

**North Dakota Racing Commission Meeting**  
**State Capitol Building, Peace Garden Room**  
**600 East Boulevard Avenue, Bismarck, ND**  
**Thursday, November 16, 2023 – 10:30 a.m., Central Time**

**(701) 328-7850, meeting ID: 16112378#**

**Minutes**

**Call to Order:** Chairman Tracy Hanson called the meeting to order at 10:33 a.m.

**Present:** Chairman Tracy Hanson, Commissioner Richard LaFromboise, Commissioner Jessica Benson, Commissioner Mike Schmitz, Executive Director Bruce Johnson, Administrative Officer Gail Allensworth, and Legal Counsel Josh Amundson

**On the Phone:** Commissioner Michael Nason

**Others On the Phone:** Mike Weiss, Wendy Reuer, and Lorilee Goodall

**Others Present:** Robert Wilson, Jay Alsop, Hugh Drexler, James Pettie, Leon Glasser, Leland Davis, and Scott Horst

**AGENDA**

1. **Approval of Minutes – September 14, 2023, Meeting Minutes**
2. **New Service Provider/ADW – License Application** – Xpressbet, LLC
3. **Reduced Licensing Fees for 2024**
4. **License Renewals for 2024**
  - a. **Service Providers/ADWs**
    1. 123 Gaming, Inc.
    2. Apple iSports Inc.
    3. Colossusbets, Ltd.
    4. eBet Technologies, Inc.
    5. The Elite Turf Club, N.V.

6. Game Play Network, Inc.
7. Hartlane, LLC
8. Horse Racing Labs, LLC
9. Lien Games Racing, LLC
10. MegaTote, LLC
11. PariBet, LLC
12. Skyland Pacific, LLC
13. StableDuel, LLC
14. US Off-Track, LLC
15. WatchandWager.com, LLC

b. **Totalizator Providers**

1. AmTote International, Inc.
2. Global Tote Ltd.
3. Global Tote US, LLC
4. I-Neda Ltd.
5. Las Vegas Dissemination Company, Inc.
6. Sky Racing World, 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
5. Turtle Mountain Band of Chippewa (Sky Dancer Casino)

5. **Live Race Meet & Grant Reports**

- a. ORDA
- b. HRND
- c. NDTA

6. **2024 Live Race Date Requests**

- a. ORDA (Chippewa Downs)
- b. HRND (ND Horse Park)

7. **Financial Update**

8. **Marketing & Advertising Update**

9. **Administrative Rule Change Update**

10. **Breeders Fund Report**

- a. New Database
- b. Horsemen's Advisory Group

11. **2024 Executive Director Authorizations**

12. **2024 Internship Program**

13. **Scheduling 2024 Commission Meetings**

- a. February 15, May 16, September 19, & November 21
- b. Locations

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

15. **Adjournment**

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1. **Approval of Minutes – September 14, 2023, Meeting Minutes**

**A motion was made** by Commissioner Schmitz and seconded by Commissioner Benson to accept the minutes of September 14, 2023, as presented. All Commissioners voted aye and hearing no negative vote, the motion passed.

Executive Director Johnson asked to move item #8 on the agenda before item #2.

**A motion was made** by Commissioner Schmitz and seconded by Commissioner LaFromboise to move item #8 up on the agenda. Schmitz – Y, LaFromboise – Y, Hanson – Y, Benson – Y, and Nason – Y. Motion passed.

8. **Marketing & Advertising Update**

Executive Director Johnson introduced representatives from WDAY, who were present to go over their marketing/advertising proposal for the Racing Commission.

Josh Rohrer and Zach Hoffner gave their presentation and the Commissioners asked questions. Mr. Rohrer and Mr. Hoffner answered their questions.

No motions needed.

2. **New Service Provider/ADW – License Application** – Xpressbet, LLC

Executive Director Johnson provided the information for the new service provider/adw license application from Xpressbet, LLC. Director Johnson recommended approving their license application.

Legal Counsel Josh Amundson reiterated that once the Commission approves a license, the next step is to send the application to the Attorney General's office for their approval.

**A motion was made** by Commissioner Schmitz and seconded by Commissioner Benson to approve the Service Provider/ADW license of Xpressbet, LLC. Schmitz – Y, Benson – Y, Hanson – Y, Nason – Y, and LaFromboise – Y. Motion passed.

