMMISSIONER ALFIERI: Right.

13 CHAIR WINNER: Yeah. That's still --

14 COMMISSIONER ALFIERI: There's items in here that  
15 are part of their application that are dated. I'm just  
16 wondering, do they --

17 EXECUTIVE DIRECTOR BAEDEKER: What page are you on  
18 there?

19 COMMISSIONER ALFIERI: I'm on 9.58. And even Rule  
20 1581, which we just voted on for the other --

21 VICE CHAIR AUERBACH: Yeah. But that's --

22 CHAIR WINNER: We're going to vote on that one  
23 next --

24 VICE CHAIR AUERBACH: We do --

25 CHAIR WINNER: -- as well.

1 CHAIR WINNER: -- we do that one next.

2 COMMISSIONER ALFIERI: Okay. All right.

3 CHAIR WINNER: But as far as third-party Lasix,  
4 that's still --

5 EXECUTIVE DIRECTOR BAEDEKER: Yeah. So --

6 CHAIR WINNER: -- applicable.

7 EXECUTIVE DIRECTOR BAEDEKER: -- so I think  
8 that --

9 COMMISSIONER ALFIERI: This is 2017. We have new  
10 rules.

11 VICE CHAIR AUERBACH: No, not with third-party  
12 administration, we don't.

13 COMMISSIONER ALFIERI: Okay. Okay. That's what  
14 I'm asking.

15 VICE CHAIR AUERBACH: Just the amount.

16 COMMISSIONER ALFIERI: That's all I'm asking.  
17 Okay.

18 VICE CHAIR AUERBACH: Yeah.

19 COMMISSIONER ALFIERI: Yeah.

20 VICE CHAIR AUERBACH: It's the next thing.

21 EXECUTIVE DIRECTOR BAEDEKER: So I think that  
22 agreement is valid --

23 COMMISSIONER ALFIERI: That's all I'm asking.

24 EXECUTIVE DIRECTOR BAEDEKER: -- it's rescinded.

25 COMMISSIONER ALFIERI: Yeah.

1 MR. SINDLER: Also, while Rob's going over that  
2 with you, in the agenda, I just want to make sure the  
3 license period is Wednesday -- I'm sorry, Wednesday August  
4 14th through Tuesday October 1st. The agenda, I think, is  
5 missing a day or two.

6 EXECUTIVE DIRECTOR BAEDEKER: That's consistent  
7 with the allocation from Wednesdays to Tuesdays. There's  
8 no -- nothing different from the previous meet, no?

9 MR. SINDLER: No. Yeah, it's just Wednesday to  
10 Tuesday is --

11 CHAIR WINNER: All right. Any other discussion?  
12 I'll make the -- move the motion.

13 I move to approve the race meet license to PRA for  
14 dates of August 15th, 2019 through September 29th, 2019,  
15 contingent on the receipt of agreements with each satellite  
16 wagering facility in Northern California as required by law,  
17 including the TOC horsemen's agreement and all other  
18 outstanding items mentioned in the staff analysis, and no  
19 claiming races will be \$5,000 or less --

20 MR. SINDLER: I'm sorry. Less than \$5,000.

21 CHAIR WINNER: Well, I'm not -- how has it been in  
22 the past, Eric?

23 MR. SINDLER: \$5,000 and up is okay, not less than  
24 \$5,000, so we can write \$5,000, we can't write a \$3,200.

25 CHAIR WINNER: Okay. All right. And no claiming

1 race will be less than \$5,000. This motion is being made as  
2 these contingencies are in the public interest and serve the  
3 purpose of horse racing law.

4 Is there a second?

5 COMMISSIONER MAAS: Second.

6 CHAIR WINNER: Seconded by Commissioner Maas.

7 Vice Chair Auerbach, how do you vote?

8 VICE CHAIR AUERBACH: Yes.

9 CHAIR WINNER: Vice Chair Auerbach votes yes.

10 Chairman votes yes.

11 Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIR WINNER: Commissioner Maas?

14 COMMISSIONER MAAS: Yes.

15 CHAIR WINNER: Have a good meet. Don't go away.

16 MR. BRODNIK: Just, Mr. Chairman, the staff should  
17 have those documents from PRA by July 3rd, I believe, is  
18 that you wanted?

19 CHAIR WINNER: Oh, did I not say that? Okay. As  
20 a part of the motion, by the close of business, July 3rd,  
21 2019.

22 MR. SINDLER: July 3rd?

23 CHAIR WINNER: You're okay?

24 MR. BRODNIK: Okay.

25 CHAIR WINNER: I'll make that a part of the motion

1 please.

2 MR. BRODNIK: Thank you.

3 CHAIR WINNER: Okay, item number ten, discussion  
4 and action by the Board regarding approval of an agreement  
5 pursuant to CHRB Rule 1581, Racing Secretary to Establish  
6 Conditions, between Pacific Racing Association II, PRA II,  
7 and the Thoroughbred Owners of California regarding entry  
8 conditions and specified drug substances or medications to  
9 be implemented by the PRA II at the Golden Gate Fields Race  
10 Track.

11 Is there any discussion on that?

12 EXECUTIVE DIRECTOR BAEDEKER: Just to note that it  
13 does include the corticosteroids.

14 CHAIR WINNER: Yeah.

15 DR. BENSON: Yes.

16 MR. SINDLER: Everything that it currently  
17 included for the meet that just concluded.

18 CHAIR WINNER: Dr. Benson, do you want to comment?

19 DR. BENSON: The only thing I would say is that  
20 we're, you know, hoping the Board approves this and  
21 continues to work with us on reduction of use of Lasix in  
22 the sport. We feel that there's been no change in the  
23 frequency of epistaxis based on this reduction.

24 CHAIR WINNER: Thank you. Do you want to identify  
25 yourself --

1 DR. BENSON: Sure.

2 CHAIR WINNER: -- Dr. Benson?

3 DR. BENSON: Dr. Dionne Benson with The Stronach  
4 Group.

5 VICE CHAIR AUERBACH: There's no changes since  
6 we've gone to the five; is that what you're saying?

7 DR. BENSON: Correct.

8 VICE CHAIR AUERBACH: Okay.

9 CHAIR WINNER: Is there a motion?

10 VICE CHAIR AUERBACH: So moved.

11 CHAIR WINNER: Moved by Vice Chair Auerbach.

12 COMMISSIONER ALFIERI: Second.

13 CHAIR WINNER: Seconded by Commissioner Alfieri.  
14 Commissioner Alfieri?

15 COMMISSIONER ALFIERI: Yes.

16 CHAIR WINNER: Commissioner Maas?

17 COMMISSIONER MAAS: Yes

18 CHAIR WINNER: Chairman votes yes.  
19 Vice Chairman?

20 VICE CHAIR AUERBACH: Yes.

21 CHAIR WINNER: Motion carries.  
22 Thanks guys.

23 MR. SINDLER: Thank you.

24 CHAIR WINNER: Thank you very much.

25 Item number 11, discussion and action by the Board

1 for the Application to Conduct a Horse Racing Meeting of the  
2 Humboldt County Fair at Ferndale, commencing August 16th,  
3 2019 through August 25th, 2019, inclusive.

4 Jim?

5 MR. MORGAN: Good morning. James Morgan, Humboldt  
6 County Fair.

7 MR. CONWAY: Richard Conway or Humboldt County  
8 Fair.

9 CHAIR WINNER: Go ahead, Jim.

10 MR. MORGAN: For 123 years we've had continuous  
11 live racing at the Humboldt County Fair with stands filled.

12 And I would think our meet would be sort of a dream for the  
13 CHRB as we have not had a breakdown on our track for years.

14 The community and the management have invested in  
15 creating an outer fence, a new inner rail. They widened the  
16 turns. They banked the turns. And horse health has been  
17 sustained at the Humboldt County Fair.

18 To promote the meet our track announcer  
19 facilitated an opportunity for 87 people, hopefully 100  
20 people, to participate in a partnership to acquire horses to  
21 run at the Humboldt County Fair, bringing new owners into  
22 the business.

23 Part of our problem is trying to sustain. In  
24 addition to horses mattering, people matter too. This fair  
25 brings in \$8 million of revenue into this community. That's

1 about almost \$60 for every man, woman and child in Humboldt  
2 County. There are generations of businesses that have grown  
3 up depending upon the fair coming in and bringing this extra  
4 revenue.

5 And our fair services the top third of the state.  
6 Up here, this little -- there's no other racetrack for live  
7 racing above Sacramento or Santa Rosa than the Humboldt  
8 County Fair, so we're hoping that we can sustain.

9 Our economic crisis is because over the last few  
10 years, CARF's expenses have multiplied and more than  
11 doubled. And that's not really their fault completely.  
12 They've lost Vallejo, Stockton, Bay Meadows Fair, Santa  
13 Rosa. As CARF's expenses go up they charge Humboldt County  
14 Fair the same amount as they would for Pleasanton, Fresno,  
15 Sacramento and the larger fairs.

16 Last year when we had a week without overlap we  
17 were able to generate \$424,000 in commissions. CARF charged  
18 us \$360,000 for their services, so we were able to sustain.

19 This year we have no host status. Every other  
20 race meet and every other fair depends on this host status  
21 to be able to pay the operation costs. That's true for each  
22 fair and it's true for each race meet. And when you cut us  
23 off from having any time without overlap, it's going to be a  
24 struggle. And I hope that we'll be able to sustain for our  
25 124th year. This year, we're having difficulty trying to

1 figure out how we're going to pay for the operations of our  
2 meet. We want to run our meet and we're planning to run our  
3 meet and there will probably be debt generated. But only  
4 this Board can help sustain this fair that services this big  
5 portion of the state.

6 CHAIR WINNER: Thank you, Jim. I think you know  
7 that in July, I believe, we're going to have a Race Dates  
8 Committee meeting. And at that meeting, I think this issue  
9 that you're raising can be heard.

10 MR. MORGAN: I'd appreciate that opportunity.  
11 Thank you, Chairman.

12 CHAIR WINNER: Okay. Thank you.

13 Are there --

14 VICE CHAIR AUERBACH: I have a question.

15 CHAIR WINNER: Go ahead please.

16 VICE CHAIR AUERBACH: I'm a little curious about  
17 how CARF works. Why are you charged the same as the other  
18 fairs? I don't get it.

19 MR. CONWAY: Richard Conway. It's billed per  
20 diem. It's just all per racing day. As a flat fee?

21 MR. CONWAY: Yeah.

22 EXECUTIVE DIRECTOR BAEDEKER: So basically the  
23 costs are the same whether it's maintenance of the  
24 racetrack --

25 MR. CONWAY: Correct.

1 EXECUTIVE DIRECTOR BAEDEKER: -- staffing the  
2 racing office, all of those things, whether or not it's  
3 Fresno or --

4 MR. CONWAY: Yeah. CARF has the same Alameda  
5 expense as --

6 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

7 MR. CONWAY: -- you know, just billed by the  
8 number of days we run.

9 MR. MORGAN: We're curious and concerned about  
10 that too.

11 VICE CHAIR AUERBACH: Well, I'm just wondering if  
12 maybe that's where some of your cost saving things might --  
13 a discussion along those lines because we're somewhat  
14 limited in what we can do and, uh-oh, here comes Larry and  
15 I'm going to get yelled at, but that's, as I understand your  
16 organization, that's by your choice; right?

17 MR. CONWAY: Right. And we're --

18 VICE CHAIR AUERBACH: You're not mandated --

19 MR. CONWAY: -- working with CARF.

20 VICE CHAIR AUERBACH: -- to be part of CARF?

21 MR. CONWAY: Correct. No. We're working with  
22 CARF on those.

23 MR. MORGAN: But you have to -- the price we pay  
24 for not having host status is we don't have that host status  
25 revenue to pay the operation costs, whether it's to CARF or

1 anyone else. And at this market we have to do that. And  
2 the people of Humboldt have built generations of businesses  
3 and dependencies on this fair and I think we deserve to  
4 survive but we need your help to do that.

5 VICE CHAIR AUERBACH: Well, we all deserve to  
6 survive. You'll need more than our help, some of us, so --

7 CHAIR WINNER: Larry, you want to identify  
8 yourself please?

9 MR. SWARTZLANDER: Larry Swartzlander, Executive  
10 Director of CARF.

11 What Jim is saying when it costs the same as any  
12 other member of CARF is that the fairs are billed based on  
13 race days. So in essence, when Humboldt runs six days, they  
14 get charged for six days. When Pleasanton runs 15, they get  
15 charged for 15, which is a significantly larger amount of  
16 money. That's the way it's always been done. And he's  
17 correct, as we've lost members over the years the per day  
18 costs, it's not that the CARF costs are going up, and we  
19 work very closely with Humboldt to try to reduce any  
20 additional costs, as we have for this year.

21 But the main point that Jim is making, you know,  
22 last year, for that one week, we had close to \$400,000 more,  
23 \$200,000 in purse money and \$200,000 in commissions, just  
24 because they were the hub.

25 And that's why, again, I want to resurface that at

1 the Dates Committee meeting, that it's just simply paramount  
2 that we do this. It's good for racing. It's good  
3 financially. And I certainly don't want to get into a  
4 discussion about Golden Gate versus Humboldt again.

5 CHAIR WINNER: Yeah. We'll see you --

6 MR. SWARTZLANDER: Yeah.

7 CHAIR WINNER: -- and have this discussion at the  
8 Dates Committee.

9 MR. SWARTZLANDER: Okay. Thank you.

10 CHAIR WINNER: Any other discussion? Is there a  
11 motion?

12 VICE CHAIR AUERBACH: So moved.

13 CHAIR WINNER: Moved by Vice Chair Auerbach.

14 COMMISSIONER MAAS: Second.

15 CHAIR WINNER: Seconded by Commissioner Maas.

16 Commissioner Alfieri?

17 COMMISSIONER ALFIERI: Yes.

18 CHAIR WINNER: Commissioner Maas?

19 COMMISSIONER MAAS: Yes.

20 CHAIR WINNER: Chairman votes yes.

21 Vice Chair votes --

22 VICE CHAIR AUERBACH: Yes.

23 CHAIR WINNER: -- yes. Thank you.

24 Have a terrific meet.

25 MR. MORGAN: Thank you.

1 CHAIR WINNER: Let's see, item number 12, you  
2 might as well stay there just for this, discussion and  
3 action by the Board regarding approval of an agreement  
4 pursuant to CHRB Rule 1581, Racing Secretary to Establish  
5 Conditions, between the Humboldt County Fair and the  
6 Thoroughbred Owners of California, regarding entry  
7 conditions and specified drug substances or medications to  
8 be implemented by the Humboldt County Fair during the 2019  
9 race meeting.

