

**NEW JERSEY RACING COMMISSION
TUESDAY, APRIL 21, 2026
NEW MEADOWLANDS RACETRACK
SKYBOX SUITES – GRANDSTAND BUILDING – 3RD FLOOR
1 RACETRACK DRIVE, EAST RUTHERFORD, NEW JERSEY**

A public meeting of the New Jersey Racing Commission (“NJRC” or “Commission”) was held on Tuesday, April 21, 2026 at New Meadowlands Racetrack in the Skybox Suites, Grandstand Building, 3rd Floor located at 1 Racetrack Drive in East Rutherford, New Jersey.

The following were present:

Lawrence DeMarzo, Commissioner
Charles E. Tomaro, Commissioner (virtually)
Michael Venuto, Commissioner (virtually)
Glen Vetrano, Commissioner (virtually)
Sara Ben-David, Acting Executive Director
Levi Klinger-Christiansen, Deputy Attorney General
Azeem Chaudry, Governor’s Authorities Unit (virtually)

This meeting today conforms with the Open Public Meetings Act and as per the requirements of the statute, notification of this meeting has been filed with the Secretary of State and with the following newspapers: Daily Racing Form, Bergen Record, Asbury Park Press, Courier-Post, and the Star Ledger.

WHEREAS, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits bodies to exclude the public from that portion of a meeting at which certain matters are discussed.

NOW, THEREFORE, BE IT RESOLVED that consistent with *N.J.S.A. 10:4-12(b)*, the Commission will now adjourn to executive session to obtain legal advice protected from disclosure by the attorney-client privilege on the following matters:

1. Legal advice concerning the ratification of the cancellation of racing at New Meadowlands Racetrack on January 18, January 25, January 30, January 31, February 1, and February 7, 2026 due to adverse weather conditions.
2. Legal advice regarding the approval of the racing and wagering format for the Monmouth Park meet.
3. Legal advice regarding the approval of a Veterinary Services Agreement between the New Jersey Racing Commission and Kunz Equine, LLC.
4. Legal advice concerning the approval of a waiver of *N.J.A.C. 13:70-14A.3*, *N.J.A.C. 13:70-14A.4*, *N.J.A.C. 13:70-14A.8*, *N.J.A.C. 13:70-19.39*, *N.J.A.C. 13:71-23.3*, *N.J.A.C. 13:71-23.4*, and *N.J.A.C. 13:71-23.9* to allow vet techs to draw blood for testing.

5. Legal advice regarding the ratification of an extension of time for the Thoroughbred Breeders' Association of New Jersey to file audited financial statements for 2025.
6. Other legal advice.

Discussion of the above matters falls within the exceptions under the law; specifically, matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the Commission's attorney to exercise his ethical duties as a lawyer, and/or matters involving pending or anticipated litigation.

Commissioner DeMarzo motioned to adjourn into Executive Session. Commissioner Venuto seconded the motion. All of the Commissioners voted to adjourn.

The Commission then adjourned to Executive Session at 1:07 p.m. There was a delay in beginning the Executive Session due to technical difficulties. The Executive Session started at 1:28 p.m.

Commissioner DeMarzo motioned to move back to the public session. Commissioner Venuto seconded the motion. All of the Commissioners agreed.

Acting Executive Director Ben-David opened the public session of the meeting by welcoming everyone. She advised that in addition to being in person, the meeting was being live streamed. She explained that through its website, the New Jersey Racing Commission ("NJRC" or "Commission") has made a link and phone number available that members of the general public may use to attend the meeting virtually through Microsoft Teams. She also pointed out, for everyone's awareness, that Microsoft Teams was being used to record the meeting. Minutes will be available on the Commission's website following the Governor's review period, as required by *N.J.S.A. 5:5-22.1*.

Acting Executive Director Ben-David stated that the NJRC will continue to conduct in-person meetings, with virtual attendance available as an option for members of the public to utilize as well as for any Commissioner who is unable to attend in person. She then thanked Executive Assistant Nanci Reid for her continued service as the NJRC moderator and Connor Martin for his work as the back-up moderator. Last, she thanked Joseph Balestracci for being at the meeting to provide any needed technical support.

