

CALIFORNIA HORSE RACING BOARD

1010 Hurley Way, Suite 300

Sacramento, CA 95825

www.chrb.ca.gov

(916) 263-6000



JOCKEY AND DRIVER **WELFARE** **COMMITTEE MEETING**

Notice is hereby given that a meeting of the **Jockey and Driver Welfare Committee (committee)** of the **California Horse Racing Board (CHRB/Board)** will be held on **Wednesday, December 14, 2022**, commencing at **1:00 p.m.** at the **Clubhouse at the California Exposition and State Fair Grandstand, 1600 Exposition Boulevard, Sacramento, California**. The audio portion only of the committee meeting will be available online through a link at the CHRB website (www.chrb.ca.gov) under "Webcasts."

The agenda for the meeting will consist of the following matters:

AGENDA

Action Items:

1. Discussion regarding the **authorization by the Board at the October 20, 2022, Board meeting directing staff to pursue a 2023 legislative proposal to amend health and welfare funding mechanisms for jockeys and backstretch workers** to provide financial stability to those programs that are partially dependent on brick-and-mortar distributions.
2. Discussion regarding the **feasibility of requiring a one-time breeding right be granted to eligible jockeys who ride colts who win Grade I thoroughbred stakes in California, previously discussed at the Jockey and Driver Welfare Committee meeting held on May 18, 2022.**
3. **Public Comment:** Communications, reports, requests for future actions of the Committee. **Note:** During the public comment period, a total of thirty minutes will be allowed for public comments. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes.

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000. This notice is located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aid or services in order to

participate in this public meeting, should contact Zachary Voss at information@chr.ca.gov. Requests will be swiftly resolved by CHRB staff.

CALIFORNIA HORSE RACING BOARD

Oscar Gonzales, Chairman

Tom Hudnut, Member

Damascus Castellanos, Member

Scott Chaney, Executive Director

Cynthia Alameda, Deputy Executive Director

Date of Notice: December 1, 2022

Agenda Item 1

STAFF ANALYSIS DISCUSSION REGARDING THE AUTHORIZATION BY THE BOARD FOR STAFF TO PURSUE A 2023 LEGISLATIVE PROPOSAL TO AMEND HEALTH AND WELFARE FUNDING MECHANISMS FOR JOCKEYS AND BACKSTRETCH WORKERS TO PROVIDE FINANCIAL STABILITY TO THOSE PROGRAMS THAT ARE PARTIALLY DEPENDENT ON BRICK-AND-MORTAR DISTRIBUTIONS

Jockey & Driver Welfare Committee Meeting
December 14, 2022

ISSUE:

At its October 20, 2022 meeting, the Board voted to permit staff to pursue a 2023 legislative proposal to stabilize and increase funding for health and welfare programs that serve California jockeys and backstretch workers. Additionally, the board directed staff to bring the issue before the Jockey & Driver Welfare Committee in December 2022 for further discussion and consideration.

BACKGROUND:

Staff submitted its 2023 legislative proposal to the Business, Consumer Services and Housing Agency (BCSH) on October 21, 2022. The proposal is now moving through the approval process and the CHRB should receive notification of whether it is approved in late January.

All bill proposals are required to meet at least one of the following criteria: 1) saves money; 2) creates efficiencies; 3) conforms to federal law; and/or 4) is necessary to avoid programmatic issues. Staff believes stabilizing health and welfare programs meets criteria number four – is necessary to avoid programmatic issues.

ANALYSIS:

The intent of the CHRB's proposal is to shift one or more of the existing statutory distributions in Horse Racing Law based on brick-and-mortar wagering to an existing statutory distribution based on Advance Deposit Wagering (ADW). Draft language is attached.

Since the inception of ADWs in California in 2002, wagering on horse races at brick-and-mortar facilities has decreased while online wagering on horse races has skyrocketed. This migration was accelerated during the pandemic when virtually all brick-and-mortar facilities were closed even as live racing continued. Unfortunately, Horse Racing Law (Bus. & Prof. Code §19400 et seq.) codifies several charitable or welfare related distributions that are based on wagering at these brick-and-mortar facilities. Specifically, uncashed parimutuel ticket and unclaimed parimutuel ticket distributions go directly to health and welfare programs (e.g., health, dental, and vision benefits) for jockeys and backstretch workers, respectively, and are therefore

dependent upon in-person wagering. Prior to the pandemic, distributions into these health and welfare programs were in steady decline with the increase in bettors wagering via ADW. The closure of brick-and-mortar wagering facilities during the pandemic only exacerbated the issue and all funding for these programs effectively disappeared. All the while, health care costs continue to increase.

RECOMMENDATION:

This item is presented for Committee discussion.

DRAFT LANGUAGE
(Changes in underline and
strikethrough)

SECTION 1. Section 19604 of the Business and Professions Code is amended to read (in pertinent part):

(i) Amounts distributed under this section shall be proportionally reduced by an amount equal to 0.00295 multiplied by the amount handled on advance deposit wagers originating in California for each racing meeting, except for harness racing meetings, provided that the amount of this reduction shall not exceed two million eight hundred thousand dollars (~~\$2,000,000~~ \$2,800,000). The method used to calculate the reduction in proportionate share shall be approved by the board. The amount deducted shall be distributed as follows:

(1) (A) ~~Fifty~~ Thirty-six percent of the money to the board to establish, and to administer jointly with the organization certified as the majority representative of California-licensed jockeys pursuant to Section 19612.9, a defined contribution retirement plan for California-licensed jockeys who retired from racing on or after January 1, 2009.

(B) A person becomes a participant in the retirement plan when the person is licensed as a jockey in California.

~~(2) The remaining 50 percent of the money shall be distributed as follows:~~

(2)(A) ~~Seventy~~ Twenty-five percent shall be distributed to supplement the trainer-administered pension plans for backstretch personnel established pursuant to Section 19613. Moneys distributed pursuant to this subparagraph shall supplement, and not supplant, moneys distributed to that fund pursuant to Section 19613 or any other provision of law.

(3)(B) ~~Thirty~~ Twenty-five percent shall be distributed to the welfare fund established for the benefit of horsemen and backstretch personnel pursuant to subdivision (b) of Section 19641. Moneys distributed pursuant to this subparagraph shall supplement, and not supplant, moneys distributed to that fund pursuant to Section 19641 or any other provision of law.

(4)(C) Fourteen percent shall be distributed to the welfare fund established for the benefit of California-licensed jockeys established pursuant to Section 19612.9. Moneys distributed pursuant to this subparagraph shall supplement, and not supplant, moneys distributed to that fund pursuant to Section 19612.9 or any other provision of law.

(j) Amounts distributed under this section shall be proportionally reduced by an amount equal to 0.00295 multiplied by the amount handled on advance deposit wagers originating in California for each harness racing meeting, provided that the amount of this reduction shall not exceed five hundred thousand dollars (\$500,000). The method used to

calculate the reduction in proportionate share shall be approved by the board. The amount deducted shall be distributed as follows:

(1) First to the welfare fund established for the benefit of horsemen and backstretch personnel, pursuant to subdivision (b) of Section 19641, and administered by the organization representing the horsemen participating in the race meeting, in the amount requested by the welfare fund. Moneys distributed pursuant to this paragraph shall supplement, and not supplant, moneys distributed to that fund pursuant to Section 19641 or any other provision of law.

