

NORTH DAKOTA RACING COMMISSION
NDRC Meeting
North Dakota Racing Commission Office
500 N 9th Street, Bismarck, ND
Thursday, December 3, 2020 – 10:30 a.m., Central Time

Minutes

Present: Director Jack Schulz and Administrative Officer Gail Allensworth

By Phone: Commissioner Linda Bata, Chairman John Hanson, Commissioner Shane Martin, Commissioner Tim Kreidt, and Legal Counsel Mike Mahoney

Others by Phone: Kim Torretta, Janelle Mitzel, Christian Lopez, Curtis Linnell, Kristen Dionne, Kyle Cash, Robbie Wilson, Garry Conlan, Pete Zacchea, and David Peterson

Call to Order: Chairman Hanson called the meeting to order at 10:34 a.m.

AGENDA - amended

1. **Approval of Minutes – August 20, 2020 Meeting**
2. **Live Race Meet Report**
3. **Funds Update**
4. **New License Procedure including Reduced Licensing Fees for 2021**
5. **License Renewals for 2021**
 - a. **Service Providers/ADWs**
 1. 123 Gaming, Inc.
 2. Colossusbets, Ltd.
 3. eBet Technologies, Inc.
 4. The Elite Turf Club, N.V.
 5. Horse Racing Labs, LLC
 6. Lien Games Racing, LLC
 7. MegaTote, LLC
 8. PariBet, LLC
 9. PlayUp Interactive Inc.
 10. Racebook Inc.
 11. Skyland Pacific, LLC
 12. StableDuel, LLC
 13. WatchandWager.com, LLC

b. **Totalizator Providers**

1. AmTote International, Inc.
2. The Global Tote Limited
3. I-Neda Ltd.
4. Las Vegas Dissemination Company, Inc.
5. Sky Racing World, LLC
6. Sportech Racing, LLC
7. United Tote Company

c. **Site Operators**

1. Development Homes, Inc.
2. Horse Race North Dakota
3. ND Quarter Horse Racing Association
4. ND Thoroughbred Association

6. **2021 Live Race Date Requests**

1. Outdoor Recreation Development Association
 - Chippewa Downs – Belcourt, ND
2. Horse Race North Dakota
 - North Dakota Horse Park – Fargo, ND

7. **Legislative Update**

8. **Breeders Fund for 2021**

9. **Internship Program**

10. **Racing Symposium**

11. **Marketing Update**

12. **Scheduling 2021 Commission Meetings**

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

14. **Adjournment**

1. **Approval of Minutes – August 20, 2020 Meeting**

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

A motion was made by Commissioner Bata and seconded by Commissioner Martin to accept the minutes of August 20, 2020, as presented. Bata – Y, Martin – Y, Hanson – Y, and Kreidt -Y. Motion passed.

2. **Live Race Meet Report**

Director Schulz summarized the results of the live race meet at the North Dakota Horse Park and Chippewa Downs.

No Motions Needed.

3. **Funds Update**

Director Schulz reviewed the financial information that had been previously sent to the Commissioners.

No motions needed.

4. New License Procedure including Reduced Licensing Fees for 2021

Director Schulz recommended having a reduced licensing fee schedule for 2021 for the racetrack occupation licenses.

A motion was made by Commissioner Martin and seconded by Commissioner Bata to the reduced licensing fee schedule for 2021 for racetrack occupation licenses. Martin – Y, Bata – Y, Hanson – Y, and Kreidt – Y. Motion passed.

Director Schulz stated that he would be working on drafts of licensing renewal forms and a new fee schedule for 2022 to present to the Commissioners at a future meeting.

No motions needed.

5. License Renewals for 2021

a. Service Providers/ADWs

1. 123 Gaming, Inc.
2. Colossusbets, Ltd.
3. eBet Technologies, Inc.
4. The Elite Turf Club, N.V.
5. Horse Racing Labs, LLC
6. Lien Games Racing, LLC
7. MegaTote, LLC
8. PariBet, LLC
9. PlayUp Interactive Inc.
10. Racebook Inc.
11. Skyland Pacific, LLC
12. StableDuel, LLC
13. WatchandWager.com, LLC

Director Schulz recommended licensing for all Service Providers/ADWs as a group. Director Schulz stated that Skyland Pacific asked for and submitted a separate license for Hartlane.