CONSIDER APPROVAL OF THE PUBLIC SESSION MINUTES OF THE JANUARY 21, 2026 MEETING

Commissioner DeMarzo made the motion to approve the public minutes of the January 21, 2026 Commission meeting. Commissioner Tomaro seconded the motion, and all Commissioners voted yes.

CONSIDER RATIFICATION OF THE CANCELLATION OF RACING AT NEW MEADOWLANDS RACETRACK ON JANUARY 18, JANUARY 25, JANUARY 30, JANUARY 31, FEBRUARY 1, AND FEBRUARY 7, 2026 DUE TO ADVERSE WEATHER CONDITIONS

Acting Executive Director Ben-David advised that Item 3 on the agenda concerns the cancellation of racing at Meadowlands Racetrack on January 18th, January 25th, January 30th, January 31st, February 1st, and February 7th 2026 due to adverse weather conditions.

Acting Executive Director Ben-David stated that she wanted to acknowledge that the cancellation of racing on six days is significant relative to the cancellations we've seen in prior years. She noted that the most notable exception was 2020 for covid; however, in this instance, each cancellation was justified based on the weather as it was forecasted at the time. It was an extraordinarily cold winter with significant snowfall. She continued that she is aware and mindful of the fact that the livelihood of the horsemen depends on racing and that the cancellation of racing impedes their ability to earn that living. Acting Executive Director Ben-David stated that the decision to approve the cancellation of racing is not undertaken lightly. The forecasted conditions presented safety concerns not only for the actual conduct of racing, but it is also important to remember the travel to and from the racetrack. She then asked if anyone on the Commission wanted to comment or make a motion on how we should proceed with this request.

Commissioner Vetrano stated that he would like to entertain a motion if there is support from the rest of the Commission to table this item and to continue some ongoing dialogue and discussion with Mr. Gural and Mr. Settlement. He continued that he too supports the fact that they were cancelled because of inclement weather for the safety of the horses as well as the betting public. Commissioner Vetrano stated that as the Acting Executive Director had mentioned six days is significant.

Commissioner Vetrano explained that he would like to see if there's something that can be done to alleviate some of that impact on the race calendar from now till the end of the year and maybe it's something that can be taken care of before the next May meeting or shortly thereafter. He continued that if there is support from the rest of the Commission, he would like to table this item. He added that he does recognize the fact that the betting is down and that the track handle is down from the first of the year at the Meadowlands up until the most recent weekend.

Commissioner Vetrano stated that he is aware there is a number of other tracks that have online racing, so there is a lot of competition out there, but there were a couple of issues that were brought up in the Executive Session by the Commissioners that maybe the Commission could have that discussion with Mr. Gural and Mr. Settlement.

Commissioner Venuto stated that he would second Commissioner Vetrano's suggestion to table the item and get more information.

Commissioner DeMarzo stated that he would also support the motion. He feels we have to balance the interests of the track and the interests of the horsemen and maybe find

a solution to this or at least answer the concerns that Commissioner Vetrano has.

Acting Executive Director Ben-David acknowledged that there is a motion to table, and there's a second and a third. She continued on with the vote, and all Commissioners voted yes to table the item.

CONSIDER RATIFICATION OF THE APPROVAL OF NEW MEADOWLANDS RACETRACK'S REQUEST TO ADJUST THE POST-TIME ON FRIDAY, FEBRUARY 6 AND SATURDAY, FEBRUARY 7, 2026; ON FRIDAY, FEBRUARY 13, 2026 THROUGH SATURDAY, APRIL 25, 2026

CONSIDER RATIFICATION OF THE APPROVAL OF NEW MEADOWLANDS RACETRACK'S REQUEST TO ADJUST THE POST-TIME BEGINNING FRIDAY, APRIL 3, 2026

Assistant Director Salerno stated that in early February, Mr. Settlemoir requested approval to move the post-time for live racing on February 6 and 7 from 6:20 p.m. to 6:00 p.m. The purpose was to accommodate 15 races each night and ease time constraints. Acting Executive Director Ben-David approved this, pending Commission ratification.