(2) The amount remaining, if any, shall be utilized for the benefit of the horsemen as specified in a written agreement between the racing association that conducts the live harness race meeting and the organization representing the horsemen participating in the race meeting.

(k) Notwithstanding subdivision (j), amounts generated that were deducted from amounts handled on advance deposit wagering for harness racing meetings pursuant to subdivision (i), as that section read before the enactment of subdivision (j), that have been held in trust by the California Exposition and State Fair shall be distributed as follows:

(1) Fifty percent to the harness racing horsemen who participated in the racing meeting that concluded June 16, 2012, in the form of purses.

(2) Fifty percent to the California Exposition and State Fair in the form of commissions.

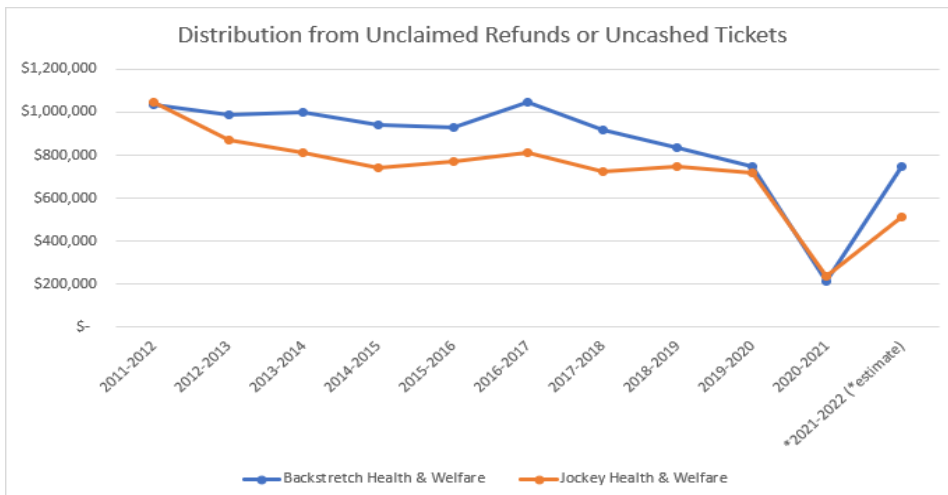
California ADW Retirement Handle & Retirement Funds Generated Per Statute 19604 (i)

Calendar Year Total	Total Handle	Jockeys Retirement	Backstretch Pension	Backstretch Health and Welfare	Total	Amount Generated with No \$2M Cap
2012	480,984,542	709,453	496,617	212,836	1,418,905	1,418,904
2013	514,696,900	759,179	531,425	227,754	1,518,357	1,518,356
2014	556,748,294	821,205	574,843	246,361	1,642,409	1,642,407
2015	590,839,185	871,489	610,042	261,446	1,742,977	1,742,976
2016	597,961,484	881,994	617,395	264,598	1,763,988	1,763,986
2017	624,070,498	920,505	644,353	276,151	1,841,009	1,841,008
2018	681,654,026	1,005,441	703,808	301,632	2,010,881	2,010,879
2019	676,373,322	997,652	698,356	299,295	1,995,303	1,995,301
2020	1,171,830,106	1,000,016	700,011	300,005	2,000,031	3,456,899
2021	1,175,314,282	1,000,007	700,004	300,002	2,000,013	3,467,177
Total:	7,070,472,640	8,966,939	6,276,853	2,690,080	17,933,872	20,857,894

Distributions per BPC 19604 (i): Amounts distributed under this section shall be proportionally reduced by an amount equal to 0.00295 multiplied by the amount handled on advance deposit wagers originating in California for each racing meeting, except for harness racing meetings, provided that the amount of this reduction shall not exceed two million dollars (\$2,000,000). The method used to calculate the reduction in proportionate share shall be approved by the board. The amount deducted shall be distributed as follows: (1) (A) Fifty percent of the money to the board to establish, and to administer jointly with the organization certified as the majority representative of California-licensed jockeys pursuant to Section 19612.9, a defined contribution retirement plan for California-licensed jockeys who retired from racing on or after January 1, 2009. (B) A person becomes a participant in the retirement plan when the person is licensed as a jockey in California. (2) The remaining 50 percent of the money shall be distributed as follows: (A) Seventy percent shall be distributed to supplement the trainer-administered pension plans for backstretch personnel established pursuant to Section 19613. Moneys distributed pursuant to this subparagraph shall supplement, and not supplant, moneys distributed to that fund pursuant to Section 19613 or any other provision of law. (B) Thirty percent shall be distributed to the welfare fund established for the benefit of horsemen and backstretch personnel pursuant to subdivision (b) of Section 19641. Moneys distributed pursuant to this subparagraph shall supplement, and not supplant, moneys distributed to that fund pursuant to Section 19641 or any other provision of law.

OTHER DISTRIBUTIONS: FISCAL YEAR	Pari-mutuel Handle TOTAL	Unclaimed Tickets	Unclaimed Refunds
		Backstretch Health & Welfare	Jockey Health & Welfare
2011-2012	\$ 2,888,835,972	\$ 1,037,096	\$ 1,048,597
2012-2013	\$ 3,039,604,194	\$ 986,678	\$ 871,311
2013-2014	\$ 3,144,249,753	\$ 1,000,981	\$ 810,852
2014-2015	\$ 3,095,263,930	\$ 938,848	\$ 743,380
2015-2016	\$ 2,904,499,795	\$ 930,260	\$ 769,291
2016-2017	\$ 2,989,969,720	\$ 1,046,452	\$ 810,112
2017-2018	\$ 3,181,903,942	\$ 918,004	\$ 723,108
2018-2019	\$ 2,907,382,828	\$ 836,090	\$ 747,833
2019-2020	\$ 2,803,587,091	\$ 746,148	\$ 716,964
2020-2021	\$ 2,968,092,524	\$ 211,796	\$ 237,746
2021-2022*	\$ 3,239,728,525	\$ 745,740	\$ 513,341

* Estimated



STATE OF CALIFORNIA

HORSE RACING BOARD

In the Matter of:)
)
Regular Meeting)
_____)

**Excerpt provided from
agenda item discussion
regarding legislative
proposal to amend health
and welfare funding
mechanisms - beginning on
6th page of this
document, see highlighted
sentence.**

CALIFORNIA EXPOSITION AND STATE FAIR GRANDSTAND
1600 EXPOSITION BOULEVARD
SACRAMENTO, CA

THURSDAY, OCTOBER 20, 2022

9:30 A.M.

