



**NORTH DAKOTA RACING COMMISSION**  
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**NORTH DAKOTA RACING COMMISSION**  
**NDRC Meeting**  
**State Capitol Building, Peace Garden Room**  
**600 East Boulevard Avenue, Bismarck, ND**  
**Thursday, May 16, 2019 – 10:30 a.m. (Central Time)**

**Minutes**

**Present:** Chairman Mary Ann Durick, Commissioner Shane Martin, Commissioner Dave Piepkorn, Commissioner John Hanson, Legal Counsel Allyson Hicks, Director Jack Schulz, and Administrative Officer Gail Allensworth

**Not Present:** Commissioner Tim Kreidt

**Others Present:** J. Curtis Linnell, Stephen Oliver, Doug DeMontigny, Joyce DeMontigny, John Bubel, Scott Horst, Darrel Smith, and Ron Klein

**Call to Order:** Chairman Durick called the meeting to order at 10:30 a.m.

**AGENDA- Amended**

1. **Approval of Minutes – April 4, 2019 Meeting**
2. **Thoroughbred Racing Protective Bureau**
  - a. J. Curtis Linnell Presentation on Digital Tattoos
3. **New Service Provider & Account Deposit Wagering – License Application** – PlayUp Interactive Inc.
4. **Racing Industry Advisory Committee/ND Horsemen Advisory Board Membership**
  - a. Member Associations
  - b. Representative Selection
  - c. Term Length
5. **ND Breed Fund Program**
  - a. Certification Process and Costs
  - b. 2019 Payouts – In State vs. Out of State
6. **HRND/NDHP 2019 Meet**
  - a. Dates
  - b. Vehicle Access to NDHP
  - c. Management of Track and OTB

7. **Promotion Fund Request** – Associate Veterinarian
8. **Marketing our Licensing**
9. **Strategic Plan**
  - a. ND Horsemen Goals and Objectives
  - b. New Racetrack Locations
  - c. Marketing NDRC, ORDA, NDHP
10. **Budget Items**
  - a. Budget Approved
  - b. Pay Adjustments
11. **Any other business which may properly come before the Commission**
12. **Adjournment**

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1. **Approval of Minutes – April 4, 2019 Meeting**

Previously, all Commissioners had received a copy of the minutes to review.

**A motion was made** by Commissioner Piepkorn and seconded by Chairman Durick to accept the minutes of April 4, 2019 as presented. All Commissioners voted aye and hearing no negative vote the motion passed.

2. **Thoroughbred Racing Protective Bureau**

- a. J. Curtis Linnell Presentation on Digital Tattoos

Chairman Durick introduced J. Curtis Linnell from the Thoroughbred Racing Protective Bureau (TRPB).

Mr. Linnell provided a presentation of the implementation and procedures for the digital tattoo. This procedure is for Thoroughbreds only and will start on May 20, 2019. The lip tattoo process will end on December 31, 2019. Skip Moody is the technician for North Dakota. Mr. Linnell indicated the type of equipment that will be needed for this process. This process has been adopted into the ARCI Model Rules.

Questions were asked by the Commissioners and answered by Mr. Linnell.

No motions needed.

3. **New Service Provider & Account Deposit Wagering – License Application** – PlayUp Interactive Inc.

Chairman Durick introduced Stephen Oliver from PlayUp Interactive Inc. Mr. Oliver gave a brief history of PlayUp Interactive Inc. Director Schulz and the Commissioners asked questions which Mr. Oliver answered. Director Schulz recommended them for licensure with the condition that a full Thoroughbred Racing Protective Bureau background check be completed before issuing the license.

**A motion was made** by Commissioner Martin and seconded by Chairman Durick to approve licensing PlayUp Interactive Inc. as a Service Provider & Account Deposit Wagering under the condition that a full background check be completed by the Thoroughbred Racing Protective Bureau before issuing the license. Martin -Y, Durick -Y, Hanson -Y, and Piepkorn -Y. Motion passed.

4. **Racing Industry Advisory Committee/ND Horsemen Advisory Board Membership**

- a. Member Associations
- b. Representative Selection
- c. Term Length

Director Schulz made a recommendation on establishing one advisory board and who should make up this board. Members would consist of two members from the ND Thoroughbred Association, two members from the ND Quarter Horse Racing Association, one member from the ND Harness Racing Association, one member from the ND Arabian Horse Association, one

member from ORDA, one member from HRND and one representative from the ADWs. Director Schulz recommended that the Racing Commission select the initial ADW representative and suggested that Mike Weiss be the representative.

