



1776 Tribute Road, Suite 205
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AGENDA
CALIFORNIA AUTHORITY OF RACING FAIRS
LIVE RACING COMMITTEE MEETING
JOHN ALKIRE, CHAIR
11:00 A.M., TUESDAY, APRIL 2, 2013

Notice is hereby given that a meeting of the California Authority of Racing Fairs' Live Racing Committee will commence at 11:00 a.m., Tuesday, April 2, 2013. The meeting will be held in Sacramento. 1776 Tribute Road Conference Room, Sacramento, CA 95815

AGENDA

- I. Date, time and location of next meeting:
- II. Approval of minutes.
- III. Report on planning and implementation of horsemen's VIP Credentials program.
- IV. Report, discussion and action, if any, on Legislative Program for 2013.
- V. Report, discussion and action, if any, on horsemen's agreements, projections and purses schedules.
- VI. Report and discussion on preparation of and deadlines for CHRB Racing License application.
- VII. Report, discussion and action, if any, on planning for 2013 Fair race circuit.
- VIII. Discussion and action, if any, on racing dates for 2014 and beyond.
- IX. Executive Director's Report



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NOTICE
CALIFORNIA AUTHORITY OF RACING FAIRS
LIVE RACING COMMITTEE MEETING
JOHN ALKIRE, CHAIR
11:00 A.M., TUESDAY, APRIL 2, 2013

Notice is hereby given that a meeting of the California Authority of Racing Fairs' Live Racing Committee will commence at 11:00 a.m., Tuesday, April 2, 2013. The meeting will be held at the CARF Conference Room located at 1776 Tribute Road, Sacramento, California 95815.

CARF Live Racing Committee Meeting
Toll Free Dial In Number: (800) 791-2345
Participant Code: 62745 #
Via Teleconference

In order to ensure that all meeting participants are able to hear discussions during the teleconference, we ask that teleconference participants call from a land-line and place phone on MUTE while not speaking.

The Public and members of the California Authority of Racing Fairs Live Racing Committee may participate from the following locations:

Alameda County Fair
4501 Pleasanton Ave.
Pleasanton, CA 94566

Humboldt County Fair
1250 5th Street
Ferndale, CA 95536

Solano County Fair
900 Fairgrounds Drive
Vallejo, CA 94589

The Big Fresno Fair
1121 S. Chance Avenue
Fresno, CA 93702

San Joaquin Fair
1658 S. Airport Way
Stockton, CA 95206

Sonoma County Fair
1350 Bennett Valley Road
Santa Rosa, CA 95404

California State Fair
1600 Exposition Blvd.
Sacramento, CA 95815

CALIFORNIA AUTHORITY OF RACING FAIRS

Live Racing Committee

Tuesday, March 5, 2013

MINUTES

A meeting of the California Authority of Racing Fairs Live Racing Committee was held at 11:00 A.M., Tuesday, March 5, 2013. The meeting was hosted at the CARF offices, 1776 Tribute Road, Sacramento, California.

CARF Live Racing Committee members attending: John Alkire, Randy Magee, Mike Paluszak, Rick Pickering and Tawny Tesconi. Joining by conference call: Janet Covello and Jim Morgan.

Staff and Guests attending: Christopher Korby, Larry Swartzlander, Tom Doutrich, Heather Haviland, Amelia White, Raechelle Gibbons, Anne Grottveit, Kelly Violini, Ross Liscum, Richard Scheidt and Richard Lewis. Joining by conference by: Dave Elliott, Michael Margetts, Travis Low, Caroline Titus, Tag Wotherspoon and Duane Martin.

Agenda Item 1 – Date, Time and Location of Next Meeting. The next CARF Live Racing Committee meeting will be held April 2, 2013 in Sacramento.

Agenda Item 2 – Approval of Minutes. Mr. Magee moved to approve the meeting minutes as presented. Mr. Paluszak seconded, unanimously approved.

Agenda Item 3 – Report and Discussion of 2012 Recruitment Report and Plans for 2013 Recruitment. Mr. Korby stated that a report detailing the results of the 2012 recruitment program is included in the meeting packet. Mr. Korby stated that this program has been extremely successful throughout the years and that the Fair racing program depends on the horses that come from both outside the region and outside the state. In 2012, out-of-state horses made 338 starts on the Fair Circuit which represents 11% of all starters. Mr. Korby stated that he hopes Fairs continue to support this very worthwhile program.

Mr. Swartzlander reported that in 2013, the focus of the recruitment program will shift away from receptions at tracks and move toward targeted incentives. The new program will have three components: 1) The traditional cash incentive of \$300 paid when an out-of-state horse makes its first start and \$150 when it makes its second start (150/150 for Ferndale), 2) A welcome package outlining purse/stakes schedule and incentives to our owner/trainer database, and 3) Identify key owners/trainers whose presence would have a significant positive impact on the Fairs and incorporate them into an incentive program.

Mr. Swartzlander stated that CARF will also structure the incentive program to reward owner/trainers for total starts on the CARF Fair Circuit. This starts-bonus program can be used to help Fairs that are traditionally not strongly supported by horses shipping from Golden Gate Fields.

Mr. Elliott asked if CARF staff has considered recruiting horses from Los Alamitos. Mr. Swartzlander stated that he and Mr. Doutrich will discuss what can be done regarding Southern California recruitment. Mr. Doutrich encouraged anyone present at the meeting to contact him if they have ideas regarding incentive programs.

Mr. Korby introduced Richard Scheidt, Northern California Representative of the Thoroughbred Owners of California (TOC).

Agenda Item 4 – Report, Discussion and Action, if any, on Legislative Program for 2013. Item deferred to the CARF Board of Directors Meeting at 12:30 p.m.