Reported by:
Martha Nelson

APPEARANCES

BOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzales, Vice Chair

Dennis Alfieri, Commissioner

Wendy Mitchell, Commissioner

Damascus Castellanos, Commissioner

Brenda Washington Davis, Commissioner

STAFF

Scott Chaney, Executive Director

Cynthia Alameda, Assistant Executive Director

Amanda Brown, Staff Counsel

Jeff Blea, Equine Medical Director

ALSO PRESENT

Josh Rubenstein, Del Mar Thoroughbred Club

Craig Fravel, The Stronach Group and Golden Gate Fields

Alan Balch, California Thoroughbred Trainers

Christina Wong, Baker McKenzie

Tom Robbins, Del Mar Thoroughbred Club

David Duggan, Golden Gate Fields

Ed Cummings, Watch and Wager

Ben Kenney, Watch and Wager

Christopher Schick, Watch and Wager

Larry Swartzlander, California Authority of Racing Fairs

APPEARANCES

ALSO PRESENT

Becky Bartling, Sonoma County Fair

Jim Morgan, Humboldt County Fair

Tom Martinez, Cal Expo

Gary Fenton, Thorough Owners of California

Jerome Hoban, California Authority of Racing Fairs

Matt Brott, Jockeys' Guild

PUBLIC COMMENT

Tweed Conrad

INDEX

PAGEAction Item:

- | | | |
|----|---|----|
| 1. | Approval of the minutes of September 15, 2022. | 3 |
| 2. | Discussion and action regarding the adjudication of a Race Meet Agreement (RMA) pursuant to CHRB Rule 2044 for applications submitted for Board consideration during the October Board meeting that do not have a current RMA. | 4 |
| 3. | Discussion and action by the Board on the Application for License to Conduct a Horse Racing Meeting of the Del Mar Thoroughbred Club (T) at Del Mar, commencing November 9, 2022 through December 6, 2022, inclusive. | 37 |
| 4. | Discussion and action by the Board on the Application for License to Conduct a Horse Racing Meeting of the Pacific Racing Association, at Golden Gate Fields, commencing October 19, 2022 through December 20, 2022, inclusive. | 39 |
| 5. | Discussion and action by the Board on the Application for License to Conduct a Horse Racing Meeting of Watch and Wager LLC (H), at Cal Expo, commencing October 26, 2022 through May 7, 2023 inclusive. | 47 |

INDEX

	<u>PAGE</u>
<u>Action Item:</u>	
6. Discussion and action by the Board regarding the Allocation of Northern California Thoroughbred Racing Dates for racing year 2023.	51
7. Discussion and action regarding requesting an exemption from the Horseracing Integrity and Safety Authority regarding the use of Furosemide for thoroughbreds other than 2-year-olds and those competing in stakes races.	99
8. Discussion and action regarding authorizing staff to pursue a 2023 legislative proposal to amend health and welfare funding mechanisms for jockeys and backstretch workers to provide financial stability to those programs that are partially dependent on brick-and-mortar distributions.	101
9. Discussion and action by the Board regarding the proposed addition of CHRB Rule 1867.2, Administration of Multiple Intra-Articular Injections, to establish a rule for horses receiving multiple intra-articular injections.	117
10. Reports	123
A. Executive Director's Report.	
B. Equine Medical Director's Report	

1 Mr. Fravel?

2 MR. FRAVEL: Oh, I'm good.

3 CHAIR FERRARO: You're good?

4 Tweed Conrad?

5 EXECUTIVE DIRECTOR CHANEY: She's good.

6 CHAIR FERRARO: No? She's good too? Alright.

7 We have a motion a second.

8 Mr. Castellanos?

9 COMMISSIONER CASTELLANOS: Yes.

10 CHAIR FERRARO: Mr. Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR FERRARO: Mr. Gonzales?

13 VICE CHAIR GONZALES: Yes.

14 CHAIR FERRARO: Ms. Davis?

15 COMMISSIONER DAVIS: Yes.

16 CHAIR FERRARO: Mr. Hudnut?

17 COMMISSIONER HUDNUT: Yes.

18 CHAIR FERRARO: And the Chairman votes yes.

19 Moving on to item number eight, discussion and
20 action regarding authorizing Staff to pursue a 2023
21 legislative proposal to amend health and welfare funding
22 mechanisms for jockeys and backstretch workers to provide
23 financial stability to those programs that are partially
24 dependent on brick and mortar distributions.

25 Amanda again.

1 MS. BROWN: Yeah, so this is the time of year when
2 the state departments are asked to submit their legislative
3 proposals for the next legislative session. And these
4 proposals are actually due tomorrow, Friday, for further
5 vetting and approval.

6 So one proposal Staff would like to ask the
7 Board's approval on is pursuing legislation that would
8 stabilize and increase funding for health and welfare
9 programs and pension programs for California jockeys and
10 backstretch workers.

11 I will defer to Scott on what that proposal might
12 look like.

13 CHAIR FERRARO: Mr. Chaney?

14 EXECUTIVE DIRECTOR CHANEY: Yeah. I mean, as you
15 can see in the staff analysis, we have a few distributions.
16 They're actually based on uncashed tickets and brick-and-
17 mortar -- occurrences of brick-and-mortar, if you will. The
18 two of which that have, really, that have suffered over the
19 last -- since the advent of ADW wagering are backstretch
20 health and welfare administered by CTHF, and then jockey
21 health and welfare. And those migrations were -- or those
22 decreases were rapidly exacerbated under COVID. You can see
23 by the graphs in the in the digital packet.

24 The Jockeys' Guild came to us about a month --
25 Vice Chairman and ,I about six weeks ago, probably, and

1 expressing this concern, which has been going on for quite
2 some time. And it's even worse because, as everyone knows,
3 healthcare costs increase over time. And so I'm looking for
4 some solutions.

5 So the one I proposed, and I sent out to a fair
6 amount of stakeholders, it will also be incorporated in a
7 digital packet later today, I sent it to the Board last
8 night, is a legislative proposal that would support not --
9 the brick-and-mortar distributions would remain. My belief,
10 in talking with people way smarter than myself with respect
11 to these things, those look like they'll stabilize around
12 \$600,000. The extra \$400,000 for each group would come from
13 a separate distribution that's tied to ADW wagering and not
14 brick-and-mortar. And so we have some legislative proposal
15 in order to address both of these situations.

16 Again, Amanda's correct, it's been improved in
17 concept by agency. But the timeline is pretty fast for
18 executive branch-sponsored legislation. So we're seeking
19 the Board's approval to pursue this.

20 To be fair, the Jockeys' Guild is very much in
21 support of this approach. I think it's also fair to say
22 CTHF and maybe, to a certain extent, CTT, although I don't
23 want to speak for Alan, have some reservations that we're
24 moving a little bit too fast and it could have unintended
25 consequences and really counsel like slowing it down a

1 little bit.

2 One of the -- in order to propose legislation, an
3 agency has to meet one of the four criteria. This meets the
4 fourth one, which is program interruptions and/or solvency.
5 These two funds are heading for trouble if they're not there
6 already. And this is a way that's the best way, Staff
7 believes, including myself, to address these problems.