Assistant Director Salerno advised that a second request, dated February 10, asked to continue the 6:00 p.m. post-time from February 13 through April 25. This was intended as a winter trial to see if an earlier start could work without affecting handle. This was also approved subject to ratification.

Assistant Director Salerno stated that on March 24, Mr. Settlemoir submitted a follow-up request to shift post-time to 6:35 p.m. beginning April 3 and continuing through the championship meet and the remainder of the year. This change was based on an analysis showing that a slightly later post-time would better support handle, benefitting horsemen and women, the racetrack, and the state. This, too, received conditional approval.

Assistant Director Salerno advised that the Commission has approved similar adjustments in the past, including post-time changes for Monmouth Park in June 2025 and for Meadowlands Racetrack in July 2025. He stated that staff recommends ratification of the requested adjustments, i.e. moving post-time to 6:00 p.m. from February 6 through March 28 and to 6:35 p.m. beginning April 3 through year-end.

Commissioner DeMarzo made the motion to approve the ratification for Meadowlands Racetrack to change the post-time to 6:00 p.m. on February 6 through March 28 and to 6:35 p.m. on April 3 through the end of the year. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER THE APPROVAL OF A REQUEST BY NEW MEADOWLANDS RACETRACK TO ADJUST THE POST-TIME ON SATURDAY, JULY 4, 2026

Assistant Director Salerno stated that the NJRC is in receipt of an email dated January 27, 2026 from the Meadowlands Racetrack General Manager and Chief Operating Officer Jason Settlemaier seeking approval to adjust the post-time for live racing on Friday, July 4, 2026 from 6:20 pm to 6:00 pm. He advised that the reason for the request is to allow more reasonable time for families and the anticipated large crowd to view the fireworks show after the races.

Assistant Director Salerno advised that staff recommends approval for Meadowlands Racetrack to adjust post-time from 6:20pm to 6:00pm on July 4, 2026.

Commissioner DeMarzo made a motion to approve the request by New Meadowlands Racetrack to adjust the post-time on July 4, 2026. Commissioner Venuto seconded the motion, and all Commissioners voted yes.

CONSIDER THE APPROVAL OF THE RACING AND WAGERING FORMAT FOR THE MONMOUTH PARK MEET

Assistant Director Hollander explained that Monmouth Park has been allocated 60 race days in 2026. The thoroughbred meet at Monmouth Park will take place over the course of 50 days beginning on May 9 and continue through September 13. He advised that, in addition, a 9-day thoroughbred meet also will be conducted at Meadowlands Racetrack in September and October. The Far Hills steeplechase meet will take place on Saturday, October 17 at Moorland Farm.

Assistant Director Hollander explained that this request seeks approval to offer up to 14 live races per day in 2026. Post-time on Fridays would be 2:00 p.m. Post-time on Saturdays and Sundays as well as Monday, May 25 and Monday, September 7 would be 12:50 p.m., except for Saturday, July 18, which is Haskell Day, when the post time would be 12:00 p.m.

Assistant Director Hollander stated that the operating officials remain the same as those the Commission approved for last year's thoroughbred meet, with a few exceptions. John Heims will serve as the Racing Secretary. Walter Cicero will once again serve as the Stakes Coordinator, with the additional title this year of Assistant Racing Secretary. Monmouth Park will have five Placing & Patrol Judges, an increase from three from last year.

Assistant Director Hollander stated that the wagering format also will be the same as last year, with two exceptions which will be addressed. Wager types, minimum wagering amounts, and takeout rates are all the same. All races will offer win, place, show,

exacta, trifecta, double, pick 3, and superfecta at management's discretion. Pick 4s and Pick 5s will be available on various races.