A motion was made by Commissioner Bata and seconded by Commissioner Martin to license all the Service Providers/ADWs for 2021. Bata – Y, Martin -Y, Hanson – Y, and Kreidt – Y. Motion passed.

b. Totalizator Providers

1. AmTote International, Inc.
2. The Global Tote Limited
3. I-Neda Ltd.
4. Las Vegas Dissemination Company, Inc.
5. Sky Racing World, LLC
6. Sportech Racing, LLC
7. United Tote Company

Director Schulz recommended licensing for all Totalizator Providers as a group.

A motion was made by Commissioner Martin and seconded by Commissioner Kreidt to license all Totalizator Providers for 2021. Martin – Y, Kreidt – Y, Hanson – Y, and Bata – Y. Motion passed.

c. Site Operators

1. Development Homes, Inc.
2. Horse Race North Dakota
3. ND Quarter Horse Racing Association
4. ND Thoroughbred Association

Director Schulz recommended licensing for all Site Operators as a group.

A motion was made by Commissioner Bata and seconded by Commissioner Kreidt to license all Site Operators for 2021. Bata – Y, Kreidt – Y, Hanson – Y, and Martin – Y. Motion passed.

6. 2021 Live Race Date Requests

1. Outdoor Recreation Development Association
 - Chippewa Downs – Belcourt, ND
2. Horse Race North Dakota
 - North Dakota Horse Park – Fargo, ND

Director Schulz stated that Outdoor Recreation Development Association (ORDA) requested 10 days (5 weekends) from June 6 through July 5; Horse Race North Dakota (HRND) requested 8 days (4 weekends) from July 4 through August 2. The recommendation was to give ORDA 8 days (4 weekends) from May 28 through June 28 and give HRND 8 days (4 weekends) from July 10 through August 9.

A motion was made by Commissioner Bata and seconded by Commissioner Kreidt to accept the dates as recommended by the Director: ORDA – 8 days from May 28 through June 28 and HRND – 8 days from July 10 through August 9. Bata – Y, Kreidt – Y, Hanson – Y, and Martin – Y. Motion passed.

7. Legislative Update

Director Schulz asked for approval to present a bill to the Legislature to do the following: change definitions, do some clean up, and update the ARCI standard rules in the statute.

A motion was made by Commissioner Bata and seconded by Commissioner Martin to present an agency sponsored bill to the Legislature. Bata – Y, Martin – Y, Hanson – Y, and Kreidt – Y. Motion passed.

8. Breeders Fund for 2021

Director Schulz stated that after meeting with the Horsemen’s Advisory Group, he recommends the following:

- In-State Racing
 - \$250,000 available to provide breeders awards for 2021 in-state racing, which is an increase of \$25,000 from 2020;
 - There must be a minimum of a 6-horse field unless there is a late Veterinarian scratch;
 - The in-state minimum guaranteed Breed Fund pool of \$150,000 extended an additional year through 2023.
- Standardbreds
 - Due to the lack of racing opportunities in North Dakota, Standardbreds have been awarded the following eligible in-state dates for 2021: May 28 through August 9 at Running Aces in Minnesota.
- Out-of-State Racing
 - \$50,000 available from the ND Breed Fund to provide breeders awards for ND-breds racing in out-of-state races. The following rules apply:
 - Points will be awarded January 1 through May 27 and August 10 through December 31, 2021;
 - No out-of-state points will be awarded for races held May 28 through August 9, 2021;
 - There must be a minimum of a 6-horse field unless there is a late Veterinarian scratch;
 - Distributions shall be in accordance with current in-state rules;
 - It is the responsibility of the foal/mare/stallion owner to provide the Commission with out-of-state race results;
 - Only official race results from Equibase, Daily Racing Form, or Trueform Racing Services will be accepted and must be sent to the ND Racing Commission Office;
 - All results must be postmarked no later than January 3, 2022.
- Double and Triple Points
 - Historically the Racing Commission has offered double breed fund points to those races worth \$10,000 or more and triple breed fund points to those races worth \$25,000 or more. This will be the same for 2021.