8 CHAIR FERRARO: Are there any questions for Mr.
9 Chaney?

10 COMMISSIONER CASTELLANOS: A question.

11 Has this has been discussed with the CTHF and both
12 the Jockeys' Guild?

13 EXECUTIVE DIRECTOR CHANEY: Extensively with the
14 Jockeys' Guild, who is very for it. They actually were the
15 ones who proposed this particular new distribution. I
16 talked to Cliff Goodrich about three or four weeks ago when
17 we started kind of trying to develop a plan. He counseled
18 me on certain ways to go about it. Since then, I included a
19 letter from him that I distributed to the Board last night.
20 I don't want to speak for him but the letter, you know,
21 says, you know, we are in trouble but I don't want to -- he
22 believes that it should be more of a industry kind of wide
23 approach and get approval from all of the organizations.

24 I sort of counter that. I mean, I hate to, you
25 know, force money on a guy that doesn't want it. But it's

1 my belief that they actually want it and need it, just can't
2 say it out loud, so I will. There may be other approaches.
3 And I'm not going to -- I don't want to mislead the Board,
4 this is all come together fairly quickly, I believe it to be
5 the best solution. And I think it would do quite well in
6 the legislature. And I think it would gain Governor's
7 Office approval in order to sponsor it.

8 And so the Board's action today would just be
9 authorizing the staff to pursue it. I think at some point,
10 if stakeholders and the industry finds a better solution to
11 these problems, we can always withdraw the legislation. But
12 for me, without this sort of impetus, or without this
13 approach and without like the feet being held to the fire, I
14 don't think this will ever get done.

15 COMMISSIONER CASTELLANOS: Is this, Scott, is this
16 added to how they currently get their funds? I'm talking
17 about CTHF. Is this added to that or does that change how
18 they currently get it?

19 EXECUTIVE DIRECTOR CHANEY: Yeah, it's actually
20 added to, so we would leave the brick-and-mortar alone.
21 They actually already get a percentage of this distribution,
22 the CTHF. We would actually increase both the cap from \$2
23 million to \$2.8 million. So this fund has been capped for a
24 number of years at \$2 million. It's never gone over that
25 until the last two years because ADW wagering is going

1 really well and that's -- it's been 3.4 over the last two
2 years.

3 So what we're asking is increasing the cap to \$2.8
4 million, also increasing the CTH percentage, and then adding
5 a second distribution for the jockey health and welfare.
6 All of the other distributions that don't have the same
7 brick and mortar problem will remain the same.

8 CHAIR FERRARO: Mr. Hudnut?

9 COMMISSIONER HUDNUT: And my question is a
10 procedural one. We have a Committee structure on the Board.
11 We have a Jockey Welfare Committee. You've been dealing
12 with this for several weeks, by your own admission. Why
13 hasn't it come to the Jockey Welfare Committee for
14 discussion?

15 EXECUTIVE DIRECTOR CHANEY: Oh, good question.
16 The jockeys approached --

17 COMMISSIONER HUDNUT: Well, gee.

18 EXECUTIVE DIRECTOR CHANEY: -- the jockeys
19 approached Vice Chairman and I, and we started working on
20 the problem. Having a handle on it and kind of a solution
21 really came together in the last two weeks. And, frankly,
22 our timeline for executive-sponsored legislation is very
23 tight. So, really, we didn't have the time.

24 We did relay the three legislative proposals to
25 the Legislative Committee via email. And, in particular,

1 this one to the Chairman of the Legislative Committee, which
2 is Commissioner Mitchell.

3 VICE CHAIR GONZALES: Yeah. And I can attest to
4 the Jockeys' Guild coming forward and them understanding
5 that the situation is dire. And I think if we would have
6 pulled it another Committee together, in fact, I would love
7 to pull it together because there's a couple ideas that I
8 still would like to see, you know, include the right level
9 of consideration, but I just think of the interest of
10 Time.

11 And this is simply just providing a
12 recommendation; right, Scott? This suggest allowing for us,
13 as a body, to so affirm that this is a good direction?

14 EXECUTIVE DIRECTOR CHANEY: Well, it would move
15 it along in a government process; right? So agency would
16 approve the concept or not prove it, forward to the
17 Governor's Office who approves it or not approves it, and
18 then they look for a sponsor. And, obviously, you know, it
19 would go through the normal legislative process. It has to
20 be a legislative change, not a regulatory one.

21 COMMISSIONER HUDNUT: So what the rest of us are
22 left with is an ingroup of Mr. Chaney, Mr. Gonzales and Ms.
23 Mitchell, who have been involved in this, and the rest of us
24 are ignorant of it, and it's sprung on us yesterday. And
25 we're under the gun of having to submit something to the

1 legislative analyst by tomorrow. I just don't think that's
2 very good way to be running things.

3 VICE CHAIR GONZALES: Well, again, I understand
4 what you're saying, Mr. Hudnut, and it will get better, to
5 be honest, you're right. Sometimes there are things that
6 come up. This is an industry that's very fluid. We'll get
7 better, you're right, but for now --

8 COMMISSIONER HUDNUT: Well --

9 VICE CHAIR GONZALES: -- I mean, you have every
10 opportunity to vote no and that's in your power. But we, to
11 your point, we will definitely make sure. Because, you
12 know, in any other way, we'll just got a conference call
13 where we all come on. And I think if we start adding even
14 more members to that and get serial meetings, and you get
15 guys like Rob and stuff that start to tap us on our
16 shoulders and say what we're doing here just not allowable.

17 So you're right, either there could have been a
18 Jockey Welfare Committee meeting, or the manner in which was
19 held, or the third option would not have been desirable,
20 which was to be violation of meetings that just can't happen
21 with more than just a few of us, but, yeah.

22 COMMISSIONER HUDNUT: But there's no impediment to
23 calling a Committee meeting at any time.

24 VICE CHAIR GONZALES: Okay. We will do that in
25 future. I like that, bring structure to this. I appreciate

1 it, Commissioner.

2 COMMISSIONER ALFIERI: I'm okay with moving the
3 ball. I like moving the ball down the field. And this will
4 force everyone, a meeting of the minds, to try and work
5 something out.

6 What is the schedule of the legislative? Did you
7 say that already? Did I miss that?

8 EXECUTIVE DIRECTOR CHANEY: Amanda, would you be
9 able to --

10 MS. BROWN: Yes. So I think November 7th is the
11 date by which the Governor's Office will approve or deny
12 this proposal it should we submit it. And then, you know,
13 it'll be introduced, hopefully, sometime in the new year.

14 COMMISSIONER ALFIERI: In the new year?

15 MS. BROWN: Yes. Yeah.

16 COMMISSIONER ALFIERI: Okay. Got it.

17 CHAIR FERRARO: Okay, we have some public
18 comments.

19 Mr. Fenton? Gary Fenton?

20 MR. FENTON: Hi. Gary Fenton, TOC.

21 Hearing the direction of the Board, I'm going to
22 withdraw the public comment, other than say that we're here,
23 ready to help in any way you need.