Assistant Director Hollander advised that Monmouth Park is once again requesting permission to conduct advance wagering on stakes races previously approved by the Commission for the 2026 season. Monmouth Park will import simulcast races during its live card and through its evening simulcast program. Mobile wagering also will be available. In addition, Monmouth Park is requesting permission to offer a handicapping contest called "Survival at the Shore" through its website.

Assistant Director Hollander stated that in the event that exchange wagering becomes available, Monmouth Park expresses its intent to offer wagering through that system as well. Finally, Monmouth Park will continue to offer fixed odds horse wagering through BetMakers and Bet365.

Assistant Director Hollander stated that, as noted earlier, Monmouth Park is requesting two new wager types for 2026. The first is a request for permission to offer a \$5 late Daily Double. The second is a request for permission to offer a \$3 all-turf and/or late Pick 3. He stated that it is recommended that the requests for permission to offer a \$5 late daily double and a \$3 late Pick 3 be approved subject to certain conditions. Monmouth Park must disclose the takeout rate to bettors on its website, by press release, or in its official program. In addition, Monmouth Park should submit any rules regarding calculation or scratch rules that may be different from the earlier Daily Doubles or Pick-3 bets offered. Finally, Monmouth Park must cooperate with respect to any testing deemed necessary.

Assistant Director Hollander advised that, as to the request to offer an all-turf Pick 3, substantial testing would be required before such a wager type could be approved and implemented. As such, it is further recommended that consideration of an all-turf Pick 3 be held for the next public matter. Alternatively, approval may be delegated to the Acting Executive Director until such time as the necessary supplemental information and technical requirements are satisfactorily addressed.

Acting Executive Director Ben-David stated that it sounds like most of the requests can be approved, however the Commission did need to recommend various conditions. She asked if there is a motion to approve the racing and wagering format for Monmouth Park subject to the conditions recommended by staff including the submissions that are needed on the late daily double and the late pick 3. She then stated that she would like input from the Commissioners on as to how to handle the all-turf pick 3. She reminded the Commission that Assistant Director Hollander mentioned that there's substantial testing that would be needed and there is a choice to make. The Commission can either hold that portion until the May public meeting or a subsequent meeting or they can provide the Acting Executive Director with

delegated authority to handle it as part of the day-to-day duties. She asked if there is any discussion on the two options.

Commissioner DeMarzo stated that he would go with the latter option of the Acting Executive Director handling the decision because of the timing, the start of the meet, etc. He wasn't sure if Monmouth Park would be able to accomplish it if the testing is that substantial, but it does provide more flexibility.

Commissioner Vetrano stated that he would agree with Commissioner DeMarzo. He explained that the meet is getting ready to get started shortly, and the Commission doesn't want to hamper their opportunities for a successful meet. He would also agree that it could be handled through the powers of the Executive Director.

Commissioner Venuto stated that he would support that decision as well. Commissioner Venuto made a motion to approve the racing and wagering format for Monmouth Park subject to the condition with respect to the late daily double and the late Pick 3 that Monmouth Park, must disclose the takeout rates of betters on its website by press release or official program. In addition, Monmouth Park should submit any rules regarding calculation or scratch rules that may be different from the earlier daily double or pick three offered. Finally, Monmouth Park must cooperate with respect to any testing deemed necessary. Further, for the all turf pick 3, the Executive Director shall have delegated authority to approve, based on resolution of the technical and substantive matters outlined by staff. Commissioner DeMarzo seconded the motion, and all Commissioners voted yes.

CONSIDER THE APPROVAL OF A VETERINARY SERVICES AGREEMENT BETWEEN THE NEW JERSEY RACING COMMISSION AND KUNZ EQUINE, LLC

Acting Executive Director Ben-David stated while there was hope to have an agreement ready to present to you, we do not have one at this time. Accordingly, this item should be tabled.