10 You're in agreement with this?

11 MR. CONWAY: Yes.

12 MR. MORGAN: Yes, we are.

13 CHAIR WINNER: Okay. Is there a motion?

14 COMMISSIONER MAAS: Moved.

15 CHAIR WINNER: Moved by Commissioner Maas.

16 COMMISSIONER ALFIERI: Second.

17 COMMISSIONER ALFIERI: Seconded by Commissioner  
18 Alfieri.

19 Commissioner?

20 VICE CHAIR AUERBACH: Yes.

21 CHAIR WINNER: Vice Chair Auerbach votes yes.

22 Chairman votes yes.

23 Commissioner Maas?

24 COMMISSIONER MAAS: Yes.

25 CHAIR WINNER: And Commissioner Alfieri?

1 COMMISSIONER ALFIERI: Yes.

2 CHAIR WINNER: Thank you, gentlemen.

3 MR. CONWAY: Thank you.

4 MR. MORGAN: Thank you.

5 CHAIR WINNER: We're going on then to item number  
6 14, discussion and action by the Board regarding the  
7 proposed amendment to CHRB Rule 1842, Veterinarian Report,  
8 to require such reports be submitted electronically.

9 Dr. Arthur.

10 DR. ARTHUR: Yes. Dr. Arthur, Equine Medical  
11 Director.

12 We've seen this item before. It's just been  
13 reworked a little bit. What it is, is rather than have  
14 reams of handwritten paper reports of veterinary treatments,  
15 this would require that those be submitted electronically.  
16 We have a program that works very well for us that had been  
17 beta tested already. And we think by the time that this  
18 regulation gets in place that it will be more user friendly  
19 of the veterinarians, which is the primary consideration.  
20 It does take some time to do the entry and we think we can  
21 make that a lot easier.

22 VICE CHAIR AUERBACH: Is this is the jockey  
23 database that you're using, the Jockey Club database?

24 DR. ARTHUR: Yeah. The Jockey Club has actually  
25 donated their Jockey Club information system, their staff.

1 And part of the aspect of this that makes it so usable is  
2 it's similar to InCompass, whereas it's tied into the  
3 registry. So we have the horses names. We know what  
4 trainers they have. They have all their information, for  
5 example, their age, their sex, all those sorts of things, so  
6 it works quite well.

7 VICE CHAIR AUERBACH: And so when do we -- if it  
8 goes out -- if we approve it and it goes out for --

9 CHAIR WINNER: It goes out for 45 days.

10 VICE CHAIR AUERBACH: -- 45 days, what would be  
11 the most ideal date we would get it back from OAL and all of  
12 that regulatory stuff? Do we have any idea?

13 MR. BRODNIK: Robert Brodник, California Horse  
14 Racing Board.

15 It generally takes a few months to have this go  
16 through the entire regulatory process. So just for  
17 information, the 45 days is actually 55 days. We have to  
18 submit it to OAL ten days before. We do have a sign-off  
19 period that -- a sign-off that we achieve from our parent  
20 agency. And then when it comes back, then it goes on to the  
21 next Board meeting agenda. So --

22 VICE CHAIR AUERBACH: Is there anything that the  
23 veterinary community can do in the interim to kind of ramp  
24 up for it to make the switch over from --

25 DR. ARTHUR: Yes. We've actually invited some

1 veterinarians to participate in the program and some of them  
2 have. It's going to be one of those things, until we force  
3 them to do it, not everybody's going to do it.

4 VICE CHAIR AUERBACH: I understand that.

5 DR. ARTHUR: We do --

6 VICE CHAIR AUERBACH: But I know a lot of them  
7 have really big practices and it would be helpful.

8 DR. ARTHUR: Yeah. Just so you know, we have, and  
9 we've done this for the last couple years, have encouraged  
10 the official veterinarians to keep their own spreadsheet  
11 records of treatments we're most concerned with, for  
12 example, bisphosphonate treatments, certain interarticular  
13 injections.

14 VICE CHAIR AUERBACH: That can't happen.

15 DR. ARTHUR: Well, not after --

16 VICE CHAIR AUERBACH: They can't have those.

17 DR. ARTHUR: -- not after today. So hopefully,  
18 no, we have -- we're working on a stopgap measure to try to  
19 get this information, but this will be a big step forward.  
20 And, quite frankly, it's something the entire country needs.

21 CHAIR WINNER: Thank you.

22 Is there a motion?

23 VICE CHAIR AUERBACH: So moved.

24 EXECUTIVE DIRECTOR BAEDEKER: Can I make one  
25 comment?

1 CHAIR WINNER: Yes, please do.

2 EXECUTIVE DIRECTOR BAEDEKER: I should have  
3 brought this up before we ever brought it to the Board, but  
4 just in looking at it again this morning, are we worried at  
5 all that we might paint ourselves into a corner in case  
6 there's some kind of technological problem where it can only  
7 be submitted electronically? Would it make more sense to  
8 change the language to, "a veterinarian who treats a horse  
9 within the inclosure shall, using a written or an electronic  
10 online form as prescribed by the Board?" In other words,  
11 add the electronic part, just in case, for some reason, that  
12 doesn't work on time or --

13 VICE CHAIR AUERBACH: Yeah. But you're giving  
14 them an out to do it the old --

15 EXECUTIVE DIRECTOR BAEDEKER: No, but --

16 VICE CHAIR AUERBACH: -- funky way.

17 EXECUTIVE DIRECTOR BAEDEKER: -- it says, "as  
18 prescribed by the Board," so the Board would prescribe the  
19 online method with, you know, some language that said if  
20 that wasn't available --

21 DR. ARTHUR: There's actually information that's  
22 somewhat similar to that in 1842 already. And it says, "the  
23 report to the official veterinarian in a manner prescribed  
24 by him," and, of course, there were only men veterinarians  
25 back then when this was written. But we can use similar

1 language to say in a manner prescribed by the Board; right?

2 EXECUTIVE DIRECTOR BAEDEKER: So we don't need  
3 to -- this is fine, then, is what you're saying?

4 DR. ARTHUR: Yes. Yeah.

5 EXECUTIVE DIRECTOR BAEDEKER: We wouldn't --

6 CHAIR WINNER: Well --

7 EXECUTIVE DIRECTOR BAEDEKER: -- find ourselves --

8 DR. ARTHUR: I think --

9 EXECUTIVE DIRECTOR BAEDEKER: -- in that  
10 situation?

11 DR. ARTHUR: Right. Yeah.

12 VICE CHAIR AUERBACH: Rick, I think if you put it  
13 in there you --

14 CHAIR WINNER: We can tweak it during --

15 VICE CHAIR AUERBACH: -- Yeah.

16 CHAIR WINNER: -- the 45-day period anyway.

17 VICE CHAIR AUERBACH: And, Rick, I think if you  
18 put anything in there that's going to help those guys not  
19 have to do it this way --

20 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

21 VICE CHAIR AUERBACH: -- they'll find a way --

22 EXECUTIVE DIRECTOR BAEDEKER: I understand.

23 VICE CHAIR AUERBACH: -- to do it the wrong way  
24 so --

25 CHAIR WINNER: All right. Any other questions? A

1 motion?

2 VICE CHAIR AUERBACH: So moved.

3 CHAIR WINNER: Moved by Vice Chair Auerbach. I'll  
4 second.

5 How do you vote, Commissioner Alfieri?

6 COMMISSIONER ALFIERI: Yes.

7 COMMISSIONER MAAS: Yes.

8 CHAIR WINNER: Commissioner Maas votes yes.

9 Chairman votes yes.

10 Vice Chair?

11 VICE CHAIR AUERBACH: Yes.

12 CHAIR WINNER: Yes. Okay. Thank you.

13 Moving on then to item 15, discussion and action  
14 by the Board regarding the proposed amendment to CHRB Rule  
15 1843.3, Penalties for Medication Violations; CHRB Rule  
16 1843.5, Medication, Drugs and Other Substances Permitted  
17 After Entry in a Race; and CHRB Rule 1844, Authorized  
18 Medication, to codify the Board's prior temporary suspension  
19 of authorized medication for all horses participating in all  
20 licensed horse racing meetings.

21 VICE CHAIR AUERBACH: Huh?

22 CHAIR WINNER: Dr. Arthur?

23 DR. ARTHUR: Yeah. This simply -- the Board had  
24 previously suspended authorization for nonsteroidal anti-  
25 inflammatory and corticosteroids, steroidal anti-

1 inflammatory. These make relevant changes in the penalty  
2 guidelines in terms of administration times that are  
3 permitted and other aspects to put everything all together  
4 so they fit together and are consistent with what the Board  
5 has already undertaken in terms of suspending authorization  
6 for those anti-inflammatories.

7 VICE CHAIR AUERBACH: I have a question.

8 DR. ARTHUR: Yes?

9 CHAIR WINNER: Please.

10 VICE CHAIR AUERBACH: If you go to 15.12 please,  
11 item C, where it says, "Drugs or medications shall not be  
12 administered by any means to a horse after it is deemed  
13 entered a race."

14 So my concern is we were looking at the 48-hour  
15 stand-down time. My concern is what happens if we have  
16 entries that are taken really early and it would be like a  
17 moving target on these things? I don't know how this  
18 expressed here that it makes -- that it's going to make it  
19 clear to everybody what they can and can't do timewise. Do  
20 you understand what I mean?

21 DR. ARTHUR: Yes, I do, very much. And originally  
22 it used to read "entry time" and then we went to "48 hours."

23 CHAIR WINNER: Right.

24 DR. ARTHUR: So what happens is that whatever that  
25 time --

1 VICE CHAIR AUERBACH: The 48 hours here is crossed  
2 out.

3 DR. ARTHUR: Yeah.

4 MR. BRODNIK: That's the current language. That's  
5 the current language.

6 MS. WAGNER: That's correct, yes.

7 DR. ARTHUR: Yeah.

8 MS. WAGNER: Yeah, we're changing it.

9 DR. ARTHUR: The current language was 48 hours  
10 because when I first started practicing all entries were 48  
11 hours. And then they started to get further and further  
12 out. So to avoid that confusion we went to 48 hours.

13 But what happens is that, frankly, horses get  
14 treated prerace with whatever concoctions, the veterinarian  
15 or the trainers want to do, at 48 hours. What we're trying  
16 to do is push all those, whatever treatments those are, back  
17 far enough that, number one, they realize they're a waste of  
18 time and to discourage it.

19 VICE CHAIR AUERBACH: That stand down time --

20 DR. ARTHUR: Right.

21 VICE CHAIR AUERBACH: -- means that there's no  
22 point in --

23 DR. ARTHUR: That's right.

24 VICE CHAIR AUERBACH: -- doing any of that.

25 CHAIR WINNER: Right.

1 DR. ARTHUR: That's right.

2 VICE CHAIR AUERBACH: Right.

3 DR. ARTHUR: That's what we're trying to  
4 accomplish.

5 CHAIR WINNER: The stewards (indiscernible).

6 VICE CHAIR AUERBACH: Right. Right. Okay.

7 DR. ARTHUR: I mean, as an alternative --

8 VICE CHAIR AUERBACH: I wanted to make sure that  
9 this read correctly because I kept reading it and I couldn't  
10 quite wrap it around --

11 DR. ARTHUR: But you are correct. We've set it up  
12 at midnight on the day the horse is entered. Some days,  
13 that's going to be seven days, some days that's going to be  
14 three days.

15 VICE CHAIR AUERBACH: And that's right.

16 CHAIR WINNER: Right.

17 VICE CHAIR AUERBACH: Right.

18 DR. ARTHUR: Right.

19 VICE CHAIR AUERBACH: But it's always going to be  
20 at least three days in advance?

21 DR. ARTHUR: Yes.

22 VICE CHAIR AUERBACH: Right.

23 DR. ARTHUR: Yeah.

24 VICE CHAIR AUERBACH: Okay.

25 DR. ARTHUR: Yeah.

1 VICE CHAIR AUERBACH: Got it. Thank you.

2 CHAIR WINNER: Thank you.

3 Any other questions? All right. Is there a  
4 motion?

5 VICE CHAIR AUERBACH: So moved.

6 CHAIR WINNER: All right. Moved by Vice Chair  
7 Auerbach.

8 COMMISSIONER ALFIERI: Second.

9 CHAIR WINNER: Seconded by Commissioner Alfieri.

10 Vice Chair Auerbach --

11 VICE CHAIR AUERBACH: Yes.

12 CHAIR WINNER: -- votes yes.

13 Chairman votes yes.

14 Commissioner Maas --

15 COMMISSIONER MAAS: Yes.

16 CHAIR WINNER: -- votes yes.

17 Commissioner Alfieri --

18 COMMISSIONER ALFIERI: Yes.

19 CHAIR WINNER: -- votes yes.

20 I'm sorry, Dr. Benson, I had a card on that. Did  
21 you want to speak or does it matter?

22 DR. BENSON: No. The way you're going is good  
23 with us. Thank you.

24 CHAIR WINNER: Okay. Thank you.

25 VICE CHAIR AUERBACH: Sorry.

1 CHAIR WINNER: That was my fault. I didn't call  
2 on her.

3 Sixteen, discussion and action by the Board  
4 regarding the proposed addition to CHRB Rule 1846.1,  
5 Veterinary Records for Horses Shipping into an Inclosure to  
6 Race, to require the trainer to make available to the  
7 official veterinarian or racing veterinarian the previous  
8 14-day veterinary treatment record.