3. **Reduced Licensing Fees for 2024**

Executive Director Johnson asked for authorization to reduce the licensing racetrack occupation fees as it's been done in previous years.

**A motion was made** by Commissioner Benson and seconded by Commissioner Nason to approve the reduced licensing fees for racetrack occupation licenses for 2024. Benson – Y, Nason – Y, Hanson – Y, LaFromboise – Y, and Schmitz – Y. Motion passed.

#### 4. **License Renewals for 2024**

##### a. **Service Providers/ADWs**

1. 123 Gaming, Inc.
2. Apple iSports Inc.
3. Colossusbets, Ltd.
4. eBet Technologies, Inc.
5. The Elite Turf Club, N.V.
6. Game Play Network, Inc.
7. Hartlane, LLC
8. Horse Racing Labs, LLC
9. Lien Games Racing, LLC
10. MegaTote, LLC
11. PariBet, LLC
12. Skyland Pacific, LLC
13. StableDuel, LLC
14. US Off-Track, LLC
15. WatchandWager.com, LLC

Executive Director Johnson listed all the licensees and recommended approving the relicensing for 14 of the 15. Apple iSports has been delayed in some of their paperwork and Director Johnson asked to hold off licensing them for the time being.

**A motion was made** by Commissioner Schmitz and seconded by Commissioner Benson to approve the relicensing of 14 Service Providers/ADWs. Schmitz – Y, Benson – Y, Hanson – Y, LaFromboise – Y, and Nason – Y. Motion passed.

##### b. **Totalizator Providers**

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

Executive Director Johnson listed all the Totalizator companies and recommended approving the relicensing of all applicants.

**A motion was made** by Commissioner Schmitz and seconded by Commissioner Benson to approve the relicensing of all Totalizator Providers. Schmitz – Y, Benson – Y, Hanson – Y, Nason – Y, and LaFromboise – 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
5. Turtle Mountain Band of Chippewa (Sky Dancer Casino)

Executive Director Johnson listed all the Site Operators and recommended approved the relicensing of all applicants.

**A motion was made** by Commissioner LaFromboise and seconded by Commissioner Schmitz to approve the relicensing of all Site Operators. LaFromboise – Y, Schmitz – Y, Hanson – Y, Benson – Y, and Nason – Y. Motion passed.

**5. Live Race Meet & Grant Reports**

a. ORDA

Executive Director Johnson asked Robert Wilson from ORDA to provide a report on their live race meet and the grants they received from the Racing Commission. Mr. Wilson stated how the funds were utilized at the racetrack. The Commissioners asked questions which Mr. Wilson answered.

No motions needed.

b. HRND

Executive Director Johnson asked Hugh Drexler from Horse Race North Dakota to provide a report on their live race meet and the grants they received from the Racing Commission. Mr. Drexler stated how the funds were utilized at the racetrack. The Commissioners asked questions which Mr. Drexler answered.

No motions needed.

c. NDTA

Executive Director Johnson asked Scott Horst from the ND Thoroughbred Association to provide a report on the Horsemen's Banquet and how they utilized the grant funds. Mr. Horst stated how the funds were used for the banquet. The Commissioners asked questions which Mr. Horst answered.

No motions needed.

**6. 2024 Live Race Date Requests**

a. ORDA (Chippewa Downs)

Executive Director Johnson stated that ORDA requested five weekends in June for 8 days of racing in 2024. The recommendation is for ORDA to have between June 1 and June 30 for them to have 8 days of racing.

b. HRND (ND Horse Park)

Executive Director Johnson stated that HRND requested four weekends in July & August for 8 days of racing in 2024. The recommendation is for HRND to have July 12 through August 4 available to them to have 8 days of racing.

**A motion was made** by Commissioner LaFromboise and seconded by Commissioner Schmitz to approve the recommended race dates for Chippewa Downs and the North Dakota Horse Park in 2024. LaFromboise – Y, Schmitz - Y, Hanson – Y, Benson – Y, and Nason – Y. Motion passed.

Executive Director Johnson stated that all Promotion and Purse Fund Grant requests will be addressed at the February Racing Commission meeting.

No motions needed.

## **7. Financial Update**

Executive Director Johnson provided a financial update on the Commission's funds. An update on the ADW handle was also provided to the Commissioners.