CONSIDER THE APPROVAL OF A VOLUNTARY IMPLEMENTATION AGREEMENT BETWEEN THE HORSE RACING INTEGRITY AND SAFETY AUTHORITY, INC. AND THE NEW JERSEY RACING COMMISSION

Acting Executive Director Ben-David explained that HISA was established by federal legislation and enacted on December 27th, 2020. It requires HISA to develop and implement a racetrack safety program and an anti-doping and medication control program. HISA's racetrack safety rules became effective on July 1, 2022.

Acting Executive Director Ben-David advised that for the past four years, HISA has entered a Voluntary Implementation Agreement with the Commission to assist HISA with

implementing its racetrack safety program. In 2022, a Voluntary Implementation Agreement was executed by the Executive Director and ratified at a public meeting. Substantially similar services agreements were executed in 2023, 2024 and 2025. The agreement executed for the 2025 season expired on December 31, 2025.

Acting Executive Director Ben-David stated that a Voluntary Implementation Agreement for 2026 is before the Commission for consideration. She explained that this year's agreement is essentially the same as the Voluntary Implementation Agreements that were executed in prior years with the exception of certain paragraphs or areas which required revisions due to either the passage of time or changes in personnel or policy. Those exceptions are detailed in the Commissioners' meeting packet. The agreement contains the same terms as the agreements executed in prior years. It provides for NJRC veterinarians to perform the services they performed at Monmouth Park in June 2022 and thereafter and to undertake reasonable efforts to carry out the duties and responsibilities of the Regulatory Veterinarian/Lead Veterinarian in HISA's racetrack safety goals. The Commission also agrees to provide the services of its stewards to enforce HISA's racetrack safety rules, conduct hearings for violations that occur in New Jersey, and perform other specified duties. In return, HISA agrees to compensate the Commission for the actual costs and expenses incurred by the Commission in providing the services performed by its veterinarians and stewards. HISA also agrees to identify the Commission and its employees from claims loss, liability, and costs connected with the services provided.

Commissioner Vetrano made the motion to ratify the Voluntary Implementation Agreement, subject to further ratification by the Attorney General. Commissioner DeMarzo seconded the motion and all Commissioners voted yes.

Commissioner Tomaro added that as a point of order, before we move on to number 10, he asked if the Commission is supposed to vote on tabling #8 and stated that it wasn't done. Acting Executive Director stated that he was right. Commissioner Tomaro made a motion to table item #8. Commissioner DeMarzo seconded the motion, and all Commissioners voted yes.

CONSIDER THE APPROVAL OF A LETTER AGREEMENT AMONG THE HORSERACING INTEGRITY AND WELFARE UNIT, THE HORSERACING INTEGRITY AND SAFETY AUTHORITY, AND THE NEW JERSEY RACING COMMISSION

Acting Executive Director Ben-David advised that, as explained earlier, HISA is required to develop and implement an anti-doping and medication control program. To implement that program, HISA must enter an agreement with either USADA or another entity equally qualified to act as a medication regulation agency. HISA has chosen to contract with Drug Free Sport International. For its work on horse racing matters, Drug Free Sport International formed HIWU. HIWU adopted anti-doping and medication rules which became effective on May 22, 2023.

Acting Executive Director Ben-David stated that, for the past three years, HIWU has entered a letter agreement with the Commission for limited services. In 2023, a letter agreement was executed by the Executive Director and ratified at a public meeting. Substantially similar letter agreements were executed in 2024 and 2025. The letter agreement executed for the 2025 season expired on December 31, 2025.

Acting Executive Director Ben-David stated that a letter agreement for 2026 is before the Commission for consideration. This year's letter agreement is essentially the same as the letter agreements that were executed in prior years, with the exception again of certain paragraphs or areas which required revision due to either the passage of time or changes in personnel or policy which are detailed in Commissioners' meeting packet. Otherwise, the letter agreement contains the same terms as the letter agreement executed in the past three years. The Commission agrees that on race day, NJRC stewards will select horses for post-race testing, and a Commission employee will place the testing tags on the halters of the selected horses immediately after the race. HISA agrees to pay the Commission the actual cost of the services performed by the Commission's employees.