9 Dr. Arthur?

10 DR. ARTHUR: Yes. This was a model rule that was  
11 proposed by the RMTTC to the RCI and it was just approved  
12 earlier this year. And what the principle is, in  
13 California, as we talked about earlier, we have all the  
14 treatments reported. What we don't have are treatments on  
15 the horses shipping in, so we don't have a history. And I  
16 think what's really become clear to us, that the medical  
17 history of a horse is critically important in the  
18 examination process. And this actually provides a way for  
19 us to get that information.

20 CHAIR WINNER: This is actually very good.

21 Did you want to speak on this, Dr. Benson?

22 VICE CHAIR AUERBACH: While Dr. Benson is coming  
23 up here, this seems to me like it would take a lot of the  
24 issues we have with program trainers and make it moot if we  
25 can codify this because there has to be a way to get those

1 records.

2 DR. ARTHUR: Yeah, absolutely. And I think what  
3 we may want to do is, particularly on ship-in horses that  
4 are not within our jurisdiction, for example, at Los  
5 Alamitos, those medication treatments are very problematic  
6 for us, so we can apply that as well.

7 VICE CHAIR AUERBACH: Do we need any kind of a  
8 cutout for horses that fly in for one meeting, you know, for  
9 one race, you know, like a big-time race?

10 DR. ARTHUR: This was actually designed, and the  
11 biggest impetus for this was actually back east where they  
12 have horses go from state to state where they don't have  
13 histories.

14 VICE CHAIR AUERBACH: Right.

15 DR. ARTHUR: And Dr. Benson, who may be behind  
16 me --

17 VICE CHAIR AUERBACH: She is.

18 DR. ARTHUR: -- was actually instrumental on  
19 developing this and to make it as simple as we can for those  
20 people. It's not that onerous. I mean, if it takes that  
21 long --

22 VICE CHAIR AUERBACH: No, it isn't if you --

23 DR. ARTHUR: -- to fill out --

24 CHAIR WINNER: I kind of --

25 DR. ARTHUR: -- a 14-day medical history --

1 VICE CHAIR AUERBACH: No.

2 CHAIR WINNER: -- of having --

3 VICE CHAIR AUERBACH: If you're doing things right  
4 it --

5 CHAIR WINNER: Right.

6 VICE CHAIR AUERBACH: -- should be no problem.

7 DR. ARTHUR: Right.

8 VICE CHAIR AUERBACH: It's punching a button.

9 CHAIR WINNER: Yeah. I actually like the ideas of  
10 horses that ship in for one race, even if they're stake's  
11 horses.

12 VICE CHAIR AUERBACH: Right. Well, but I just  
13 didn't know if we needed it.

14 CHAIR WINNER: I think this is still a good thing.

15 VICE CHAIR AUERBACH: Okay.

16 CHAIR WINNER: Go ahead, Dr. Benson.

17 DR. BENSON: Hi. Dr. Dionne Benson with The  
18 Stronach Group.

19 As Dr. Arthur indicated, I actually worked on this  
20 as part of my work with the Racing Medication Testing  
21 Consortium. And as a previous regulatory veterinarian, I  
22 can tell you, you know, we are fully in support of this and  
23 I am fully in support of this because it allows you to  
24 interpret what you're seeing in the horse in light of what  
25 has been done to it. So it is very important as a

1 regulatory vet to have a full picture of what the horse has  
2 had as far as medication and treatments, in addition to  
3 seeing and watching the horse move.

4 So thank you.

5 CHAIR WINNER: Thank you.

6 Is there a motion?

7 VICE CHAIR AUERBACH: So moved.

8 CHAIR WINNER: So moved by Vice Chair Auerbach.

9 I'll second.

10 How do you vote --

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR WINNER: -- Commissioner Alfieri?

13 Commissioner Maas?

14 COMMISSIONER MAAS: Yes.

15 CHAIR WINNER: Chairman votes yes.

16 Vice Chair?

17 VICE CHAIR AUERBACH: Yes.

18 CHAIR WINNER: Yes. Thank you.

19 Moving on then to 17, discussion and action  
20 regarding the proposed addition to rule -- CHRB Rule 1866.2,  
21 Shockwave Therapy Restricted, to provide procedures for the  
22 use of Extracorporeal Shockwave Therapy, EWST, or Radial  
23 Pulse Wave Therapy within a CHRB inclosure.

24 Dr. Arthur?

25 DR. ARTHUR: Yeah. We've actually had this as a

1 policy for -- before I became Equine Medical Director. This  
2 is codifying it. We were -- this was on the agenda  
3 tomorrow -- or yesterday --

4 CHAIR WINNER: Yesterday?

5 DR. ARTHUR: -- at the Medication Committee  
6 meeting. And right now, where you have, for example, in (f)  
7 that a horse that has been treated with shockwave will be  
8 placed on the vet's list for ten days, we were going to  
9 discuss whether we want to stay with the ten days or  
10 increase that?

11 The other issue is how the horse has been on the  
12 vet's list. That's pretty easy, whatever we decide, the ten  
13 days plus one is when the horse can actually start.

14 And the other issue that we wanted to talk about  
15 is several jurisdictions, New York and Florida, do not allow  
16 horses to work out that have been treated with shockwave for  
17 ten days. Our current regulation is seventy-two hours,  
18 three days. So this didn't have the benefit of our  
19 discussions yesterday.

20 So, you know, unless somebody wants to recommend a  
21 change --

22 CHAIR WINNER: I do.

23 VICE CHAIR AUERBACH: And I do too.

24 DR. ARTHUR: Okay. That's why it was left open.

25 CHAIR WINNER: Okay. I believe in my view the

1 choice should be between 30 days and zero, in other words,  
2 no shockwave treatment.

3 VICE CHAIR AUERBACH: And I was going to add --  
4 and I happen to agree with Chairman Winner, I was wondering  
5 why we allow them in the inclosures at all? Because if we  
6 are going to extend the time that a horse can and can't work  
7 and do things, why not just have the horse be offsite, have  
8 him have his shockwave, have his rest, and then come back  
9 after he's available to, you know, to work?

10 DR. ARTHUR: Well --

11 CHAIR WINNER: First of all, let me ask, before  
12 you answer that, Doctor, and I apologize, that, I mean, we  
13 have -- there's a controversy about shockwave, whether or  
14 not it is --

15 VICE CHAIR AUERBACH: Of the efficacy?

16 CHAIR WINNER: -- yeah, whether to not it is --  
17 for what purpose it's used. I'd like your opinion on that.  
18 And also, if you could let us know what others believe about  
19 shockwave treatment? And then I'd also like you to comment  
20 on the idea of, at least for now, increasing it to 30 days.

21 It goes out for 45-day public discussion anyway, public  
22 comment anyway. So if a decision is made to reduce or ban  
23 it all together in an inclosure, that can happen during that  
24 period. I'd like your opinion on all of that, if you don't  
25 mind.

1 DR. ARTHUR: Okay. First of all, I want to  
2 predicate what I say by saying, I've never understood why  
3 shockwave is used the way it is in terms of the  
4 pathophysiology. So I think there are veterinarians that  
5 disagree with me and think it's a beneficial treatment.

6 So I am actually fine with 30 days. The way this  
7 treatment works is it puts mechanical injury into the area,  
8 stimulates blood supply or whatever those cells are that are  
9 healing, you know, whatever those theories are.

10 So I don't think a 30-day stand down is  
11 unreasonable. But there are people who would disagree with  
12 me. And there are some legitimate uses for it that have  
13 been published in equine medicine, and human medicine as  
14 well.

15 CHAIR WINNER: So these are --

16 DR. ARTHUR: But I'm not going to --

17 CHAIR WINNER: -- therapeutic uses?

18 DR. ARTHUR: Therapeutic use. I'm not going to  
19 defend its use the way that it's used in horse racing.  
20 Somebody else will have to do that. The --

21 CHAIR WINNER: But they have 45 days to do that;  
22 correct?

23 DR. ARTHUR: They have 45 days to do that.

24 CHAIR WINNER: If we send it out, if we vote for  
25 30 days now, it goes out for public comment, if they want to

1 defend their position they have 45 days to do so?

2 DR. ARTHUR: I think that's absolutely fine.

3 CHAIR WINNER: Okay.

4 DR. ARTHUR: But the real fear for horse racing is  
5 that it does cause an analgesia for we know clinically, it  
6 blocks pain --

7 CHAIR WINNER: Right.

8 DR. ARTHUR: -- for 72 hours that you can  
9 demonstrate in clinical cases. And some jurisdictions in  
10 other -- around the world have been looking at three to five  
11 days as a stand down period. But really, if you're treating  
12 an injury to get it to heal, which is what this should be  
13 used for, I don't see how 30 days is a problem if it's used  
14 in that particular way. But I do think we should give the  
15 veterinary profession an opportunity, those that use it, an  
16 opportunity to defend it and explain to you what --

17 CHAIR WINNER: Right.

18 DR. ARTHUR: -- their opinion is.

19 VICE CHAIR AUERBACH: I'm still uncomfortable with  
20 keeping them in the inclosure. I mean, if you're  
21 supposed -- if that is the prescribed reason for using it,  
22 then that horse should be away from the track. And I am  
23 very uncomfortable. I know, unfortunately, we didn't have a  
24 meeting yesterday and we didn't have a chance to really go  
25 through this but I think we should consider that. I mean,

1 if --

2 CHAIR WINNER: Well, we can -- excuse me. Go  
3 ahead. I'm sorry.

4 VICE CHAIR AUERBACH: No, no, no. That's okay.

5 CHAIR WINNER: We have -- we would then have --  
6 what I want to do is I want to get something passed so we  
7 can --

8 VICE CHAIR AUERBACH: Okay. So if we --

9 CHAIR WINNER: -- send it out for the 30 --

10 VICE CHAIR AUERBACH: -- do it that way and  
11 then --

12 CHAIR WINNER: -- then we can change it --

13 VICE CHAIR AUERBACH: -- I think we should --

14 CHAIR WINNER: -- when it comes back.

15 VICE CHAIR AUERBACH: And I would really like to  
16 hear from everybody because we can go ahead and pass it  
17 now --

18 CHAIR WINNER: I'd like to get it started.

19 VICE CHAIR AUERBACH: -- if everybody wants it 30  
20 days and then come back and have everybody defend having it  
21 in the inclosures at all.

22 DR. ARTHUR: Yeah. I will say that we do monitor  
23 this very carefully. It's a public -- we have -- all horses  
24 that are treated, it's a public document. You can -- the  
25 public can look at it. Everybody can look at it. The

1 shockwave machines can only be used in designated locations.  
2 We actually have a camera right on the shockwave room. So  
3 it's not being done willy-nilly. But, you know --

4 VICE CHAIR AUERBACH: No, but I understand that.

5 DR. ARTHUR: -- you certainly know I've been  
6 uncomfortable with the way it's been used.

7 VICE CHAIR AUERBACH: I'm uncomfortable with the  
8 way it's been used. And I'm also thinking that if I have a  
9 horse at the track that needs to be shock waved, that horse  
10 shouldn't be at the track. That's my feeling for my horses.  
11 I don't want them there if they're being shock waved. I  
12 want them away from the racetrack.

13 CHAIR WINNER: Let me ask you --

14 VICE CHAIR AUERBACH: And I just --

15 CHAIR WINNER: -- I know Commissioner Alfieri  
16 wants to comment. Also Dr. Benson wants to comment.

17 Let me ask you one more question, if I may?

18 When I looked at the records, and this is a couple  
19 of weeks ago now, maybe a month ago, of shockwave treatment,  
20 it seemed to me that there were a significant number of  
21 horses that were receiving shockwave treatments at San Luis  
22 Rey as compared to other facilities; is that correct or not?

23 DR. ARTHUR: That would be correct based on the  
24 population. It is popular. If you look at our public list  
25 you will notice that it is popular with certain trainers.

1 CHAIR WINNER: Correct.

2 VICE CHAIR AUERBACH: Well, that --

3 CHAIR WINNER: That's what I'm getting at.

4 VICE CHAIR AUERBACH: -- that's fine.

5 CHAIR WINNER: That's what I wanted to limit it to  
6 30 days or extend it to 30 days or zero.

7 VICE CHAIR AUERBACH: You know, my experience with  
8 it has been having a horse that was having growing pains,  
9 okay, and uncomfortable, and the vet recommended shockwave.  
10 So we took her off the track and she was off for like three  
11 months, whatever the time was, and came back good as gold.  
12 And I think that we should really discuss it. I want to see  
13 defense of having it there.

14 EXECUTIVE DIRECTOR BAEDEKER: One -- well --

15 CHAIR WINNER: Let me ask Dr. Benson to come up,  
16 and then Dennis, and then --

17 COMMISSIONER ALFIERI: No. That's -- I wanted  
18 to -- I always like to have a second opinion from a doctor.  
19 I wanted to hear from Dr. Benson, her thoughts.

20 DR. BENSON: Hi. Dr. Dionne Benson with The  
21 Stronach Group.

22 I actually agree with Dr. Arthur. I think that  
23 the horses that receive these treatments are probably --  
24 it's indicated that they get a longer-term period of rest. I  
25 would hope that whatever you look to and look to modify you

1 do include training because, at least works, because of the  
2 concerns about not only analgesia but also the fact that the  
3 horse has something that indicates that it should be done,  
4 it should have a longer-term period of rest, so --

5 CHAIR WINNER: So you're suggesting that the  
6 horses can't, once they receive this treatment, they can't  
7 race or train for 30 days?

8 DR. BENSON: Work. Train.

9 CHAIR WINNER: I mean work or --

10 DR. BENSON: So --

11 CHAIR WINNER: -- work or race for 30 days?

12 DR. BENSON: Correct.

13 CHAIR WINNER: That's interesting. I hadn't  
14 thought about that.

15 EXECUTIVE DIRECTOR BAEDEKER: That goes to the  
16 program so --

17 CHAIR WINNER: Yeah. I actually like that idea.  
18 Dr. Arthur, how do you feel about that idea?

19 DR. ARTHUR: I'm fine with that.

20 CHAIR WINNER: Okay. Is there any other  
21 discussion?

22 Did you want to comment --

23 COMMISSIONER ALFIERI: No.

24 CHAIR WINNER: -- Dennis?

25 COMMISSIONER ALFIERI: That was it.

1 CHAIR WINNER: Okay.

2 COMMISSIONER ALFIERI: I just wanted to hear from  
3 her.

4 CHAIR WINNER: I'm sorry, Rob.

5 MR. BRODNIK: Just for Staff's understanding, I  
6 understand now that (f) of this language will be amended so  
7 that the X reads 30.