24 CHAIR FERRARO: Alan?

25 MR. BALCH: Alan Balch, California Thorough

1 Trainers.

2 As Executive Director Chaney knows, I've been in
3 email touch with him fairly constantly over the last few
4 days, even with the other matters going on, and with Cliff
5 Goodrich, who I know is very disappointed not to be able to
6 be here in person because he's in Europe on long-scheduled
7 trip that had been, you know, way, way planned, so I can't
8 speak for him. I know he wants this addressed. I think
9 that's fair to say. And he understands the process.

10 But I think, really -- well, and let me state for
11 the record that I had our staff, a CPA on our staff,
12 involved in in the Backstretch Pension Program, which the
13 CTT administers, analyze the impact on our program, which
14 was not a good look. Now Mr. Chaney has advised us that our
15 figures are wrong.

16 And all I can say is I hope he's right because we
17 don't want to see our Backstretch Pension, that's the
18 Backstretch Retirement Savings Plan, which is a statutory
19 plan and which is mainly for the backstretch workers, not
20 the trainers -- the trainers can be in it, but most of the
21 people in it are the backstretch workers. And this is one
22 of the few plans that benefits the backstretch workers, and
23 it comes directly out of this extremely complicated formula.

24 Scott, I'm looking at you again. The whole ADW
25 limits and everything else that are in the law are very

1 difficult to understand. So I'm not standing here to claim
2 that our figures are right but they do give us great pause b
3 because we rely on Mr. Chaney to tell us that, hey, your
4 figures are wrong. I don't think you've ever said this
5 won't impact us negatively, but you don't think it's going
6 to impact us as negatively as we think; is that a fair
7 statement?

8 EXECUTIVE DIRECTOR CHANEY: I don't believe it
9 will impact you at all, right.

10 MR. BALCH: Oh.

11 EXECUTIVE DIRECTOR CHANEY: I mean, you're maxed
12 out at \$700,000, which you've gotten over the last two
13 years. Because of the \$2 million cap, you get 70 percent of
14 50 percent, if you will. And so, I mean, you could be
15 negatively impacted today if -- you'll go below the \$700,000
16 if that weight, that distribution, ever falls below the \$2
17 million. I mean, obviously, it's ADW wagering, which has
18 exploded over the last three years. That's unanticipated.
19 It's been 3.4 the last two.

20 So under the new plan, you would -- your
21 percentage would change but the cap would be higher. So
22 \$2.8 million, you would get 25 percent of that, which is
23 \$700,000.

24 MR. BALCH: Okay.

25 EXECUTIVE DIRECTOR CHANEY: So, yeah, there's no

1 potential of getting more than \$700,000, but you don't have
2 that now. So I feel like I have a pretty good handle on it.
3 I don't want to, you know, guarantee anything, but --

4 MR. BALCH: I will state without fear of
5 contradiction that you have a way better handle on it than I
6 do. And I think Mr. Goodrich is in somewhat the same
7 position.

8 The points that I want to call to the Board's
9 attention are that the CTHF, Commissioner Castellanos is on
10 the CTHF Board, so he's intimately familiar with their
11 finances, my understanding is a CTHF has reserves of over \$4
12 million. The difference is -- and Mr. Goodrich has been
13 quite active in discussions with the trainers organization
14 and individual trainers in how CTHF can do more. And I know
15 that he wants this issue addressed legislatively, which is
16 very important.

17 On the other hand, the trainers -- or it's not the
18 trainers, it's the Backstretch Pension Plan, administered by
19 the trainers organization by statute, what we do is the
20 statutory funds that come to that program are directly
21 deposited in what amounts to a backstretch 401(k) for all
22 the employees. So it's the employees' own money when it's
23 generated by the wagering. We just don't know what the
24 impact is.

25 We proposed to Mr. Chaney by email a day or two

1 ago, given our confusion, that we thought the Board might
2 consider what's called a study bill to actually get all the
3 stakeholders impacted involved in this and understand really
4 what's going on, and maybe there is a better solution. Mr.
5 Chaney responded that while that's well and good -- you can
6 correct me if I'm wrong -- but that's all well and good but,
7 you know, we have this deadline we have to meet. And if we
8 don't meet this deadline, then the train leaves the station
9 and, you know, nothing might be accomplished. So we have to
10 get this in the legislative hopper for something to happen,
11 because it is a matter of urgency. So we understand that
12 too.

13 I just -- I guess I'm standing up here just to
14 inform the Board of our concerns. We never want to be in
15 the position as a statutory body ourselves to be in
16 disagreement with our regulatory agency in front of the
17 legislature. We want to be on the same page with the
18 regulatory agency on everything. And we're not up to speed
19 on this.

20 I guess that's the bottom message from me. But we
21 do agree that it needs to be addressed. And if taking this
22 action you have proposed today is the best way to do that,
23 then so be it. But you understand that we will -- we might
24 have to express our points of view or positions on this to
25 directly to the Governor or the agency or whoever.

1 So thank you for listening.

2 CHAIR FERRARO: Understood, Alan. It's
3 understood. Thank you.

4 MR. BALCH: Thank you.

5 EXECUTIVE DIRECTOR CHANEY: And maybe there's some
6 compromise here, to take Commissioner Hudnut's concern,
7 valid concerns, seriously, as well as Mr. Balch's and Vice
8 Chairman Gonzales. Perhaps it would be like a compromise
9 position to authorize the Board to pursue this particular
10 legislation but, at the same time, schedule, you know,
11 Jockey Welfare Committee or Leg Committee meeting so -- next
12 month or in December so that, you know, stakeholders get a
13 chance to fully digest it. And if it ends up being the
14 recommendation by the Board, that that's not something they
15 want to follow, then we withdraw the leg.

16 COMMISSIONER HUDNUT: I would favor that Mr.
17 Chaney. And I would request that, if we do have a Jockey
18 Welfare Committee meeting, that the stakeholders from CTT
19 and TOC be invited to attend that Committee.

20
21 CHAIR FERRARO: We have one more comment.

22 Matt Brott (phonetic)?

23 MR. BROTT: Mr. Chair and Members, Matt Brott here
24 on behalf of the Jockeys' Guild, in strong support of the
25 proposal.

1 I think Mr. Chaney, you know, summed up our
2 position pretty clearly, that the changes in the industry
3 have been exacerbated by the pandemic, all the while
4 healthcare costs are rising. And, obviously, we want to do
5 right by jockeys across the state.

6 In terms of the issue with timing, you know, it
7 sounds like this is just to submit a proposal. My
8 experience working around the legislature is that, you know,
9 where we start from where we finish is often, you know, a
10 different thing. And we have a lot of time to kind of work
11 through the details and make sure everybody gets an amicable
12 place. So I would urge your support of this proposal.

13 Thank you.

14 CHAIR FERRARO: Thank you.

15 Thomas, do you want to put your comments in the
16 form of a motion based on Mr. Chaney's suggestion?

17 COMMISSIONER HUDNUT: Well, I have a further
18 question requiring clarification.

19 The monies that will be allocated to -- under this
20 proposal will imply, to me, that they're not going somewhere
21 else. These are not new found monies, are they?