Commissioner DeMarzo made a motion to approve the letter agreement subject to further ratification by the Attorney General. Commissioner Venuto seconded the motion, and all Commissioners voted yes.

CONSIDER THE APPROVAL OF A WAIVER OF *N.J.A.C. 13:70-14A.3*, *N.J.A.C. 13:70-14A.4*, *N.J.A.C. 13:70-14A.8*, *N.J.A.C. 13:70-19.39*, *N.J.A.C. 13:71-23.3*, *N.J.A.C. 13:71-23.4*, AND *N.J.A.C. 13:71-23.9* TO ALLOW VET TECHS TO DRAW BLOOD FOR TESTING

Acting Executive Director Ben-David stated that this waiver would allow the Racing Commission to hire vet techs to draw blood for horses while working under the general supervision of a Commission veterinarian. She stated that the Commission's regulations currently allow blood to be drawn from race horses only by a licensed veterinarian, however, the Commission has the discretion under *N.J.A.C. 13:70-1.39* and *N.J.A.C. 13:71-1.34* to waive the express provisions of its rules by industry request or upon its own motion.

Acting Executive Director Ben-David advised that a waiver can be granted if the Commission finds a waiver would benefit the horse racing industry; a waiver is consistent with the intent, if not the letter, of its rules; or strict application of the rule would create an unnecessary hardship that is contrary to the legislative intent of the underlying statutes, the public interest, or the integrity of the sport.

Acting Executive Director Ben-David stated that, in this instance, all three circumstances are applicable and justify a waiver. Hiring vet techs and assigning them to draw blood would allow Commission veterinarians to focus on other important tasks and responsibilities, such as the pre-race examination of horses. The horse racing industry would

benefit from such increased efficiency. In addition, waiving the limitation for the purpose of allowing vet techs to draw blood would be consistent with the intent of the rules. The purpose of the limitation was to ensure that only persons with sufficient training and knowledge of animal health and welfare would be responsible for drawing blood for horses. This intent can be carried out by a vet tech who is working under the general supervision of a Commission veterinarian. Strict application of the rule would impose an unnecessary hardship by requiring the Commission to adhere to a limitation that has fallen out of step with current industry standards.

Acting Executive Director Ben-David advised that many other state racing commissions in the mid-Atlantic region and in other parts of the country allow vet techs to draw blood for testing, typically with some type of supervision from a veterinarian.

Commissioner DeMarzo made a motion to approve a waiver of that portion of the Commission's rules which require only licensed veterinarians to draw blood for testing for the purpose of allowing such responsibility to be assigned to vet tech's hired by the Commission and working under the general supervision of a Commission veterinarian.

Commissioner Vetrano stated that he felt it would be important for those vet techs to know that as part of their responsibility, if it should happen, that they may have to give testimony if there's a discrepancy and a positive test.

Acting Executive Director Ben-David agreed with the suggestion and stated that's something that can be addressed during the interview process, to make them aware that this is something that they may be called on to do.

Commissioner Vetrano stated that he hoped it never happens but, if it in fact does, they need to be prepared to be able to articulate, in their words, under oath what had taken place.

Commissioner Tomaro seconded the motion, and all Commissioners voted yes.

CONSIDER THE RATIFICATION OF AN EXTENSION OF TIME FOR THE THOROUGHBRED BREEDERS' ASSOCIATION OF NEW JERSEY TO FILE AUDITED FINANCIAL STATEMENTS FOR 2025

Acting Executive Director Ben-David stated that *N.J.A.C. 13:70-1.30(f)* requires a horseman's organization to submit audited financial statements by February 28 of the preceding calendar year. She advised that Mike Campbell, on behalf of the TBA submitted a request seeking approval from the Racing Commission for an extension of time. The TBA has retained the services of a certified public accounting firm to prepare its audited financial statements for 2025. The firm advised the TBA on February 25, 2026 that additional time would be needed to complete and provide draft financial statements to the TBA for review.