8 VICE CHAIR AUERBACH: Thirty, yeah.

9 MR. BRODNIK: But (g), would that be 30, as well,  
10 or would that be a longer period of time? It says, "Horses  
11 treated with ESWT may not participate in a recorded workout  
12 for blank days."

13 VICE CHAIR AUERBACH: It's the same thing.

14 EXECUTIVE DIRECTOR BAEDEKER: Same thing.

15 MR. BRODNIK: Is that 30 as well?

16 CHAIR WINNER: Thirty. Thirty. Thirty.

17 VICE CHAIR AUERBACH: That's the same thing.

18 EXECUTIVE DIRECTOR BAEDEKER: Hey, Rob, can I ask  
19 you a question about a procedure here?

20 So if the Board moved this at 30 days and it came  
21 back after 45 days and the mood of the Board at that point  
22 was to eliminate it, would the process have to start over at  
23 that point or because the Board is considering a restriction  
24 on shockwave, would it -- could it proceed under the 15-day  
25 subsequent public comment period?

1 MR. BRODNIK: To be candid, I'd need to look at  
2 that because it would be such a difference. It would be  
3 very different from what the Board -- the idea with the  
4 public comment period is to allow the public the opportunity  
5 to comment on a proposed regulation. And so if you have  
6 allowed them to comment for 45 days and then change it too  
7 drastically, there could be an argument. So I just don't  
8 know the answer off the top of my head.

9 EXECUTIVE DIRECTOR BAEDEKER: Okay.

10 CHAIR WINNER: Maybe Jackie does.

11 MS. WAGNER: Jackie Wagner, CHRB Staff.

12 If I'm understanding the question correctly, if  
13 after the 45-day comment period this comes back for the  
14 Board to adopt and the Board decides they don't even want  
15 shockwave therapy on the track, we can drop this, because  
16 this rule, it will not be effective. This is a proposed  
17 regulation.

18 EXECUTIVE DIRECTOR BAEDEKER: But we would have to  
19 move a rule prohibiting it; right?

20 MS. WAGNER: Yes, we would.

21 EXECUTIVE DIRECTOR BAEDEKER: So we'd have to  
22 start over in that.

23 MS. WAGNER: That particular process, yeah.

24 VICE CHAIR AUERBACH: Yeah. But we could also, if  
25 we wanted to, go ahead --

1 CHAIR WINNER: Okay.

2 VICE CHAIR AUERBACH: -- and pass it.

3 CHAIR WINNER: Yeah. The 30 day --

4 VICE CHAIR AUERBACH: And then --

5 CHAIR WINNER: -- would be in effect and then --

6 VICE CHAIR AUERBACH: -- and then put in

7 another --

8 EXECUTIVE DIRECTOR BAEDEKER: Right.

9 VICE CHAIR AUERBACH: -- rule behind it --

10 CHAIR WINNER: Right.

11 VICE CHAIR AUERBACH: -- to get rid of it --

12 CHAIR WINNER: Right.

13 VICE CHAIR AUERBACH: -- all together, so --

14 CHAIR WINNER: Yeah. Yeah.

15 VICE CHAIR AUERBACH: Okay. Okay.

16 DR. ARTHUR: Just as a reminder, these policies  
17 actually came in place when Chris McCarren was General  
18 Manager of Santa Anita and actually wanted to prohibit them  
19 from the racetrack and that's what the proposal was going to  
20 be. And this was an alternative to that.

21 So certainly, the racetracks still have the  
22 opportunity to prohibit them if they wanted to as an  
23 individual basis. That would be separate from the Board  
24 obviously.

25 CHAIR WINNER: Yeah.

1 EXECUTIVE DIRECTOR BAEDEKER: And, Doc, just, you  
2 know, this has such a horrible name, this shockwave thing.  
3 But in researching it, I saw that it's used on human beings  
4 for things like plantar fasciitis and so forth.

5 DR. ARTHUR: That's right.

6 EXECUTIVE DIRECTOR BAEDEKER: So it's got this --  
7 it sounds like a lobotomy or something but it's not anything  
8 like that.

9 VICE CHAIR AUERBACH: (Indiscernible.)

10 EXECUTIVE DIRECTOR BAEDEKER: But nonetheless,  
11 we've heard the medical opinions that it may not be  
12 worthwhile at all. So just -- but is that true?

13 DR. ARTHUR: Well, if they would have hired the  
14 Chairman to help them with a messaging approach, they would  
15 not have used shockwave as a name for sure. But it's just,  
16 unfortunately, it's just like Lasix, it's not going to  
17 change to Salix, it's still going to be Lasix until we're  
18 all done.

19 CHAIR WINNER: All right. So is there a motion to  
20 approve with the -- with the change or the amendment to 30  
21 days and to include works as well --

22 VICE CHAIR AUERBACH: Um-hmm.

23 CHAIR WINNER: -- training and racing?

24 COMMISSIONER MAAS: Moved.

25 CHAIR WINNER: Okay. Moved by Commissioner Maas.

1 Seconded by Commissioner Alfieri.

2 Is that correct --

3 COMMISSIONER ALFIERI: Yeah.

4 CHAIR WINNER: -- Commissioner Alfieri?

5 COMMISSIONER ALFIERI: That's fine. Yes.

6 CHAIR WINNER: Okay.

7 COMMISSIONER ALFIERI: Yes.

8 CHAIR WINNER: How do you vote, Commissioner?

9 COMMISSIONER ALFIERI: Yes.

10 CHAIR WINNER: Commissioner Maas?

11 COMMISSIONER MAAS: Yes.

12 CHAIR WINNER: Chairman votes yes.

13 Vice Chair --

14 VICE CHAIR AUERBACH: Yes. Yes.

15 CHAIR WINNER: -- votes yes. Okay. Good. Thank

16 you.

17 Discussion and action by the Board regarding the  
18 proposed addition to CHRB Rule 1867.1, Use of --

19 VICE CHAIR AUERBACH: Bisphosphonates.

20 CHAIR WINNER: -- Bisphosphonates Prohibited, to  
21 prohibit the administration of bisphosphonates to any horse  
22 within a CHRB inclosure.

23 Dr. Arthur?

24 DR. ARTHUR: Yes, this proposal is to prohibit the  
25 use of bisphosphonates within CHRB inclosures. And no

1 licensee shall bring a horse onto the ground that has  
2 received bisphosphonates within six months. And there is an  
3 exception for a weak bisphosphonate that is actually used in  
4 nuclear imaging. That's why they put the technetium on the  
5 methylene diphosphonate because it actually attaches to the  
6 bone in the way that bisphosphonates do but it's at a very  
7 low dosage and it's not going to be a public health problem.

8 CHAIR WINNER: Is there any -- do you want to  
9 speak on this, Dr. Benson? No. Okay.

10 Is there a motion to approve?

11 VICE CHAIR AUERBACH: I thought we'd already done  
12 this. I am so confused. I thought we put it --

13 EXECUTIVE DIRECTOR BAEDEKER: No. We took it back  
14 after the last Medication Committee meeting. You did  
15 discuss it before the full Board. But my recollection is  
16 when it came before the Board here you expressed desire  
17 to --

18 VICE CHAIR AUERBACH: I didn't want it at all.

19 EXECUTIVE DIRECTOR BAEDEKER: -- prohibit it.

20 VICE CHAIR AUERBACH: Right.

21 EXECUTIVE DIRECTOR BAEDEKER: And so --

22 VICE CHAIR AUERBACH: Okay. So this was the  
23 change --

24 EXECUTIVE DIRECTOR BAEDEKER: -- it went back for  
25 language.

1 VICE CHAIR AUERBACH: -- to get it prohibited?

2 DR. ARTHUR: The original proposal was to adopt  
3 the international standards.

4 VICE CHAIR AUERBACH: Right. And then we  
5 decided --

6 DR. ARTHUR: And you're right.

7 VICE CHAIR AUERBACH: -- no, we didn't want it at  
8 all?

9 DR. ARTHUR: That's right.

10 VICE CHAIR AUERBACH: Okay. Got it.

11 CHAIR WINNER: Is there a motion?

12 VICE CHAIR AUERBACH: So moved.

13 CHAIR WINNER: Okay.

14 COMMISSIONER ALFIERI: Second.

15 CHAIR WINNER: Moved by Vice Chair Auerbach.

16 Seconded by Commissioner Alfieri.

17 Commissioner Alfieri?

18 COMMISSIONER ALFIERI: Yes.

19 CHAIR WINNER: Commissioner Maas?

20 COMMISSIONER MAAS: Yes.

21 CHAIR WINNER: Chair votes yes.

22 Vice Chair?

23 VICE CHAIR AUERBACH: Yes.

24 CHAIR WINNER: Thank you.

25 Moving on then to item 19, public hearing and

1 action by the Board regarding the proposed amendment to CHRB  
2 Rules 1581.1, Entries, and Rule 1597.5, Microchips Required  
3 for all Horses on Grounds, to revise and clarify microchip  
4 requirements for California horse -- for California  
5 racehorses. This concludes the 45-day public comment. The  
6 Board may adopt the proposal as presented.

7 Were there any comments?

8 MR. BRODNIK: No.

9 CHAIR WINNER: No comments in the public comment  
10 period.

11 Is there a motion?

12 COMMISSIONER MAAS: Move.

13 CHAIR WINNER: Commissioner Maas moves.

14 Vice Chair Auerbach --

15 COMMISSIONER ALFIERI: Second.

16 CHAIR WINNER: -- seconds.

17 Vice Chair Auerbach?

18 VICE CHAIR AUERBACH: Yes.

19 CHAIR WINNER: I vote -- the Chairman votes yes.

20 COMMISSIONER MAAS: Yes.

21 COMMISSIONER ALFIERI: Yes.

22 CHAIR WINNER: Commissioner Maas votes yes.

23 Commissioner Alfieri votes yes. That matter passes.

24 Moving on to item number 20, public hearing and  
25 action by the Board regarding the proposed amendment to CHRB

1 Rule 1588, Horse Ineligible to Start in a Race, and CHRB  
2 Rule 1866, Veterinarian's List, to provide that: one, any  
3 horse that has not raced within 12 consecutive months since  
4 its previous start is ineligible to start in a race until  
5 such horse has performed satisfactorily in a workout or a  
6 standardbred qualifying race; two, to provide that a horse  
7 that has never started in a race and is four years old --  
8 four years of age or older is ineligible to start in a race  
9 until such horse has performed satisfactorily in a workout  
10 or qualifying race as described in CHRB Rule 1866(e) and  
11 (f); and three, to modify CHRB Rule 1866 subsection (e) to  
12 make it clear that qualifying races are standardbred events.  
13 This concludes the 45-day public comment period. The Board  
14 may adopt the proposal as amendment.

15 Any public comments, Rob?

16 MR. BRODNIK: No.

17 CHAIR WINNER: None. Is there a motion?

18 COMMISSIONER MAAS: Moved.

19 CHAIR WINNER: Commissioner Maas moves.

20 COMMISSIONER ALFIERI: Second.

21 CHAIR WINNER: Commissioner Alfieri seconds.

22 Commissioner Auerbach?

23 VICE CHAIR AUERBACH: Yes.

24 CHAIR WINNER: Chair votes yes.

25 Commissioner Maas?

1 COMMISSIONER MAAS: Yes.

2 CHAIR WINNER: Commissioner Alfieri?

3 COMMISSIONER ALFIERI: Yes.

4 CHAIR WINNER: Motion carries. Thank you.

5 Let's go on then. Discussion and action by the  
6 Board on the approval of Fiscal Year 2019/2020 Agreement  
7 providing funding support for the Board.

8 Mr. Baedeker?

9 EXECUTIVE DIRECTOR BAEDEKER: Yeah, Mr. Chairman,  
10 this is an annual event where Staff calculates the budget  
11 for -- that is included in the governor's proposed budget  
12 and with any changes that are required. And after that  
13 number is determined, Staff communicates with all of the  
14 racing associations that are, basically, taxed to fund the  
15 Board. And you'll note in your packet that we have received  
16 approvals from all of the racing associations acknowledging  
17 their obligation to pay Board funding.

18 Is there a motion?

19 COMMISSIONER ALFIERI: So moved.

20 CHAIR WINNER: Commissioner Alfieri moves.

21 COMMISSIONER MAAS: Second.

22 CHAIR WINNER: Commissioner Maas seconds.

23 How do you vote?

24 VICE CHAIR AUERBACH: Yes.

25 CHAIR WINNER: Vice Chair votes yes. Chair votes

1 yes.

2 COMMISSIONER MAAS: Yes.

3 CHAIR WINNER: Commissioner Maas votes yes.

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR WINNER: Commissioner Alfieri votes yes.

6 Thank you.

7 VICE CHAIR AUERBACH: We didn't get to hear from  
8 you on this.

9 UNIDENTIFIED FEMALE: I know.

10 CHAIR WINNER: I know.

11 VICE CHAIR AUERBACH: Sorry.

12 CHAIR WINNER: Glad you came.

13 COMMISSIONER ALFIERI: It's so complete.

14 EXECUTIVE DIRECTOR BAEDEKER: Thank you.

15 CHAIR WINNER: Okay. Now we're going to go on to  
16 public comment. Before we do that, we're going to take a  
17 five-minute break.

18 (Off the record at 1:00 p.m.)

19 (On the record at 1:08 p.m.)

20 CHAIR WINNER: All right. Thank you very much  
21 folks. If you'd have a seat, I'd appreciate it.

22 Let me just, before we begin, I have a card from  
23 Lisa Jeffrey. And I assume it's for 22, to speak on this  
24 public comment, but there's no number on the card.

25 UNIDENTIFIED FEMALE: She's in the bathroom, but,

1 yeah.