- Eligibility for "Back to Back" Racing
 - Any horse that is eligible for breed fund points in a race may not again be eligible to receive points for a period of four (4) days from that race. For example, horses racing Saturday would not again be eligible until Thursday. This is an equine welfare rule implemented by the Commission to dis-incentivize "back to back" racing. This rule is applicable to in-state and out-of-state racing for all breeds.

A motion was made by Commissioner Martin and seconded by Commissioner Bata to accept the recommendation from Director Schulz. Martin – Y, Bata – Y, Hanson – Y, and Kreidt – Y. Motion passed.

Director Schulz also recommended the following for the Breed Fund program:

- Continue to offer the fee reduction of \$250 for a foal that is registered after their foaling year;
- Starting in 2022: have a one-time fee of \$35 for a foal/broodmare/stallion to be in the program;
- All Breed Fund owners must submit to the Racing Commission a list of their registered horses that will no longer be in the Breed Fund program by January 31 of each year.

A motion was made by Commissioner Bata and seconded by Commissioner Martin to approve the recommended changes to the Breed Fund program. Bata – Y, Martin – Y, Hanson – Y, and Kreidt – Y. Motion passed.

9. **Internship Program**

Director Schulz provided a review of the Internship Program from 2020 and asked for approval to use the Internship Program again in 2021.

A motion was made by Commissioner Bata and seconded by Commissioner Martin to approve the use of the Internship Program for 2021. Bata – Y, Martin – Y, Hanson – Y, and Kreidt – Y. Motion passed.

10. **Racing Symposium**

Director Schulz asked for authorization to send up to 3 individuals to represent the Racing Commission at the University of Arizona Racing Symposium in 2021.

A motion was made by Commissioner Bata and seconded by Commissioner Martin to authorize sending up to 3 individuals to represent the Racing Commission at the University of Arizona Racing Symposium in 2021. Bata – Y, Martin – Y, Hanson – Y, and Kreidt – Y. Motion passed.

11. **Marketing Update**

Director Schulz asked for authorization to offer an incentive plan to try and increase the number of OTB's in North Dakota. The plan would award grants up to \$2,500 (per site) out of the Promotion Fund to new or existing OTB's if they stay in business for at least 1 year and be profitable. The OTB would need to provide a P & L to the Racing Commission.

A motion was made by Commissioner Martin and seconded by Commissioner to amend the motion. Martin – Y, Bata – Y, Hanson – Y, and Kreidt – Y. Motion passed.

A motion was made by Commissioner Martin and seconded by Commissioner Bata to authorize Director Schulz to offer an incentive plan to try and increase the number of OTB's by offering grants up to \$2,500 out of the Promotion Fund, if they stay in business for at least 1 year and are profitable. Martin – Y, Bata – Y, Hanson – Y, and Kreidt – Y. Motion passed.

Director Schulz provided an update on his discussions with McKenzie County representatives on the viability of adding a racetrack to their new fairgrounds.

No motion needed.

12. **Scheduling 2021 Commission Meetings**

The Racing Commission meetings will be held on the third Thursday of February, April, September & November.

No motions needed.

13. Any other business which may properly come before the Commission

Director Schulz asked for staffing approvals to hire for the positions needed by utilizing temporary part-time individuals or hiring as service contracts. This would also include the Breed Fund Administrator position.

A motion was made by Commissioner Bata and seconded by Commissioner Kreidt to authorize Director Schulz to hire for the positions needed for 2021 through a service contract or as a part-time temporary employee. Bata – Y, Kreidt – Y, Hanson – Y, and Martin – Y. Motion passed.

14. Adjournment

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

Meeting was adjourned at 12:09 p.m.