Acting Executive Director Ben-David advised that as explained earlier, the Commission has the authority to grant a waiver from specific provisions of its rules in certain circumstances, including where strict application would create an unnecessary hardship. Believing such circumstances to be present, an extension of the deadline until March 28 was granted subject to ratification by the Commission. Mr. Campbell later advised that additional time was needed, and a further extension until April 3 was granted subject to ratification. Audited financial statements were ultimately submitted on April 3, 2026.

Commissioner DeMarzo made a motion to ratify the extension until April 3, 2026. Commissioner Venuto seconded the motion, and all Commissioners voted yes.

Acting Executive Director Ben-David stated that this concluded all the items that require formal action in part A of the agenda. Part B contains items for discussion or information.

Acting Executive Director Ben-David advised that the first item is drug testing statistics for 2025. She summarized them briefly and compared them to 2024. In 2025, the New Jersey Racing Commission tested 95 thoroughbred samples, compared to 62 samples in 2024. The Commission tested 8,087 standardbred samples compared to 12,678 samples in 2024. In total, the Commission tested 8,188 samples, which resulted in 17 positives as compared to 12,740 and 17 positives in 2024. Finally, regarding human testing, the Commission tested 115 samples, which resulted in 0 positive results. Last year, a total of 109 samples were tested, which resulted in 0 positives.

Acting Executive Director Ben-David stated that the remaining items on the B portion of the agenda consist of audited financial statements from the Standardbred Breeders and Owners Association of New Jersey and for the Thoroughbred Breeders' Association of New Jersey. The Commission acknowledges receipt of these documents.

Acting Executive Director Ben-David asked if any members of the public would like to offer comments. She acknowledged that John Heims had indicated earlier in the meeting that he would like to comment.

Mr. Heims thanked Acting Executive Director Ben-David and stated that based off of the earlier recommendation on the all-turf pick 3, he had two issues. First, he advised that Monmouth Park's condition book does not have turf racing commencing until May 23, so that buys two additional weeks. He continued that he knows there will be substantial testing. He will apply to CHRIMS for a code for the all-turf pick 3 and then work with Commission staff (Ralph, Jordan, and Mel) to ensure that they are in compliance with whatever's necessary and whatever the Commission dictates. Mr. Heims stated that for that on the double and the pick 3, the wagers, and everything of that nature (other than the takeout rate, which obviously they will promote), the scratches, and other rules will all remain identical.

Acting Executive Director Ben-David stated that she had a feeling that would be the case.

Mr. Heims commented that on items 9 and 10, which were already voted on between HISA and HIWU, he had a question or clarification in terms of those agreements being consistent with the federal statute, 15 U.S.C. Chapter 57a, Section 3052(f)3(D). That provision says, "a State racing commission that does not elect to remit fees pursuant to paragraph (2) or that withdraws its election under such paragraph shall not impose or collect from any person a fee or tax relating to anti-doping and medication control or racetrack safety matters for covered force races." So, in terms of Monmouth Park and just in general, Mr. Heims said he just wanted to make sure that Monmouth Park is not double-paying for any of the services that are going to be offered here.

Acting Executive Director Ben-David stated that she is familiar with the provision that was cited, and she thought that's why the Commission typically asks HISA to be the one who pays.

Mr. Heims stated that was correct, but he wanted to make sure there's not going to be a chargeback because they get charged for all the racing commission costs. If there's fees being imposed by the Racing Commission that must be covered, Monmouth Park pays the HISA fee and it's a set fee per starter. So, HISA pays that fee to cover certain things that need to take place. Then, if Monmouth Park is being billed by the Racing Commission for those same fees, then obviously then would be double pay, which is why he just wanted clarification that they are not double paying for any of the services.

Acting Executive Director Ben-David stated that this can be discussed offline.

There were no further comments. Commissioner DeMarzo moved that the meeting be adjourned. Commissioner Vetrano seconded the motion, and all of the Commissioners voted yes.

ATTEST:


Sara Ben-David, Acting Executive Director