22 EXECUTIVE DIRECTOR CHANEY: No, not at all. I
23 mean, it comes from an existing distribution, but it's
24 \$800,000. So that comes from the --

25 COMMISSIONER HUDNUT: Which --

1 EXECUTIVE DIRECTOR CHANEY: -- the who fund the
2 existing distribution. So that's -- and the percentage has
3 changed from year to year.

4 COMMISSIONER HUDNUT: Yeah.

5 EXECUTIVE DIRECTOR CHANEY: But in the past year,
6 it was ADW providers, 30 percent, tracks and commissions
7 about 55 percent, satellites 10 percent, and breeders/other
8 funds, 6 percent.

9 COMMISSIONER HUDNUT: Right. So essentially, what
10 we're approving is robbing Peter to pay Paul. And we're
11 suggesting that Paul. in this instance. is more important
12 than Peter, which may be the case if we want to do right by
13 the by the jockeys. But I want everyone to be clear headed
14 that this implies that money is not going to one place. it
15 is going to another. It's a zero-sum game. Okay.

16 VICE CHAIR GONZALES: I'm willing to make the
17 motion, Mr. Chairman. I move that we approve the language
18 with the condition that, in December, we have a Jockey
19 Welfare Committee meeting to allow stakeholder input with
20 special invitations from the groups that Mr. Hudnut
21 identified. And I think by then, we'll probably have, you
22 know, more data, but we definitely meet the deadline
23 that's --

24 COMMISSIONER HUDNUT: Yeah.

25 VICE CHAIR GONZALES: -- that's in front of us

1 here.

2 COMMISSIONER HUDNUT: I will second that motion.

3 CHAIR FERRARO: Mr. Castellanos?

4 COMMISSIONER CASTELLANOS: Mr. Chairman, due to
5 the fact that Mr. Balch did point out, I do sit on the CTHF
6 Board, and this is possible benefit to them, so I would have
7 to recuse myself.

8 CHAIR FERRARO: Thank you for that.

9 Mr. Alfieri?

10 COMMISSIONER ALFIERI: Yes.

11 CHAIR FERRARO: Mr. Gonzales?

12 VICE CHAIR GONZALES: Yes.

13 CHAIR FERRARO: Ms. Davis?

14 COMMISSIONER DAVIS: Yes.

15 CHAIR FERRARO: Mr. Hudnut?

16 COMMISSIONER HUDNUT: Yes.

17 CHAIR FERRARO: The Chairman votes yes. Thank
18 you.

19 We move on to item number nine, discussion and
20 action by the Board regarding the proposed addition CHRB
21 Rule 1867.2, Administration of Multiple Intra-Articular
22 Injections, to establish a rule for horses receiving
23 multiple intra-articular injections.

24 Amanda?

25 MS. BROWN: Commissioners, this rule was

Agenda Item 2

STAFF ANALYSIS

DISCUSSION REGARDING THE FEASIBILITY OF REQUIRING A ONE-TIME BREEDING RIGHT BE GRANTED TO ELIGIBLE JOCKEYS WHO RIDE COLTS WHO WIN GRADE 1 THOROUGHBRED STAKES IN CALIFORNIA, PREVIOUSLY DISCUSSED AT THE JOCKEY AND DRIVER WELFARE COMMITTEE MEETING HELD ON MAY 18, 2022.

Jockey and Driver
Welfare Committee
Meeting

December 14, 2022

ISSUE:

The Jockey and Driver Welfare Committee is revisiting the feasibility of requiring a one-time breeding right be granted to eligible jockeys who ride colts who win Grade 1 thoroughbred stakes in California, previously discussed at the Jockey and Driver Welfare Committee meeting held on May 18, 2022.

ANALYSIS:

Traditionally, owners would voluntarily give a stallion share to the regular rider and trainer of horses that retire to stud. That practice has evolved, some would say eroded, over time and now often includes a single season breeding right provided at the voluntary discretion of owners. At the May 18, 2020, committee meeting the board directed staff to take a closer examination of the proposal and provide additional information on the feasibility and legality of the proposal, as well as consider additional alternatives.

RECOMMENDATION:

This item is presented for Committee discussion.

STATE OF CALIFORNIA

HORSE RACING BOARD

In the Matter of:)
)
Jockey and Driver Welfare)
Committee Meeting)
_____)

Excerpt provided from agenda item discussion regarding the feasibility of requiring a breeding right - beginning on 5th page of this document, see highlighted sentence.

CALIFORNIA EXPOSITION AND STATE FAIR GRANDSTAND CLUBHOUSE
1600 EXPOSITION BOULEVARD
SACRAMENTO, CA

WEDNESDAY, MAY 18, 2022

9:30 A.M.

Reported via webcast by:

Peter Petty

APPEARANCES

BOARD MEMBERS

Oscar Gonzales, Chair

Damascus Castellanos, Commissioner

Thomas Hudnut, Commissioner

STAFF

Scott Chaney, Executive Director

Cynthia Alameda, Assistant Executive Director

Robert Brodник, Staff Counsel

Zachary Voss, Regulation Analyst

PUBLIC COMMENT

Christopher Schick, Sacramento Harness Association

INDEX

PAGEAction Item:

- | | | |
|----|--|----|
| 1. | Discussion and consideration to amend Rule 1500, Apprentice Jockey, and Rule 1619, Apprentice Allowance, to align with current health and safety standards for jockeys. | 4 |
| 2. | Discussion and consideration to amend Rule 1683, Maximum Overweight, and Rule 1616, Minimum Weights, to align with current health and safety standards for jockeys. | 10 |
| 3. | Discussion and consideration to amend Rule 1734, Use of Driving Whip, to align with Rule 1688, Use of Riding Crop. | 13 |
| 4. | Discussion regarding Horseracing Integrity and safety Authority regulations regarding concussion protocols, including 2291 - Jockey Eligibility, which requires a baseline concussion test as part of the annual physical examinations, and 2192 - Concussion Management, which requires the implementation of a concussion management program by the Medical Director, as defined in 2132 - Medical Director. | 18 |

INDEX

PAGEAction Item:

5. Discussion regarding the feasibility of requiring a breeding right be granted to jockeys who ride colts or horses who win graded stakes in California. 23
6. Public Comment: Communications, reports, requests for future actions of the Board. Note: During the public comment period, a total of thirty minutes will be allowed for public comments. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes. 32
- Adjournment 34

1 CHAIR GONZALES: right.

2 EXECUTIVE DIRECTOR CHANEY: -- in the sense that
3 we have, you know, a track physician at every track. And
4 then also our ambulance drivers are required to be
5 paramedics as opposed to EMTs. So I think we do a pretty
6 good job on the medical personnel. But having the protocol
7 and the baseline is critical, it seems.

8 COMMISSIONER HUDNUT: I would hope and assume that
9 the concussion information and protocols for licensed
10 jockeys and the return-to-ride authorization form and
11 everything pertinent thereto appears in Spanish, as well as
12 English.