2 VICE CHAIR AUERBACH: Oh, that's okay.

3 CHAIR WINNER: Okay. Thank you. All right.

4 Frank Stronach.

5 MR. F. STRONACH: Good afternoon --

6 CHAIR WINNER: Good afternoon, Frank.

7 MR. F. STRONACH: -- to the Board and all the  
8 people here which love horses. Let me give you a quick  
9 overview of my life.

10 About 60 years ago I started in a small garage and  
11 developed a company which is recognized as number one in the  
12 world in automotive technology. The company is now Magna  
13 International. It trades on the New York Stock Exchange.  
14 The company is 175,000 employees and approximately \$40  
15 billion in sales.

16 But my love is horses. And I was very disturbed  
17 and sad about the news over the last half a year at the  
18 breakdowns at Santa Anita. It could have been prevented.  
19 But you know where the problems are in order to solve  
20 problems. But we have -- horse racing does have great  
21 issues. And my commitment is to horse racing.

22 I bought about (indiscernible) the last 20 -- over  
23 the last 25 years, I've spent about \$700 million to buy  
24 racetracks, and about \$400 million to renovate the  
25 racetracks and built new dorms and barns for the wellbeing

1 of horses and the people which work with horses. But we  
2 still have a long ways to go.

3 I did not buy those racetracks that they could be  
4 sold. You see, horse racing is more than a business. Even  
5 though the business is important, there's about 5 million  
6 people involved on a part-time basis in the horse industry  
7 and 1 million direct, so it is a very important economic  
8 factor to the American economy. But it's more than a  
9 business, it's a culture. I have not bought the racetracks  
10 that they'd be sold.

11 I want to work together with the stakeholders,  
12 with the horsemen, with the Horse Racing Board. We've got  
13 to come up with new ideas to bring horse racing forward.

14 And I'm quite happy that the people here, which  
15 represent animals, animal rights activities. You know,  
16 horses have rendered a great service for the last hundreds  
17 of years to mankind. It's about time that we render our  
18 service to improve the lives of horses.

19 I also said I'm looking at plans, I'm looking at  
20 structures that we, the family -- The Stronach Group is  
21 actually a family business. I have two kids, a son called  
22 Andy and a daughter called Belinda and a wife called Freide.  
23 Andy and my wife, my son and my wife and myself, we say --  
24 we're really looking at things. We say horse racing really  
25 should be run by a trust, okay? And we would like to

1 discuss that, okay?

2 I want to prevent that the tracks are used for  
3 development; right? Yes, we can build hotels to improve, as  
4 long as it enhances horse racing, but not to the detriment  
5 that we shut the tracks. So that's one of our commitments.

6 But at the same time, if we come up with a new  
7 structure, that structure, we must attach a horse racing  
8 charter of rights to the structure. And we have to prove to  
9 the public that horsemen do care for the horses. And I know  
10 99 percent, maybe, of the people which work with horses love  
11 the horses. But even the one percent, you know, we've got  
12 to weed out. So we've got to prove to the public that we  
13 care for the horses while they race and after they're  
14 finished racing. And we could, if somebody says to me,  
15 Frank, I'm a friend of yours, I'll say, that's nice to hear  
16 but you don't have to tell me, prove it.

17 We have to prove in no uncertain terms that we  
18 mean that we care. For instance, we could set aside maybe  
19 one percent of the handle for our pension program for the  
20 horses. There's lots of things we can do. But if we fail  
21 that, we've got to prove to the public that we care. And  
22 I'm very happy, hopefully, there are some animal rights  
23 people here today. I'd be very happy to talk with them.  
24 But we do have to -- there are millions of people involved  
25 with the horses, right, but that doesn't --

1 CHAIR WINNER: Frank, you're --

2 MR. F. STRONACH: Okay.

3 CHAIR WINNER: -- you're over your three minutes.

4 MR. F. STRONACH: Okay. Well, not well, maybe  
5 five seconds. Thank you.

6 CHAIR WINNER: No, no, no, like two minutes.

7 MR. F. STRONACH: I'd be happy to answer  
8 questions.

9 CHAIR WINNER: Okay. Go ahead.

10 VICE CHAIR AUERBACH: Frank, I have a question for  
11 you. What would you do to help the horses? What would you  
12 do that we haven't addressed? How would you make things  
13 better?

14 MR. F. STRONACH: Well, I've been involved with  
15 the Congressional Committee. Horses break down for two  
16 reasons. Mainly, the two main reasons that horses break  
17 down is over-medication and the racetrack not having the  
18 right foundation, okay? And I recommended quite a number --  
19 I've been shut out of The Stronach Group, even though I paid  
20 for everything, I'm the founder, I've been shut out. I  
21 recommended quite a number --

22 VICE CHAIR AUERBACH: I'm more interested right  
23 now in what you would do specifically to help horses.

24 MR. F. STRONACH: Well, to help horses, the one  
25 thing you've got to prevent, that they break down, okay?

1 There's a number of other things we could do, that horses  
2 are entitled, let's say they spend at least nine weeks on a  
3 farm, not locked up in a stall; right? (Indiscernible) all  
4 parts of a horse racing charter where we really address the  
5 concern and where you take a closer look. I have been  
6 (indiscernible) in horses. I bought my first yearling over  
7 60 years ago. I've done about everything from A, to  
8 marketing, to -- I still can use -- I'm still a regular guy,  
9 even though I have achieved great things. I know what  
10 horses need. I'm close with horses. I love them and I  
11 would do everything I can to create a better life for  
12 themselves.

13 But the horse -- I'd be willing to sit down and to  
14 draft a horse racing -- I started a horse racing charter  
15 quite a while ago. We have to sit down with the horsemen,  
16 with the Board, and come up with a charter of rights.

17 CHAIR WINNER: Frank, one quick question please.  
18 You just mentioned you've been shut out --

19 MR. F. STRONACH: Yes.

20 CHAIR WINNER: -- from The Stronach Group. So who  
21 are -- when you say we, we have to shut down, are you  
22 talking about the general public, the Board, the various  
23 different people, but are you here representing The Stronach  
24 Group or are you here representing yourself?

25 MR. F. STRONACH: No. I'm representing here the

1 actual -- the owners of The Stronach Group. I'm the founder  
2 and I have a family, okay?

3 CHAIR WINNER: But is Belinda not the Chairman and  
4 President?

5 MR. F. STRONACH: Yes, but it's -- that's -- I  
6 don't want to go into that. It's sad enough, you know, when  
7 you disagree --

8 CHAIR WINNER: No, I understand. I'm just trying  
9 to --

10 MR. F. STRONACH: -- with your daughter; right?  
11 But --

12 CHAIR WINNER: I absolutely understand --

13 MR. F. STRONACH: -- but --

14 CHAIR WINNER: -- but I would like to understand,  
15 for our purposes --

16 MR. F. STRONACH: Yes.

17 CHAIR WINNER: -- you're presenting some  
18 proposals, build a charter.

19 MR. F. STRONACH: We -- I present the proposal or  
20 ideas for that, but by the rightful owners. And the court  
21 will decide who the rightful owners are, okay?

22 CHAIR WINNER: For our purposes now, you're  
23 speaking as?

24 MR. F. STRONACH: I'm speaking as the rightful  
25 owner with the endorsement of my wife and my son.

1 CHAIR WINNER: Okay. Thank you.

2 Any other questions? Any other comments?

3 Thank you, Frank.

4 MR. F. STRONACH: Okay. Thank you.

5 CHAIR WINNER: Thank you for being here.

6 Heather Wilson, Horse Racing Wrongs.

7 MS. WILSON: Good morning everybody. My name is

8 Heather Wilson. I'm a nurse anesthetist. I anesthetize

9 humans. And I'm with Horse Racing Wrongs.

10 The so-called spate of deaths are Santa Anita  
11 during the 2019 meet has garnished worldwide attention.  
12 Every media outlet has been abuzz with the big burning  
13 question: Why is this happening?

14 After the track was shut down for the a few weeks,  
15 the soil tested repeatedly, new safety rules enacted, the  
16 killings still continued. Following several weeks of no  
17 fatalities, Santa Anita was then back to business as usual.

18 May 17th, Commander Coil, a three-year-old  
19 gelding.

20 May 20th, Spectacular Music, a three-year-old  
21 gelding.

22 May 26th, Kochees, a nine-year-old gelding.

23 June 8th, Derby River, a two-year-old colt.

24 June 9th, Formal Dude, a four-year-old gelding.

25 Finally, June 9th, Truffalino, a three-year-old

1 filly. And I don't know why the press is saying she was  
2 euthanized. She collapsed and died of cardiac arrest on the  
3 track.

4           Additionally, the following six horses died at  
5 Santa Anita whilst in servitude to the racing industry.  
6 Their identities have finally been revealed.

7           Henry died on January 14th; Ponchito (phonetic),  
8 January 22nd; Mongolian Hunter, January 28th; Cooney  
9 (phonetic), March 4th; Rolling Shadow, April 4th; Current  
10 Times, May 27th.

11           In June, we have begun to see a tectonic shift in  
12 the public's perception. Quoted from Senator Feinstein in  
13 her June 10th statement, "This isn't an isolated year for  
14 Santa Anita."

15           A CNN article dated June 11th discusses fatalities  
16 at other tracks, namely Los Alamitos and Golden Gate, which  
17 is, as we know, another Stronach-owned track. The public is  
18 not recognizing that this is not only Santa Anita and that  
19 this is not only 2019.

20           However, since these numbers are tracked by you,  
21 the California Horse Racing Board, that means you have known  
22 about this all along.

23           So this begs the critical questions: Why now the  
24 sudden urgency to shut down Santa Anita? Why did you vote  
25 unanimously to keep Santa Anita open at the last two Board

1 meetings? And why is it so urgent now when your previous  
2 years have had far more killings?

3 The governor is frantically trying to push through  
4 SB 469 which would give the CHRB authority to shut down any  
5 track without permission from the track's owners, the very  
6 same CHRB who has failed to do anything year after year,  
7 breakdown after breakdown, blue tarp after blue tarp, and  
8 van after van.

9 CHAIR WINNER: You're well over your three  
10 minutes.

11 MS. WILSON: The difference now is that the world  
12 is watching. You are playing Russian Roulette with these  
13 magnificent creatures. We all know it is only a matter of  
14 time until another horse is sacrificed for this blood sport.  
15 All your prayer circles and all your so-called new safety  
16 rules won't help you then. Horse racing cannot be fixed  
17 before another innocent horse is killed.

18 I'm begging you to please end it now.

19 Thank you for letting me speak.

20 (Applause)

21 CHAIR WINNER: No applause. Let's just move  
22 along. I have 18 cards or something like that, so let's  
23 just move along.

24 VICE CHAIR AUERBACH: And if you don't keep it to  
25 the three minutes, then everybody isn't going to get a

1 chance.

2 MS. WILSON: (Off mike.) But everybody else went  
3 over --

4 CHAIR WINNER: Quiet. Quiet. Quiet.

5 MS. WILSON: -- the three-minute limit.

6 VICE CHAIR AUERBACH: I beg your pardon.

7 CHAIR WINNER: Just a minute please. Just a  
8 minute. We allowed, that's right, we allowed Mr. Stronach  
9 four minutes. That is true. And we will allow --

10 MS. WILSON: Five minutes.

11 CHAIR WINNER: -- all of you --

12 VICE CHAIR AUERBACH: Four, but who's counting?

13 CHAIR WINNER: -- four minutes if you need them.  
14 We're not going to change that. It's typically three  
15 minutes. But since we allowed Mr. Stronach to go four,  
16 we'll allow you to go four as well.

17 MS. WILSON: Thank you.

18 CHAIR WINNER: Christina Verdial (phonetic).

19 MS. VERDIAL: Good afternoon.

20 CHAIR WINNER: Good afternoon.

21 MS. VERDIAL: I'm here to be a voice for the  
22 horses whose cries and screams have been ignored.

23 I grew up here in Pleasanton. Our town values  
24 integrity, goodwill and compassion, which are value that do  
25 not exist in horse racing. This is an industry that

1 enslaves innocent young horses during their short lives. In  
2 humane conditions where horses are treated with care and  
3 compassion they can live to be 25 to 30 years old.

4           Horse racing is completely contrary to the natural  
5 state of these gentle animals. In order to get them to  
6 race, which they do not want to do, jockeys must whip them  
7 repeatedly. In order to make horses faster they are pumped  
8 full of unnatural and life-threatening drugs. If they do  
9 not perform well, horses are sent to slaughterhouses on  
10 average of 10,000 to 15,000 a year, that's just  
11 thoroughbreds. Two thousand horses die on average from  
12 horrific injuries on the racetrack every year nationwide.

13           On this very track at Alameda County Fairgrounds,  
14 one to two horses are killed very year during the summer  
15 season when temperatures average 85 to 105 degrees. Would  
16 you like to run around a track at 105 degrees? I don't  
17 think so. Two horses in 2017 were killed here at Alameda  
18 County, Angels from Heaven and Globalization. This  
19 statistic has been recorded in the Board racing minutes.  
20 The animal cruelty taking place on and off the racetracks is  
21 systemic.

22           Horse racing cannot be saved through reform, just  
23 like slavery cannot be saved through reform. Horse racing  
24 must be abolished.

25           Sixty-eight percent of the American public agrees

1 that animals should not be used in entertainment due to a  
2 recent Gallup Poll. It is in your best interest as  
3 investors and officials to reinvest somewhere else as horse  
4 racing is quickly approaching a dead-end and currently  
5 declining in support.

6 Now that the public knows the reality of the  
7 carnage and collateral damage of innocent victims, we will  
8 not stand for it. We demand a ban on horse racing in  
9 California, just as Florida has banned greyhound racing.

10 Now it is your time to stand up and do the right  
11 thing to end this horrific abuse of horses.

12 CHAIR WINNER: Thank you. Thank you very much.

13 Any questions? All right, we'll move on. And  
14 again, I apologize if I'm not pronouncing these names  
15 correctly.