No motions needed.

Commissioner Nason off the call at 12:15 p.m.

## **9. Administrative Rule Change Update**

Executive Director Johnson stated that he is in the process of working on the changes needed to the Administrative Rules to fix the Trials section and is also reviewing the rest of the rules. A special meeting will need to be called once all the corrections are completed for the Commissioners to approve.

No motions needed.

## **10. Breeders Fund Report**

### **a. New Database**

Executive Director Johnson provided an update on the status of the new database being built by NDIT. There have been some issues that NDIT encountered and additional funding will be needed to complete the project. The estimate from NDIT is just under \$10,000. Director Johnson recommended approving additional funding in the amount of \$10,000.

**A motion was made** by Commissioner Schmitz and seconded by Commissioner Benson to approve additional funding of \$10,000 from the Breeders' Fund for the new database. Schmitz – Y, Benson – Y, Hanson – Y, and LaFromboise – Y. Motion passed.

### **b. Horsemen's Advisory Group**

Executive Director Johnson provided an update on the Horsemen's Advisory Group and stated some of the items that were brought up at the meeting: Bute levels, racing secretaries at the racetracks, entries, and posting of the rules. There was discussion regarding the Bute levels but it was tabled until the February 2024 meeting.

Executive Director Johnson stated that after meeting with the Horsemen's Advisory Group, he recommends the following:

- In-State Racing
  - \$225,000 available to provide breeders awards for 2024 for in-state racing;
- Out-of-State Racing
  - \$25,000 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 31, and August 5 through December 31, 2024;
    - No out-of-state points will be awarded for races held June 1 through August 4, 2024;
    - 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 mailed to the ND Racing Commission Office;
    - All results must be postmarked no later than January 3, 2025.
- 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 2024.
- 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.
- Standardbreds
  - Due to the lack of racing opportunities in North Dakota, Standardbreds have been awarded the following eligible in-state dates for 2024: June 1 through August 5, 2024, at Running Aces in Minnesota.

**A motion was made** by Commissioner Schmitz and seconded by Commissioner Benson to accept the recommendations for the 2024 Breed Fund. Schmitz – Y, Benson – Y, Hanson – Y, and LaFromboise – Y. Motion passed.

## **11. 2024 Executive Director Authorizations**

Executive Director Johnson asked for authorizations to approve Promotion Fund expenditures, authorizations, and licensing approvals for the 2024 calendar year including but not limited to the following:

- All NDRC live race meet staff including the State Veterinarian, State Steward, Industrial Laboratories, and State Internships;
- All required track authorizations including condition books (**60 days in advance**) of the first race day, first race time, Tote, Photo Finish and Race Official contracts;
- All required inspections and testing of equipment, grounds, track, barns, and buildings;
- All required submissions and documents for live racing events.

**A motion was made** by Commissioner Schmitz and seconded by Commissioner LaFromboise to accept the recommendations from Executive Director Johnson for the authorizations needed for the 2024 calendar year. Schmitz – Y, LaFromboise – Y, Hanson – Y, and Benson – Y. Motion passed.

## 12. **2024 Internship Program**

Executive Director Johnson stated that he would like to continue the Internship Program for 2024. The recommendation is up to three interns.

**A motion was made** by Commissioner Benson and seconded by Commissioner Schmitz to approve hiring up to three interns for the 2024 race meets. Benson – Y, Schmitz – Y, Hanson – Y, and LaFromboise – Y. Motion passed.

## 13. **Scheduling 2024 Commission Meetings**

- a. February 15, May 16, September 19, & November 21  
Commissioner Schmitz asked for the November 21 meeting to be moved to November 14
- b. Locations: February meeting in Bismarck; the other dates to be determined in February

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

- Hugh Drexler of HRND wanted clarification on the number of Stewards that the Racing Commission will have in 2024 and the number of Stewards that the Associations will need to hire. Executive Director Johnson stated that the Commission will have one State Steward and the Associations will need two Stewards.
- Commissioner Schmitz had comments regarding the Promotion & Purse Fund requests.
- Chairman Hanson stated that Legal Counsel Josh Amundson set up a meeting with the AG and Executive Director Johnson to get a head start on the language for the next Legislative session in 2025; another recommendation was to educate law makers.

## 15. **Adjournment**

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

Meeting was adjourned at 1:11 p.m.