**A motion was made** by Commissioner Martin and seconded by Commissioner Hanson to establish an advisory board and membership. Martin -Y, Hanson -Y, Durick -Y, and Piepkorn -Y. Motion passed.

**5. ND Breed Fund Program**

- a. Certification Process and Costs
- b. 2019 Payouts – In State vs. Out of State

Director Schulz explained that some individuals had questions regarding the cost of registering foals into the ND Breeders Fund. The registration is set up that if a foal is registered by December 31 of their foaling year the cost is \$10. If a foal is registered as a yearling the cost is \$1,000 and is ineligible to be registered after their yearling year. Director Schulz recommended that no changes be made.

No motions needed.

Director Schulz stated that there were requests to combine the in-state and out-of-state payouts this year, if there isn't any racing in Fargo. There was discussion among the horsemen that were present and the Commissioners. Legal Counsel Allyson Hicks indicated that a modification would be needed to be made to the Administrative Rule to do this. This is something that the board can revisit for next year.

No motions needed.

**6. HRND/NDHP 2019 Meet**

- a. Dates
- b. Vehicle Access to NDHP
- c. Management of Track and OTB

Director Schulz asked to table the application and dates for HRND/HRND as he just received the information and there is incorrect and/or missing information on the application. A recommendation was made to schedule a special meeting, hopefully within the next week, as soon as the complete information is received by the Racing Commission.

No motions needed.

Director Schulz stated that he went to the NDHP last week and provided photos of the ND Horse Park with all the road construction that is going on and the impact on vehicle access. Director Schulz also emphasized the point that the Racing Commission needs to know who will be managing the track and the OTB.

No motions needed.

**7. Promotion Fund Request – Associate Veterinarian**

Director Schulz stated that per Administrative Rule the Associate Veterinarian must be hired by each racetrack. His recommendation is that the Racing Commission provide a Promotion Fund grant up to \$1,000 per weekend for each racetrack provided they submit a signed contract and receipts to the Racing Commission.

**A motion was made** by Commissioner Hanson and seconded by Chairman Durick to provide a Promotion Fund grant to each racetrack up to \$1,000 per weekend for the Associate Veterinarian provided they submit a signed contract and receipts to the Racing Commission. Hanson – Y, Durick –Y, Piepkorn -Y, and Martin –Y. Motion passed.

**8. Marketing our Licensing**

Director Schulz said he had reached out to a couple marketing firms on how to expand the Racing Commission tax revenue base and special funds. There are not any proposals yet.

No motions needed.

**9. Strategic Plan**

- a. ND Horsemen Goals and Objectives

- b. New Racetrack Locations
- c. Marketing NDRC, ORDA, NDHP

Director Schulz emphasized that everyone needs to be involved in maintaining and expanding horse racing in North Dakota. A spreadsheet was presented to indicate a plan on how to get all associations/racetracks to participate in the process.

No motions needed.

**10. Budget Items**

- a. Budget Approved
- b. Pay Adjustments

Director Schulz said that the Legislature authorized pay increases based on performance for the next biennium for the Racing Commission. The Legislature allocated up to 2% increase the first year and up to 2.5% for the second year. Director Schulz indicated that he would take care of the evaluation/performance increase for Gail but stated that the Commission would have to decide the Director pay. Chairman Durick asked for a motion to approve a 2% increase for Director Schulz for the next fiscal year.

**A motion was made** by Commissioner Hanson and seconded by Commissioner Piepkorn to approve a 2% performance increase for Director Schulz for the next fiscal year. Hanson -Y, Piepkorn -Y, Durick -Y, and Martin -Y. Motion passed.

Director Schulz provided an update regarding the Racing Commission appropriation for the next biennium.

No motions needed.

**11. Any other business which may properly come before the Commission**

Commissioner Piepkorn asked that everybody start working before the next Legislative session immediately so that horse racing in North Dakota is promoted better before the Legislature.

No motions needed.

**12. Adjournment**

**A motion was made** by Commissioner Hanson and seconded by Commissioner Martin to adjourn the meeting. All voted aye and hearing no negative vote the motion passed.

Meeting was adjourned at 12:15 pm.