16 Pat CuvIELLO. Did I come close?

17 MR. CUVIELLO: You got it right on. Good  
18 afternoon, Board Members.

19 CHAIR WINNER: Good afternoon.

20 MR. CUVIELLO: I'm here because, as was mentioned  
21 earlier, the recent publicity.

22 VICE CHAIR AUERBACH: We can't hear you.

23 MR. CUVIELLO: I'm here because, as was mentioned  
24 earlier, the recent publicity regarding the deaths, horse  
25 deaths, at Santa Anita Race Track. And I recently learned

1 that this is not even a high number for Santa Anita Race  
2 Track. And I've read some of the articles, you know, the  
3 commentators and the papers and everything about it. And  
4 some people, some horse racing enthusiasts, are saying, if  
5 we can't fix it, it needs to be shut down, horse racing  
6 needs to be shut down. And some, of course, are saying,  
7 well, this is the way it's always been, so why should we  
8 worry about it? You know, horses have always died and we  
9 always send them to the slaughter, so why should be worry  
10 about it?

11 But there's one simple answer to that question:  
12 Our society is changing. Our society -- Californians no  
13 longer are willing to blindly accept killing horses or  
14 killing animals or abusing animals for entertainment.

15 And this is reflected in the fact that Ringling  
16 Bros. Circus, 147 years, refused to change, refused to  
17 progress, like Cirque de Solei, and died out. They had to  
18 close down financially because decided, you know, we don't  
19 want to see that anymore. We don't want to support that  
20 type of animal abuse anymore. Same with Sea World; our  
21 legislature said no more Orca shows, no more, because people  
22 don't want to see that anymore. Greyhound racing in Florida  
23 is banned after all these years. This is what progress  
24 looks like.

25 What I'd like to see, of course this Board's not

1 going to do it, but I'd like to see this Board put itself  
2 out of business. I'd like to see the end of horse racing,  
3 as well, in California and in our country. But I'd like to  
4 see this Board do everything they can to put themselves out  
5 of business.

6 Thank you very much.

7 CHAIR WINNER: Thank you very much. Thank you for  
8 your comments.

9 Any questions?

10 Thank you.

11 April Montgomery. Good afternoon.

12 MS. MONTGOMERY: Is it afternoon? It sure is. My  
13 name is April Montgomery. I'm an attorney, an animal  
14 advocate, and I represent thousands of people who seek to  
15 ban horse racing in California. I am not a member of PETA.  
16 I am not affiliated with Horse Racing Wrongs. And I'm not  
17 one of the nine plaintiff protestors suing Santa Anita for  
18 civil rights violations. But I am here to speak the truth.

19 In the wake of 29 racehorse deaths at Santa Anita  
20 this season the Board claimed it has no explanation for  
21 these racing deaths but you are lying. Breakdowns have  
22 always been a part of racing. Drugs are pervasive. Lack of  
23 oversight is rampant. Breeding and training play a part in  
24 these deaths. And racing stresses limbs to the limit.  
25 Preexisting injuries play a huge role.

1 Santa Anita's 29 horse deaths are actually right  
2 on schedule because Santa Anita averages 50 deaths every  
3 year for the past ten years. We are fed up. Californians  
4 are fed up with this Board and the State of California's  
5 administration running interference with the truth by making  
6 excuse after excuse for these racehorse deaths. It is not  
7 the rain or the track surface or any new problems with Lasix  
8 or whips that caused 29 horses to break down and be  
9 destroyed at Santa Anita.

10 The truth of the matter is that racehorses are  
11 killed in the name of sport. They are expendable  
12 commodities. Californians are fed up with your so-called  
13 safety measures when you already have an entire book of  
14 rules and regulations. How many more horses will die for  
15 this industry in California? I'll tell you, zero. Because  
16 when horse racing is voted out of California, which is being  
17 assessed right now, and I'm going it behind the scenes, at  
18 one time or another it's going to be extinguished.

19 So what I'm telling you today is that I used to be  
20 a racing fan at Santa Anita. But all that changed when I  
21 witnessed a four-year-old filly, Hue New (phonetic),  
22 breakdown with a catastrophic injury and had to be  
23 euthanized. And here we are four years later and absolutely  
24 nothing has changed. Why? Because this is horse racing.

25 So what exactly is being defended here and why?

1 Money and greed through off-track betting because the tracks  
2 are dead. Horse racing is in severe decline. And less than  
3 one percent of the population consider themselves fans of  
4 this blood sport.

5 And you say these racehorse deaths are accidents  
6 but this is another lie. This industry subjects horses to a  
7 foreseeable risk of injury and death. That's the problem,  
8 unnecessarily on a daily basis, and you call it a breakdown,  
9 bad step, went wrong, as if this is the horse's fault.

10 This Board is running out of excuses, lies, and  
11 so-called safety measures. But the truth of the matter is  
12 horse racing can never be safe because horse racing is not a  
13 sport, it's an industry and it's violent.

14 So let me ask you this, Board Members, how can you  
15 form catastrophic collisions on the track? How can you  
16 reform racing underdeveloped horses or preexisting injuries?  
17 How can you reform drugs and doping by repeat offenders?  
18 How can you reform breeding for speed and not bulk or  
19 endurance or they're stress to their limbs over and over  
20 again? How is California's new Senate Bill 469, that  
21 everybody's raving over, going to protect these horses? You  
22 had every opportunity to shut that track down with a ten-day  
23 meeting. You had ten days. You had 29 horses to do it in.  
24 No, it's going to be business as usual, and no one's buying  
25 it.

1           So here's my conclusion. The only hope for these  
2 racehorses is the truth. And there is no greater power and  
3 justice than the truth. This is not my opinion, it's not a  
4 difference of opinion, it's not false claims or  
5 exaggerations because horses are dead. They're dying and  
6 they're suffering unnecessarily on racetracks all over the  
7 country so that this industry can profit. Through what?  
8 Gambling. Because the spotlight is on California for its  
9 mark of death. Yes, Santa Anita is marked for death on  
10 racehorses.

11           So horse racing kills every day, every week, every  
12 month, every year in the name of sport. The numbers don't  
13 lie. But the only resolution is to end horse racing. You  
14 know why? Because it's the right choice.

15           CHAIR WINNER: And your four minutes --

16           MS. MONTGOMERY: It's the compassionate choice,  
17 it's the only choice, and it's going to be California's  
18 choice. You guys are desensitized. That's the word here.  
19 You don't even know what's going on.

20           CHAIR WINNER: You've had your four minutes and  
21 I'm trying to be courteous to you --

22           MS. MONTGOMERY: I appreciate it, sir.

23           CHAIR WINNER: -- and I appreciate that and I  
24 appreciate your comments.

25           MS. MONTGOMERY: I appreciate it.

1 CHAIR WINNER: Thank you.

2 MS. MONTGOMERY: Thank you very much.

3 CHAIR WINNER: Live -- or Liv, if I'm pronouncing  
4 it right, Bunting (phonetic). Thank you.

5 MS. BUNTING: Good afternoon.

6 CHAIR WINNER: Good afternoon.

7 MS. BUNTING: Mine is very short. I just want  
8 to --

9 CHAIR WINNER: Can you identify? I don't know if  
10 I've been asking people to identify themselves --

11 MS. BUNTING: Um-hmm.

12 CHAIR WINNER: -- for the record but please  
13 identify yourself.

14 MS. BUNTING: I'm Liv Bunting.

15 CHAIR WINNER: Thank you.

16 MS. BUNTING: And I live in Walnut Creek.

17 CHAIR WINNER: Thank you.

18 MS. BUNTING: I just want to say what I think the  
19 horses would say if they actually could speak.

20 Horses can feel joy, love, pain and fear. And  
21 they would definitely not choose to live as a racing horse.  
22 They would choose to leave in peace with family and friends,  
23 treated with respect. And most of us wouldn't make their  
24 own dogs or other pets racing animals, so why is it okay to  
25 do that to horses?

1           In 2019, there are many forms of entertainment  
2 that do not include suffering of animals, so there's no  
3 reason for horse racing to continue anymore.

4           Thank you.

5           CHAIR WINNER: Thank you very much.

6           Any comments?

7           Thank you.

8           Raven Deerbrook (phonetic). Raven Deerbrook.

9 Please, identify yourself please.

10           MS. DEERBROOK: So my name is Raven Deerbrook and  
11 I live in Berkeley, California.

12           CHAIR WINNER: Thank you.

13           MS. DEERBROOK: So thank you for giving us the  
14 chance to speak on behalf of the horses.

15           CHAIR WINNER: Thank you.

16           MS. DEERBROOK: I'd just like to start with 30  
17 seconds of silence for the human and non-human beings who  
18 have been injured and killed in the line of this so-called  
19 sport.

20           So I just want to say that good people do the  
21 right thing, even if it's hard. I do believe those who have  
22 found themselves involved in this form of animal  
23 exploitation are good people at heart. They do have good  
24 values and they do not want to cause suffering.

25           So how do we help each other do what we already

1 know is right?

2 We know that every horse wants to live and  
3 experience the depth of life, just like we do. We know that  
4 horses are no different from us when it comes to our desire  
5 to feel healthy, happy and safe. We know that treating  
6 animals like machines is wrong, that striking them is wrong,  
7 and betraying their trust in us is wrong. We know these  
8 individuals deserve to be cared for, protected from harm,  
9 and even be loved, just as we would want to be.

10 I just ask that you please take time to get to  
11 know one of these individuals and ask yourself, do they  
12 consent to what's being done to them? Is there any humane  
13 way to force someone to race? Is this really the best our  
14 humanity can do for them or that you can do for them?

15 Thank you.

16 CHAIR WINNER: Thank you very much. Thank you.

17 Zafir Molina. Zafir Molina.

18 MS. MOLINA: Hello.

19 CHAIR WINNER: Good afternoon.

20 MS. MOLINA: My name is Zafir Molina. And before  
21 I start I just want to say that, you know, as we continue  
22 this, it's never, ever personal and never any ill will  
23 towards any person that is involved in this, but the truth  
24 is very important.

25 It's difficult to have true change when

1 transparency is not fully available. When we cannot admit  
2 things in this meeting, that money and the love, quote,  
3 "love of the sport" is above the wellbeing of these horses  
4 that are forced to participate in this business. These  
5 individuals will get their freedom but, unfortunately, they  
6 won't be from the people that have the direct power to help  
7 and protect them, this Board and those involved.

8           It will be because of people like us whose only  
9 agenda are these animals. We may not be perfect but we are  
10 solely here for them. And instead of this back and forth,  
11 we can inspire the world to end horse racing, simply because  
12 horse racing kills horses. This is a fact that can no  
13 longer be denied, and it's not an opinion, and it cannot be  
14 denied by even this Board.

15           It's unfortunate that this information has been  
16 known by everyone involved for years. We have numbers.  
17 Since 2007, people in this business -- sorry -- people in  
18 this business knew horses would have to be killed but did  
19 nothing. Why? Because the people didn't know, because  
20 money was being made, and because it is normal, normal that  
21 they have to be killed.

22           But like, as we've said, things have changed. The  
23 whole world is now watching.

24           Your call for Santa Anita to close down for the  
25 remaining of the season confirms that you see the injustice.

1 But it's too late.

2           What matters now is what you do moving forward.  
3 Here's the opportunity. Now that you know that the deaths  
4 will continue, why not stop? No reform. Reforms are  
5 distractions. This whole meeting is a distraction,  
6 illusions that this business can be an ethical sport.  
7 Reforms sound good but they are not intended for the horses.  
8 These good intentions are ultimately for the benefit of this  
9 business and those involved.

10           But either way, we won't stop. We will go  
11 wherever you go. We will not stop until horse racing ends  
12 in California and all over the world. We will ban all forms  
13 of animal exploitation, sport, entertainment, food,  
14 clothing, because we are growing as conscious individuals  
15 and more people are becoming aware of the injustice we have  
16 done to these animals of the earth. We simply have not  
17 known better and we have let greed and money and fame  
18 overpower our integrity.

19           For this moment, whether you accept it or not,  
20 with your leadership the deaths continue to be in your  
21 hands. I know you have interest in this business as it's  
22 been part of your life and the lives of those around you but  
23 it's time we think about the victims.

24           When horse racing ends we will be fine. As a  
25 community, we will help those who need assistance because

1 that's what community does. We do not keep justifying  
2 animal exploitation and abuse because of our hardships that  
3 we think we are going to have. I hope I am wrong and that  
4 their freedom is granted by all of us.

5           And for those of you who say that you love these  
6 horses like you love your families, none of my family  
7 members have a price tag.

8           Derby River was sold for \$50,000. Someone got  
9 \$50,000 for the live of another individual and that two-  
10 year-old died during training. If that's not exploitation  
11 by dictionary, I don't know what is. And if it's not  
12 unfairness by our own intuition, I don't know what is.

13           Horse racing kills horses. It always has and it  
14 always will. If you believe that racing a dog is wrong,  
15 then you, by your own admission, admit that forcing an  
16 animal to race is wrong. Doctors will not exist, will not  
17 be needed in this industry if horses are not racing.

18           Thank you so much please, please --

19           CHAIR WINNER: Thank you.

20           MS. MOLINA: -- look deeper into yourselves and do  
21 the right thing for the animals, not for us.

22           CHAIR WINNER: Thank you very much.

23           Thomas Chang.

24           MR. CHANG: Hi. Good afternoon. Thank you.

25           CHAIR WINNER: Good afternoon.

1 MR. CHANG: I don't have anything prepared.

2 CHAIR WINNER: Please state your name for the  
3 record.

4 MR. CHANG: My name is Thomas Chang. I live in  
5 San Francisco, California. I'm just reiterating some of my  
6 colleagues thoughts on animal exploitation and this industry  
7 that we call horse racing.

8 Coming from a Chinese background, my grandparents  
9 and uncles really loved the sport. They took me to the  
10 racetracks whenever they can get a chance to go. It was  
11 actually a real good treat. It was a big treat for them to  
12 go because we didn't have a lot of money. And the track was  
13 somewhere we can spend a little bit of money and have a  
14 whole day of fun. And I didn't know what that fun entailed  
15 back then.