13 EXECUTIVE DIRECTOR CHANEY: Okay.

14 CHAIR GONZALES: Good point, Commissioner.

15 Well, let's open it up for any public comments.
16 Anybody here in the audience like to share any thoughts?
17 Okay, seeing none, thank you.

18 We can move on to the next agenda item. Agenda
19 item number five, discussion regarding the feasibility of
20 requiring a breeding right to be granted to jockeys who ride
21 colts or horses who win graded stakes in California.

22 Scott, it over to you, and then I'd like to make a
23 couple comments.

24 EXECUTIVE DIRECTOR CHANEY: Sure. Sure. This
25 stems out of a discussion we've had and sort of a

1 recognition that a few high-profile jockeys have left
2 California in recent time. I mean, they're all for sort of
3 various reasons, so I don't know if it's fair to pin down to
4 exactly one thing. And sort of the idea that we explore
5 ways in which we can retain jockeys, so this is one such
6 idea. It's, purposely, sort of very general on the agenda
7 because it's really like the germination of sort of a
8 concept. And kind of, yeah, looking for direction and
9 discussion in terms of, you know, how it might play out.

10 CHAIR GONZALES: Sure thing. Well, thank you,
11 Scott. I have a feeling this item will, after, perhaps,
12 this conversation with some of the written comments that I'm
13 hoping we get on this topic, that we can then have staff
14 take a look at how this could be implemented.

15 About a year-and-a-half ago, Dr. Ferraro and I met
16 and I brought up the issue of what is it that it's going to
17 take to make sure that jockeys are at the table in a
18 meaningful and equitable way. And we knew back then, we
19 just had a lot of other priorities, including making, you
20 know, racetracks safer for horses, but we never lost sight
21 of what we needed to be going for the riders. They have
22 been, I believe, partners. Their ultimate voice is the
23 Jockeys' Guild, who have been tremendous in making sure that
24 California is moving in the right direction.

25 So we now are here at a point, I believe, where we

1 have to take a look at what more we could be doing for
2 riders. I believe this agenda is -- it captures many of
3 those items. But I do believe, when it comes to issues like
4 breeding rights, it is worthy of a hard look at what we
5 could be doing.

6 First of all, as I mentioned at the outset, that I
7 believe reform efforts should include a wholistic approach
8 about what we could be doing that empowers and improves the
9 industry, one, I believe that the composition of the current
10 Board/the Governor in making sure that there was balance,
11 the kind of balance that we have that allows us to have
12 these kinds of conversations.

13 Also, I believe, as you mentioned, Scott, the idea
14 that California racing is known for its jockey colony.
15 Clear on back to the time that I got involved in horse
16 racing in the early to mid-'80s, I always knew that the draw
17 and attraction at many of the racetracks was our riders. I
18 believe that things are changing quite a bit. We believe
19 things will continue to change, especially as we start to
20 take a look at betters. When they have options to choose
21 from, we want to make sure that, whether they're fans or
22 betters or just observers of our beautiful sport, that when
23 they show up at any of the racetracks, they see the best and
24 the brightest, which they currently do. But we also know
25 that things change.

1 Finally, I believe that when we take a look at
2 breeding rights, and I do know that there's some discussion
3 about how many times a horse can breed, but let's just use
4 the 150 -- 140 times per year threshold, at least in this
5 hemisphere, I believe asking for a one-time breeding right,
6 not a lifetime breeding right but just a one-time breeding
7 right for a graded stakes win is not too much to ask.

8 I believe there, in my conversations over the last
9 couple months, there has been some really thoughtful
10 comments and input that I have receive, in fact, I'm sure
11 many, many of us on the Board and staff have received. But
12 I think once we have all of that to the staff, it would then
13 help present a staff analysis so we can determine the
14 feasibility of such a move.

15 I will now turn it over to our Commissioners for
16 any thoughts of suggestions that they may have.

17 COMMISSIONER HUDNUT: I like the idea of wanting
18 to do something for the riders and to incentive good riders
19 to come to California and to stay in California. I'm not
20 sure that this is the best way to do that.

21 I liked when you were speaking, Mr. Chair, that
22 you used the verb "ask," which is certainly different from
23 the verb "require," which is what is written here. I have a
24 hard time thinking that we can require breeding rights,
25 which are somebody's property, to be given away. We would

1 certainly need a legal analysis of that to determine whether
2 that was viable.

3 I also fear that in graded races so many of the
4 riders who ride in those races come in from other states,
5 that I wonder what giving Irad Ortiz a breeding right in
6 California is going to mean to him, as opposed to riders --
7 would you require that the rider to receive this be
8 California-based, for example? I simply don't know the
9 answers to these.

10 But I do like the idea of wrestling with the issue
11 of how to improve the jockey colony here in California
12 because it has changed. And what we can do to improve it is
13 something that I would be all for. I'm just -- I have some
14 reservations about this as the particular mechanism.

15 That concludes my remarks for the moment.

16 CHAIR GONZALES: Thank you, Commissioner.

17 Commissioner Castellanos?

18 COMMISSIONER CASTELLANOS: Yes. After reading,
19 well, reading the vagueness of what we have in our packet,
20 it is -- it leaves more questions than answers for me. And
21 I think it's something that needs to be discussed further.

22 I agree with Commissioner Hudnut and yourself and
23 everybody else that feels that we need to do something.
24 And, you know, the purses and everything else is part of the
25 piece. But this is something that I think needs a lot more

1 discussion and needs to evolve into something that is a
2 little bit more understandable than just what we have in
3 front of us right now. That's my thoughts for right now.

4 CHAIR GONZALES: Okay. Well, Scott, we do know
5 that with the statements that have made its way via email to
6 you and staff, it would be great to incorporate some of
7 those questions. We also welcome continued input from both
8 current jockeys and retired jockeys. I believe the legal --
9 the question of legality, I think, is also something that is
10 important.

11 I firmly believe that as we go about doing some
12 exploratory and fact finding that just seeking out experts
13 who really understand not only the breeding industry but
14 also understand what it is that riders go through -- maybe
15 the public doesn't know but anyone who thinks that jockeys
16 are well compensated for what they do would be off the mark.

17 A rider is entitled to ten percent of winnings.
18 So when you take a look at a purse, you could split that 55
19 percent, so they get 10 percent of that 55 percent. They
20 then are responsibility for giving 25 percent to their agent
21 and, in most cases, 5 percent goes to their valet. If they
22 are jockeys, most are, that will typically provide a
23 monetary tip, let's say, to the exercise rider, the groom
24 and, you know, sometimes the hotwalker is, as in my case as
25 a former hotwalker.

1 But we're also talking about riders who are 1099
2 workers. This means that they also are probably given what
3 is left over, 18 to may be 20 percent, back to the
4 government.

5 I also believe when you take a look at that, and
6 they have no retirement plan, it really makes you wonder how
7 we, as an industry, will continue to not only support
8 jockeys across the country but how we are going to be doing
9 our share here in California to set the tone that jockeys
10 matter.