16 And in listening to all the deaths and what has to  
17 happen for these horses to race, it's horrific. I wouldn't  
18 do that to any other animal. Why would we do it to a horse?

19 So I know we've all grown up loving this sport,  
20 this horse racing. There's a whole culture around it.  
21 There's all these things that, you know, we buy into the  
22 beauty of it. But if we asked the horse what they want, I'm  
23 sure it wouldn't be what happens to them on these tracks, or  
24 even behind the scenes. They don't belong in stalls. They  
25 don't belong in buildings. They belong in the wild, running

1 free, having lives of their own, having children, growing  
2 old, just like we all want to do.

3 I know it seems funny to think that life wants to  
4 live and have children. They're just animals; right? But  
5 we're animals too. We just happen to be animals that we can  
6 talk to each other and understand, at least, the words. But  
7 if we could understand the horses, like if Mr. Ed was here  
8 he'd say some things that, you know, wouldn't be very nice  
9 to you guys, I'm sure.

10 So all I can say is, you know, think about the  
11 horses.

12 Thank you.

13 CHAIR WINNER: Thank you very much.

14 Jennifer Brown.

15 MS. BROWN: Hello.

16 CHAIR WINNER: Hi.

17 MS. BROWN: I'm Jennifer Brown. I work in  
18 Mandeville (phonetic) Horse Rescue in Los Angeles. And I  
19 did, I found it interesting that you said you're opposed to  
20 greyhound racing. Why is that? You care more about a dog's  
21 life than a horse's life, clearly.

22 So one simple brutal fact that we need to get  
23 across today and always is that horse racing kills horses.  
24 The industry would love if we would all be distracted with  
25 welfare reform, track conditions, whipping, drug

1 regulations, vet scans. The fact that there are topics like  
2 drugs and whipping in an industry involving an innocent  
3 animal is criminal in itself.

4 This billion dollar industry is horrible corrupt,  
5 plagued by constant doping, charges of misconduct, scandal,  
6 cheating, and the abuse of thoroughbreds. The fact that  
7 Members of the Board I'm addressing at this moment have a  
8 personal and financial stake in this game is corruption  
9 enough; conflict of interest.

10 For example, I have a list here of some of Chuck  
11 Winner's racehorses that slipped through the ranks and  
12 cannot be accounted for. You all claim so often to love  
13 your horses as your children but you turn your children over  
14 to Murray Rojas who was sentenced to 27 months in federal  
15 prison for mislabeling prescription drugs and administering  
16 them over the course of 13 years.

17 Some of your horses, Chuck Winner, like Ashton  
18 Girl, who at her last race in 2013 finished last by 33  
19 lengths. Where is she now?

20 Premium Justice, he finished eighth out of tenth  
21 at his last race. Where is he?

22 Bella Buccina (phonetic), who Chuck tried to  
23 unload at Hollywood Park in 2006 and was last seen with Dale  
24 Baird, who notoriously sends castoffs to kill buyers, where  
25 is Bella Buccina?

1 Any idea on the whereabouts of There is No  
2 Dispute, who Murray Rojas ran five times after unloading him  
3 at a claiming race? Where am I?

4 We all know what became of Hot American, who you  
5 unloaded, Chuck, December 31st, 2008. She's dead on the  
6 track February 22nd, of this year.

7 Horse G, Lady at Risk, Premium Justice, It's a  
8 Beautiful Day, where are these beloved racehorses?

9 Or how about what was just allowed to happen to  
10 two-year-old Tiz Willow at Golden Gate Fields? Who was  
11 looking out for her as she was slowly being starved to death  
12 by Gustavo Medina?

13 These animals are bred into existence by the  
14 thousands and exploited for greed, your addiction,  
15 entertainment and vanity with zero regard for their  
16 longevity, wellbeing, health or happiness.

17 Horse racing kills horses. We can get up here  
18 every month, every meeting, and be a voice for these  
19 animals. I can recite every single staggering, heart  
20 wrenching statistic and sad face. But what I cannot do,  
21 clearly, is make any of you care. I can't make any of you  
22 see the industry that you make up is spiritually and morally  
23 bankrupt.

24 But we'll never stop because as long as horse  
25 racing continues racehorses will continue to die, they'll

1 continue to suffer, they'll continue to be abused, confined,  
2 drugged, whipped, neglected, cast off, forgotten, and  
3 slaughtered if first they don't die a catastrophic death on  
4 track or a dark, painful death in their stalls.

5           This isn't just Santa Anita. It isn't just  
6 California. It certainly isn't just this year. This  
7 killing is nationwide, it's global. We're calling for the  
8 abolition of horse racing. We want it to start here in  
9 California with the closure of Santa Anita because animals  
10 are here with us; they're not here for us.

11           CHAIR WINNER: Thank you.

12           Wendy Marcus Minovitz.

13           MS. MARCUS-MINOVITZ: Good afternoon. My name is  
14 Wendy Marcus-Minovitz and I drove up from Los Angeles to  
15 make a comment. I'm an admin for Elephant Guardians of Los  
16 Angeles, and elephant haven, European elephant sanctuary.

17           There has been a lot of intention in the news,  
18 almost daily, about the horse deaths at Santa Anita Race  
19 Track. Governor Newsom has said enough is enough and that  
20 the state must show the racing world it puts safety first.  
21 But the sad inexcusable truth is that the horse deaths are  
22 nothing new and they don't just happen at Santa Anita.  
23 According to the Jockey Club's Equine Injury Database,  
24 nearly ten horses a week on average died at American  
25 racetracks in 2018.

1           There has also been talk making compromises in  
2 horse racing, such as reducing and then eliminating certain  
3 drugs, but that becomes a Catch 22 because taking away a  
4 drug, for example, that masks pain means that a horse will  
5 run while in pain. The worsening pain leads to muscle  
6 fatigue, which leads to bone fatigue, which then leads to  
7 catastrophic breakdowns. So in this case, less drugs may  
8 mean more dead horses. So in reality, it's bad to give pain  
9 masking drugs but a horse in pain is not an acceptable  
10 alternative.

11           The horse -- California Horse Racing Board voted  
12 to severely limit the use of whips on horses. However, a  
13 group of jockeys argued that the whips were not connected to  
14 the horse deaths. And there will always be jockeys, such as  
15 Ruben Fuentes, a repeat abuser, who used a riding crop seven  
16 consecutive times in the final 150 yards of a race. He  
17 admitted that the \$100,000 purse may have changed his riding  
18 style. And his punishment was only a fine of \$750 and no  
19 suspension.

20           It would be nice to think that a retired horse  
21 would be sent to a real pasture where he could live his life  
22 with other horses which is what he would want. But the  
23 reality is when a racehorse careers end -- a racehorse's  
24 career ends with injuries, he is more times than not sent to  
25 a slaughterhouse. And although it is reported that the U.S.

1 has no slaughterhouses, they are sent off to Mexico, Canada  
2 or Japan to have the dirty deed performed there. Owners  
3 don't want to pay for a horse who doesn't bring in any  
4 money.

5           In closing, let's not forget Tiz Willow, a two-  
6 year-old thoroughbred who was shipped off the grounds of  
7 Golden Gate Fields last December. The horse was turned out  
8 near Vallejo, California and returned to Golden Gate Fields  
9 at the end of January. Two days later the horse died in her  
10 stall. Necropsy indicated cause of death was malnutrition;  
11 she was starved to death. Gustavo G. Medina is alleged to  
12 have been the caregiver and was charged with violation of  
13 animal welfare. But it's not a criminal court how is  
14 deciding judgment against him. It is being decided within  
15 the industry and I think this tells us all we need to know  
16 about protections for racehorses.

17           The industry can make any modifications it wants  
18 to horse racing but the fact remains that a racehorse is a  
19 slave and, if he survives, he will only live to race again  
20 another day with all the misery racing entails.

21           Thank you for hearing me.

22           CHAIR WINNER: Thank you.

23           I'm going to try to pronounce this and I may be  
24 way off. Deriz Bordon [sic].

25           MS. BOLBO: (Off mike.) (Indiscernible.)

1 CHAIR WINNER: I apologize.

2 MS. BOLBO: Thank you very much. My name is  
3 Denise Bolbo (phonetic) and I live on the peninsula. I'm a  
4 Bay Area native. And when I was kid, my parents used to  
5 take me to Bay Meadows. And my mom always loved animals but  
6 we'd go to Bay Meadows and watch the horse racing. Back  
7 then, there wasn't social media, there weren't iPhones, and  
8 so there wasn't a lot of information getting to the people  
9 who were going to the tracks. Today is a different day and  
10 you all have to deal with a more informed patronage.

11 And I have to tell you that when you look at the  
12 statistics, you can look at what's happening to your  
13 industry. I mean, the writing's on the wall, it's just how  
14 fast is it going to come? And part of that is from  
15 education. And as we step up our education to the public to  
16 make sure they know that, yes, the deaths call attention,  
17 but it's not just the deaths that are upsetting.

18 I want to say, I think what you all should  
19 consider is why are you all supporting taxpayer-subsidized  
20 racing on state property? Why are we having horse races on  
21 our state fairgrounds?

22 You know, our fairgrounds are publicly owned. And  
23 it's supposed to be for the greater public good. And now  
24 the majority of Californians do not go or participate in  
25 horse racing. And I really think this is something that

1 needs to be addressed. You can't address the private  
2 property but I think we should not have race horsing on our  
3 public properties.

4           Also, I hear a lot about how everybody loves their  
5 horses who owns horses. Actually, my uncles did horse  
6 racing back in Michigan decades ago. I don't think they  
7 cared about their horses though. But, you know, if you love  
8 horses, you should get to know who horses are outside of a  
9 human context. And the only way you can do that is by  
10 observing wild horses. It's only four hours away in Nevada.

11 You can go there and see beautiful wild horses and who  
12 horses really are. They love to be with their family.

13           It's said by a leading biologist in the United  
14 States that wild horses are the most sophisticated social  
15 mammal, aside from humans, on North America. That means  
16 their social structure is the most complex of any wildlife  
17 out there. When you see wild horses running, the stallion  
18 will fight to the death to defend his mares and family.  
19 These are horses that are social beings, put in a stall.  
20 When I see a solitary horse -- because I do not know about  
21 horses being trained and that sort of thing.

22           I know wild horses. I've spent thousands of hours  
23 observing wild horses. When you get to know who horses are  
24 you understand the most important thing to them are family  
25 and freedom. That's who horses are. There's no difference

1 between wild horses and domestic horses, it's the same  
2 breed -- sorry, same species. And I want you to know that  
3 if you love horses, then you need to love wild horses and  
4 you need to not want them under human domination.

5           If you love profits and you love gambling, then  
6 that's why you like horse racing. But people who are  
7 breeding horses, and knowing that 140,000 American horses go  
8 to Canada and Mexico every year for slaughter and you're  
9 breeding horses, you're breeding horses that you know are  
10 not going to be finding homes. Because we have too many  
11 good broke horses going to auction every day.

12           So I'm urging this Board here, you all should be  
13 honest. I know you're an industry group. I know you're  
14 designed specifically to promote your industry. But you  
15 should not be having horse racing on state property.

16           Thank you.

17           CHAIR WINNER: Thank you.

18           Kirsten Cluster.

19           MS. CLUSTER: Good afternoon. My name is Kirsten  
20 Cluster and I'm the Co-Founder of Elephant Guardians of Los  
21 Angeles. And I drove up here from Los Angeles to give  
22 public comment at this meeting.

23           The primary focus of my organization is elephants  
24 held in captivity. However, the deeper I become involved in  
25 this work the more I see the similarities between the

1 different institutions of exploitation. Circuses, zoos,  
2 marine parks, rodeos, and horse racing, to name a few, are  
3 all human businesses that treat living sentient beings as  
4 commodities. They are bought, sold, exploited, abused and  
5 killed for human amusement and profit. There can be no  
6 doubt that the animals used in these various industries  
7 suffer.

8           Much of my research is centered on the stereotypic  
9 behavior observed in captive wildlife, for example, the  
10 pacing of lions and the bobbing and swaying of elephants  
11 held behind bars. It recently came to my attention that  
12 horses subjected to the extreme confinement of the racing  
13 industry exhibit similar stereotypies that manifest as  
14 cribbing, weaving, bobbing, pacing, kicking, and even self-  
15 mutilation. It is well documented by research that  
16 stereotypy is a mechanism used by these individuals to cope  
17 with their emotional, mental and physical trauma.

18           In a major study published in 2016, researchers  
19 found that the headbobbing and swaying behavior in captive  
20 elephants is, quote, "one of the most important behavioral  
21 indicators of compromised welfare," unquote, and the same is  
22 true for horses.

23           The world renowned equine behaviorist, Dr.  
24 Nicholas Dodman, stated, quote, "Racehorses with long  
25 periods of confinement and isolation exhibit an unusually

1 high prevalence of stereotypies," unquote.

2 I often say this about elephants held in zoos and  
3 I say it here today for the horses enslaved by the racing  
4 industry, they do not need me to speak for them. They are  
5 communicating their anguish with every stereotypic movement  
6 of their bodies.

7 The horse racing industry cannot be fixed. There  
8 are no reforms that will alleviate the physical and  
9 psychological suffering inherent in this form of human  
10 entertainment. And it is not just at Santa Anita. This  
11 applies to every track in this state, across the country,  
12 and around the world.

13 As Assembly Member Linda Rosenthal of the New York  
14 State Legislature said with respect to horse racing in New  
15 York, quote, "As we have seen with the use of animals in  
16 circuses and marine parks, like Sea World, the days of using  
17 animals for entertainment must be numbered. Each year  
18 dozens of young horses succumb to fatal injuries on  
19 racetracks around New York State. This is not family  
20 entertainment as the industry would like you to believe. It  
21 is cruel, it is unnecessary, and it is certainly not worth a  
22 \$2.00 bet," unquote.

23 It is our position that there is nothing redeeming  
24 about horse racing. There is no educational value and there  
25 is no possible conservation at stake. Horse racing is

1 entertainment for human profit, nothing more and nothing  
2 less.

3           Elephant Guardians of Los Angeles supports a  
4 complete ban on horse racing.

5           Thank you.

6           CHAIR WINNER: Thank you.

7           Robert Allen. Robert Allen.

8           MR. ALLEN: Hi. My name is Robert Allen. I'm  
9 from Calgary, Alberta. Can you hear me?

10          CHAIR WINNER: Yes.

11          MR. ALLEN: I'm an owner, trainer, and I've built  
12 two racetracks in Canada. And I worked on surfaces that  
13 were all-weather surfaces and never hurt a horse. I can say  
14 that I've run horses for 35 years and never killed one. And  
15 that can be done any place in the world. All you have to do  
16 is treat your horses right, give them a good place to live,  
17 and have a good surface, and no drugs.

18                 And that's what I think you guys should do is get  
19 rid of all drugs right now and just go on with horse racing.

20                 Now, Frank Stronach has dedicated his whole life  
21 and fortune into horse racing. And I think he saved seven  
22 or eight tracks in the United States which would be parking  
23 lots or malls now if he didn't do that, resulting in  
24 probably hundreds of thousands of horses that would already  
25 have been destroyed. You know, if tracks shut done, what

1 are you going to do with all these horses? So they'd be  
2 dead anyway.

3 So now I think what you should do, learn how to  
4 treat horses, no drugs, and do the right thing at racetracks  
5 for the horse.

6 That's it.

7 CHAIR WINNER: Thank you very much.

8 Ian McLean.

9 MR. MCLEAN: Good afternoon.

10 CHAIR WINNER: Good afternoon.

11 MR. MCLEAN: My name Ian McLean and I am owner and  
12 a breeder of thoroughbred racehorses and pleasure horses.  
13 And I'd like to just stake a moment to address the animal  
14 rights supporters and activists that are here today or  
15 taking interest in what's being discussed and represent a  
16 lot of other horsemen like myself. I think it's like to  
17 make a public comment of where we stand on things. I think  
18 it's good for the record.

19 Do we have bad actors in the sport of horse  
20 racing? Yes, we certainly do.

21 Are the 99.99 percent of us that are not bad  
22 actors just as upset about the others as you are? Yes, we  
23 certainly are.

24 We, the 99 percent, have a much greater value to  
25 you as friends than as foes.

1           Your number one concern that I hear most  
2 frequently is that of how, when and where horse slaughter  
3 takes place. We, too, take issue with both legal and  
4 illegal slaughter. As partners, we can bring much bigger  
5 change to that industry than you can on your own. We, as a  
6 horse racing community, have great influence, power,  
7 finance, resources, and a shared motivation to bring change.

8           Let's please turn a page in our current  
9 relationship and develop a partnership that works together  
10 on programs that will make a global difference. The power  
11 of one, two or three is in no way as powerful as many.

12           In the short term, please allow us the required  
13 time it diligently dispose of the bad actors and practice  
14 new reforms. We take ownership in how we got to the place  
15 we are in now and we hear you loud and clear.

16           If the welfare of the horses is truly your end  
17 goal, our acknowledgment of poor past practices should  
18 provide us with the necessary time needed. By doing so we  
19 can all look and plan towards a much better future.

20           I ask that you please take a moment to visualize  
21 this possibility and its value.

22           Thank you.

23           CHAIR WINNER: Thank you very much.

24           Jim -- I'm sorry -- Twell. I may not have  
25 pronounced it right. I can't read it is the problem.

1 MR. ATWELL: Sorry, Chuck. Jim Atwell. Good  
2 afternoon, Commissioners, Rick, Jackie, John. So my name is  
3 Jim Atwell. I'm the founding and managing partner of 235  
4 Capital Partners, a venture capital fund in Silicon Valley.  
5 I've been in the business for 20 years, owned hundreds of  
6 racehorses, and I'm the proud owner of two Breeder Cup  
7 champions.

8 I've heard the previous 15 speakers before me and  
9 I agree with about 80 percent of what was said. I'm going  
10 to talk about maybe the 20 percent.

11 I love horses and my family has been in it for 50  
12 years. We are in a crisis. Horse racing needs to be  
13 regulated and closely monitored. We cannot regulate and  
14 monitor ourselves.

15 I've spent 40 years of my career in a regulated  
16 business, public accounting. It was regulated by the  
17 federal government. And there are several things that I  
18 learned working for a regulated business that we should  
19 apply to this business.

20 First of all, as mentioned earlier, there are  
21 those people out there, I'm going to call them cheaters,  
22 rule breakers, you know, wrongdoers, they need to be  
23 publicly flogged, they need to be, you know, and in a  
24 publicly flogging of the people that break the rules that  
25 are set by this Board should be in the public. I think

1 that's the only way to deter bad behavior.

2           Also, we need to educate and train the people that  
3 work in this business. In my business of public accounting,  
4 we were required to take 40 hours of training every year to  
5 learn the rules and follow the rules. I believe everybody  
6 in this business needs, from the regulators to the horsemen  
7 to the racetrack owners, should be required to take a  
8 certain amount of training and education.

9           For the Board here, what I have seen, and I saw  
10 this with the regulators, federal regulators that governed  
11 my business, they were slow to change as business changes,  
12 and horse racing has changed, just like public accounting  
13 changed. And it's changed because of social media and  
14 technology. So we need to make sure that we change the  
15 Board as the business changes. Rules are good but they need  
16 to be cleared and they need to be known by the people  
17 working in the business.

18           So, you know, what can we learn from what has  
19 taken place?

20           I look at -- and I'm almost done here. So the NFL  
21 ten years ago went through a crisis. They've been through  
22 two crises. They went through a crisis with concussions to  
23 players. They could have folded tent and left but what they  
24 did was they put a plan together that was safety for the  
25 players first, above profits, above revenue and above cost.

1 Today, the NFL, they have lost 20 percent of their  
2 viewership, but revenues are expected to grow from \$14  
3 billion last year to \$25 billion by 2027. They put as first  
4 and yet they're going to grow by 60 percent next year.

5 So with that, I believe with the right policies  
6 and plan in place we can return to the sport of kings.  
7 Realize, horse racing has been around for 3,000 years.

8 And to Frank, I believe Santa Anita can return to  
9 the Great Race Place.

10 Thank you.

11 CHAIR WINNER: Thank you.

12 Two more. Susan Branch. Hello again.

13 MS. BRANCH: Hi. Susan Branch. I a horse owner.  
14 And I didn't actually come to talk about the safety issues  
15 that you've been dealing with but I do want to say that,  
16 contrary to what I've heard, I've been in love with horses  
17 since I was ten. Like many girls, I started reading books  
18 and then, fortunately, I lived in the country and got a  
19 horse, and so I've cared about them for a long time. And I  
20 think many, many people involved in the business do care  
21 about horses.

22 What I wanted to talk about was your rules. I'm a  
23 Northern California resident. And most of your meetings are  
24 in Southern California. And I'm glad you're up here but you  
25 only come up here about once a year.

1           So when I first became aware of this in March when  
2 you changed your March meeting from Golden Gate to Santa  
3 Anita to discuss the many changes that you made, I looked at  
4 your website and I noticed that the time for submitting  
5 documents, because I wanted to write a letter, because it  
6 would be difficult for me to fly down to a meeting, write a  
7 letter to be submitted to you before the meeting. And on  
8 your website it says the deadline for submission of  
9 documents was like March 3rd and your notice of meeting came  
10 out on March 10th. And I said, how can this be? I didn't  
11 even know what you were talking about until March 10th. How  
12 could I be expected to submit my document before I even knew  
13 about it?

14           So in looking at the website now I still see that  
15 same thing. Documents for this meeting were due on May  
16 31st. I may have the date slightly wrong because I couldn't  
17 pull up the dates on my iPad, and the notice of meeting went  
18 out about on June 6th and then, of course, we have this  
19 meeting. And then there's a star that says that anything  
20 submitted late has to get approval.

21           I would suggest that -- I don't know whether, in  
22 actuality, how that works. What I know happened in March is  
23 I spoke to Staff, I spoke to your General Counsel and he was  
24 very kind and generous in giving me information. I  
25 submitted a letter the day before your packets went out but,

1 apparently, it wasn't in the packet because Mr. McDonough  
2 showed me the letter at the meeting, and I was able to come,  
3 but you didn't get it before you were listening to other  
4 people talk about the issues.

5           And it seems to me that your constituents that  
6 live outside of where you're meeting should have the ability  
7 to submit something in written form that you will get before  
8 you hear the item and have to make your decision.

9           So that's what I'm asking that you do, that you  
10 revise your rules or indicate publicly how that would be  
11 handled.

12           EXECUTIVE DIRECTOR BAEDEKER: Thanks for bringing  
13 that up. I think, as a matter fact, that the deadline that  
14 probably you're referring to is probably for an item to be  
15 put on the agenda. So, obviously, before that announcement  
16 goes out with ten days' notice the agenda has to be decided,  
17 reviewed by the Chairman, and so forth. It sounds to me  
18 like that's probably best case. Worst case, it's incorrect.  
19 Clearly, it's misleading.

20           So what we try to do as a matter of policy is, you  
21 know, we then have this book that needs to be prepared. And  
22 so if we have the documents by then, that we've received  
23 from the public, then they can be included in the book. But  
24 what we try to do is if we get something between the time  
25 that we complete the book and the Board meeting, we try to

1 bring it to the meeting and give it to the Commissioners at  
2 that time.

3 I'm not sure exactly what needs to be fixed but  
4 thanks for letting know and we'll see what the facts are.  
5 I'm sure we can improve that process.

6 MS. BRANCH: Well, thank you. And I guess the  
7 only thing I would say is, since I used your website, maybe  
8 others who want to weigh in on issues would like a notation  
9 there about how you submit comments on agendized items. And  
10 I really think, I don't know how you all do it, but I can't  
11 process a lot of information while I'm trying to listen to  
12 people. So I think it would be fair to your members to have  
13 the documents ahead of time.

14 Thank you.

15 CHAIR WINNER: Thank you very much.

16 And Lisa Jeffrey. And the only reason you're last  
17 is because you didn't have a number so you went to the back  
18 of the pack.

19 MS. JEFFREY: Lucky me. Well, I'm Lisa Jeffrey  
20 and I'm here in support of banning horse racing, period.  
21 There's no reforming it. And the more I learn and the more  
22 I listen to today, I'm just disgusted to find that you all  
23 are owners of horses. That seems like a huge conflict of  
24 interest.

25 But truly, as our society learns more and more of

1 the backstory of using animals for entertainment, they're  
2 finding it unacceptable. And it's our mission and my  
3 personal mission to educate the general public on how these  
4 horses are used. And they're drugged and they're run for  
5 money. And this is an industry that's based on money and  
6 that's it. It's like almost all our capitalistic society  
7 today, it's follow the money.

8           So I'm here to say shame on you guys. And let's  
9 not reform it, let's find something else to use. Why don't  
10 you get into the gaming industry? Maybe you can channel  
11 your energy into something that doesn't use animals.

12           Thank you.

13           CHAIR WINNER: Thank you very much.

14           Anybody else want to speak who hasn't? Okay.

15           Do I have a card or can you come up and identify  
16 yourself please?

17           MR. A. STRONACH: Hi. I'm Andy Stronach and I've  
18 bred quite a few horses in California. And --

19           CHAIR WINNER: Good afternoon, Andy.

20           MR. A. STRONACH: -- a lot of people breed for  
21 commercial reasons. They inbreed two by two. They feed a  
22 lot of grain to their horses. I breed a German horse called  
23 Musketeer. I don't know if you know that horse, Magic  
24 Musketeer? He ran 18 times last year at Santa Anita. He  
25 doesn't have a single problem.

1           In Germany, they don't use -- if you're a brood  
2 mare, you're not even allowed to have Lasix. You're not  
3 even allowed to be a brood mare or a stallion. And they win  
4 all the races. They win all the Melbourne Cups. They win  
5 the Japan Cups. They win Arc de Triomphe. There's only 600  
6 foals a year in Germany but they win everything. And they  
7 don't have a -- like maybe one breakdown a year. You've got  
8 to get rid of the drugs.

9           And I was leading breeder in Alberta. The horses  
10 won 86 races. Bob Allen trained a lot of them. And Bob has  
11 the leading starts at Golden Gate. He doesn't have a single  
12 breakdown. He doesn't use any medication. That's the  
13 fellow that talked back there.

14           CHAIR WINNER: That's right.

15           MR. A. STRONACH: I do things right. I don't feed  
16 grain. I went to the sale this year. I was the leading  
17 consigner or yearlings by numbers. And my horses didn't  
18 bring anything. They were smaller. They were just fed with  
19 grass. I mean, I was competing with horses that are double  
20 the size of me. And I'm sure when they're three and four  
21 years old they're the same size.

22           So I think someone made a point earlier that we  
23 got to look how these horses are raised. You know, in the  
24 chicken industry you have that. You have chickens growing  
25 now full. In, you know, six weeks they're fully grown. You

1 know, it never used to be that way.

2 So that's all I'd like to say.

3 CHAIR WINNER: Thank you. Thank you, Andy.

4 All right. Thank you all for coming. I know some  
5 of you had to come a long way for the meeting and we  
6 appreciate that. We appreciate all of your comments.

7 And is there a motion to adjourn? I don't even  
8 know if we can have a motion to adjourn --

9 VICE CHAIR AUERBACH: We don't because we don't --

10 CHAIR WINNER: -- because we don't have a quorum.

11 VICE CHAIR AUERBACH: -- we don't have a quorum.

12 EXECUTIVE DIRECTOR BAEDEKER: That means we have  
13 to stay here.

14 CHAIR WINNER: By the way, we've --

15 VICE CHAIR AUERBACH: We all have to stay.

16 CHAIR WINNER: Yeah. We did not have a quorum but  
17 we decided to proceed with the public comment period so that  
18 everybody had a chance to speak.

19 But we'll, at this point, we'll adjourn the  
20 meeting. Thank you all.

21 (The regular meeting of the California Horse Racing Board  
22 concluded at 2:13 p.m.)

23

24

25

**REPORTER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of June, 2019.



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Eduwiges Lastra  
CER-915

## CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT\*\*367

June 25, 2019