11 It is, in the area of fairness, I believe that it
12 is few and far between when a jockey gets a breeding right.
13 In fact, former Commissioner Alex Solis and I had many
14 conversations about this. And to hear Alex, one of the best
15 jockeys ever come out of California, to have only received
16 one, maybe two breeding rights, I think is not only
17 unacceptable, it's wrong, and I think that it lacks the
18 fairness.

19 To hear or to observe what we all did with great
20 fanfare, a wonderful Kentucky Derby where we saw an
21 outstanding jockey do the unthinkable and really bring the
22 proper attention to the upsides of horse racing, made me
23 wonder, what about some of our own hometown heroes here in
24 California, when we saw two of our very own jockeys win
25 Triple Crown races, only to hear that neither one of them

1 were entitled to a single breeding right?

2 So although there may still be more questions than
3 answer that we have at this moment but I believe, much in
4 the way that this Board started out with our reform efforts,
5 is we get all of the information together, we talk to the
6 experts, we get feedback from those that are most impacted,
7 and we come up with a proposal for the entire Board to look
8 at and to vote upon.

9 We miss Commissioner Solis, to be quite honest.
10 But I know for a fact that we have, on CHRB staff, former
11 jockeys in the form of Hall of Famer Chief McHargue. I also
12 know there are a couple of stewards that have been prominent
13 riders, as well.

14 So I also encourage you, Scott, to really reach
15 from within our ranks to get all of the information and
16 feedback that we need.

17 So you know, with that, Mr. Chaney, I'll turn it
18 over to you for any thoughts or observations that you may
19 have.

20 EXECUTIVE DIRECTOR CHANEY: Yeah. As you can
21 imagine, this raised some eyebrows. And I think we got a
22 little press that was interested in this concept.

23 I got a little feedback from various parts of the
24 industry just leading up to the meeting, as I'm sure you
25 did, as well, you know, some worrying about disincentivizing

1 owners for, you know, bringing horses here. I mean,
2 everybody seems to agree that it's a good idea and we should
3 be doing more to recognize jockeys and take care of them.

4 And then the legal piece was also a concern that I
5 heard. So just in terms of like direction from the
6 Committee, I'm sort of hearing two things. And we want to
7 get sort of more like broad comments and --

8 CHAIR GONZALES: Right.

9 EXECUTIVE DIRECTOR CHANEY: -- information from
10 stakeholders, but also maybe examine the legality of even
11 like -- with respect to the property rights and even if this
12 is possible.

13 So I don't know if one makes sense to come before
14 the other one but maybe like sort of doing both at the same
15 time does because, you know, we hate to do all this work if
16 it's not legally possible. At the same time, we don't want
17 to, you know, delay it if it is legally possible and
18 generally supported by most aspects of the industry.

19 So a little direction from the Committee, I
20 guess --

21 CHAIR GONZALES: Sure.

22 EXECUTIVE DIRECTOR CHANEY: -- would be
23 appreciated --

24 CHAIR GONZALES: Sure. Well --

25 EXECUTIVE DIRECTOR CHANEY: -- in terms of how to

1 approach this.

2 CHAIR GONZALES: -- sure. If we could, let's turn
3 it over to any public comments on this particular agenda
4 item, if there any here in the audience that would like to
5 share any thoughts/suggestions on this matter?

6 Okay, seeing none, we will get back to what you're
7 looking for.

8 I believe, Scott, and for the Commissioners and
9 members of this Committee, is if we can pull together all of
10 the relevant information and reconvene as a Jockey Committee
11 no further than 45 or 60 days out, I think at which time we
12 can get both a preliminary legal take as -- and I appreciate
13 you mentioning that that shouldn't delay things, but also,
14 perhaps, the next time that we meet we could do so in
15 Southern California where, perhaps, the greatest impact is?
16 I do know that, you know, the largest concentration of
17 graded stakes wins are down south. So this would also give
18 owners, breeders, jockeys, and others who want to weigh in
19 on this matter -- that would be my recommendation, Scott.

20 EXECUTIVE DIRECTOR CHANEY: Makes sense. To the
21 extent that we got like a DAG or Attorney General legal
22 opinion, it might take a little bit longer, but we can --
23 that doesn't present having a jockey or a Committee meeting
24 before that.

25 I will sort of apologize for a lot of the industry

1 stakeholders. As you may know, the Preakness is this
2 Saturday, so --

3 CHAIR GONZALES: Yeah, that's right. Yes.

4 EXECUTIVE DIRECTOR CHANEY: -- I know a lot of
5 folks are down there. And then also with the having
6 meetings in person, obviously, it has limited public comment
7 --

8 CHAIR GONZALES: right.

9 EXECUTIVE DIRECTOR CHANEY: -- to a large extent.
10 So maybe Southern California would widen that a little bit.

11 CHAIR GONZALES: Right. Correct.

12 Commissioners, any thoughts on how to proceed?

13 COMMISSIONER HUDNUT: Prior to your remarks, Mr.
14 Chair, I was going to say, proceed on all fronts full speed
15 ahead --

16 CHAIR GONZALES: Okay.

17 COMMISSIONER HUDNUT: -- the feasibility, the
18 legality, the alternative, closer examination of the
19 proposal.

20 CHAIR GONZALES: Okay. Commissioner Castellanos?

21 COMMISSIONER CASTELLANOS: I agree.

22 CHAIR GONZALES: Okay. Well, thank you,
23 gentlemen.

24 EXECUTIVE DIRECTOR CHANEY: Scott, that -- did we
25 just go through all of our agenda items? I believe we did.

1 EXECUTIVE DIRECTOR CHANEY: Yes.

2 CHAIR GONZALES: Yes.

3 EXECUTIVE DIRECTOR CHANEY: There were six. And
4 we have one last one --

5 CHAIR GONZALES: And we do have, that's right.

6 EXECUTIVE DIRECTOR CHANEY: -- general public
7 comment --

8 CHAIR GONZALES: Yes.

9 EXECUTIVE DIRECTOR CHANEY: -- if there is such.

10 CHAIR GONZALES: Well, let's now turn it over to
11 agenda item number six for any public comment.

12 Is there anyone here in this room that would like
13 to step forward and provide anything in the way of public
14 comment?

15 EXECUTIVE DIRECTOR CHANEY: Zach, do we have
16 anybody on the list? Sorry.

17 CHAIR GONZALES: Okay. Seeing no public come,
18 this concludes our Jockey and Driver Welfare Committee
19 meeting. I want to thank all who have attended.

20 Again, Mr. Chaney, I want to just thank you and
21 your great staff for helping to prepare us and help us lead
22 us in the right direction.

23 And to Commissioner Castellanos and Commissioner
24 Hudnut, I just want to say I look forward to working with
25 you both. I can't think of a better group to be aligned

CALIFORNIA HORSE RACING BOARD

December 14, 2022

JOCKEY AND DRIVER

WELFARE COMMITTEE

MEETING

There is no board package material for Item 3