Agenda Item 5 – Report, Discussion and Action, if any, on Live Racing Days in 2013. Mr. Korby stated that CARF staff continues to make the general recommendation that Fairs offer a four-day per week racing program. Mr. Korby stated that four-day weeks are a necessity, based on the existing pool of runners, to offering a consistent and attractive racing program to bettors. Mr. Korby stated that if anyone wishes to present a different opinion, this agenda item is the appropriate forum to do so.

Mr. Doutrich reported that Golden Gate Fields is currently running four-day weeks and is averaging seven horses per race. Mr. Doutrich stated that the entire west coast is experiencing the same shortage of horses with Washington going to three-day weeks and Oregon going to two-day weeks.

Agenda Item 6 – Discussion and Action, Confirming Agency Policy Regarding Payment of Monies Due CARF by Member Fairs. Mr. Korby reported that this item has been a continuing topic of discussion both with this group and the CARF Board of Directors. Mr. Korby stated that this issue originally arose with respect to money that was due as a reimbursement to CARF for racing expenses that CARF had advanced on behalf of member Fairs that conduct live racing. The meeting packets include minutes from the June 2, 2009 Board of Directors meeting at which the CARF Board adopted policy with respect to CARF holding commission payments until such time as the expenses are reimbursed. Mr. Korby stated that this policy will continue in effect until such time that the Board of Directors adopts a policy to replace it.

Agenda Item 7 – Report, Discussion and Action, if any, on Horsemen's Credentials. Mr. Korby reported that the meeting packets contain a set of credentials that were used in 2012 as part of a "VIP Horsemen" pilot program at Stockton and Fresno. Mr. Korby stated that CARF staff recommends expanding the program to all Fairs in 2013 so that key horsemen who run on the Fair Circuit will be able to use a single set of credentials at all participating Fairs. This program would dovetail with the recruitment program in welcoming horsemen to Fairs and making the experience as pleasant and enjoyable as possible.

Mr. Alkire noted that this program came about as a specific request from TOC. Mr. Scheidt stated that he was a participant in the pilot program and based on his positive experience, he encourages all Fairs to participate. Mr. Scheidt reported that the treatment he received at Stockton and Fresno as a "VIP Horseman" was top-notch. The back of the parking hand tag has directions to each Fair gate which Mr. Scheidt stated is extremely helpful to owners.

Mr. Elliott asked if it is possible to bar code the credentials in order to track use. Mr. Korby stated that bar codes would be a good idea as long as compatibility logistics can be worked out.

Mr. Magee asked exactly who would be receiving the VIP credentials. Mr. Swartzlander stated that Mr. Doutrich, as Racing Secretary, would be responsible for distribution and that they would go to key owners, trainers and players. The credentials will not be given to all horsemen. Mr. Magee stated that he thought it was a great idea as long as we are discerning in distribution so that "VIP" retains its meaning.

Mr. Pickering joined the meeting.

Agenda Item 8 – Report, Discussion and Action, if any, on Preliminary Projections and Recommendations for Purses. Current drafts of the purse and stakes schedule were distributed as handouts. Mr. Korby noted that Sonoma County Fair was not included in the projections based on the Sonoma County Fair Board of Directors vote to no longer participate in CARF management services. Mr. Morgan requested that the documents be sent via e-mail to those participating by conference call after the meeting.

Mr. Swartzlander asked Mr. Elliott if he had received his e-mail regarding a meeting concerning purses at Cal Expo. Mr. Elliott stated he had not.

Mr. Swartzlander stated that the purse projections, purse schedule and stakes schedule were still in draft form pending a meeting with Cal Expo staff or any other Fair that might have concerns regarding the documents. Mr. Swartzlander presented the handout in detail to the group.

Mr. Elliott expressed extreme concern regarding the purposed purse schedule at Cal Expo. Mr. Korby reiterated that these documents were being put out for comment and that no action would be taken on this agenda item. Mr. Korby stated that Mr. Swartzlander and Mr. Doutrich would meet with Mr. Elliott as soon as their respective schedules allow.

Agenda Item 9 – Discussion and Action, if any, on Racing Dates for 2014 and Beyond. Mr. Korby reported that its time to begin annual discussions for future race meets, specifically 2014. Mr. Korby stated that the potential closing of Hollywood Park currently has the industry focused on Southern California, but that Fairs should start working on establishing a cooperative joint proposal with Golden Gate Fields and TOC.

Mr. Korby stated that so far conceptual conversations with Golden Gate Fields and TOC have included structuring the Northern California calendar into several blocks of dates. The Fair block of dates being discussed would include late June to mid-October. Mr. Korby stated that it's time for Fairs to be discussing how they will fit within that block.

Mr. Morgan stated that this block could be an exciting opportunity for Humboldt County Fair. Mr. Morgan asked if CARF's advocacy for dates will focus on member Fairs now that Sonoma County Fair is no longer participating in CARF management services. Mr. Korby stated that it's too early in the discussion process to offer a CARF position on that topic.

Mr. Pickering stated that he supports the concept of a Fair block of dates but that there may be a financial risk in running outside traditional Fair dates to fill the gap period.

Mr. Korby stated that Golden Gate Fields and TOC have presented a very open state of mind regarding a block of dates reserved for Fairs in the future and we should do everything we can to take advantage of that opportunity to strengthen our racing program.

Agenda Item 10 – Executive Director's Report. Mr. Korby reported that there have been continuing discussions amongst many different parties in Southern California about what a future calendar might look like in the event that Hollywood Park goes out of business.

Mr. Korby reported that Lou Raffetto, President of TOC, has resigned his position.

Respectfully submitted,
Heather Haviland



This badge grants special grounds access to VIP Horsemen.

Special accommodations and events will vary by location.

Please refer to the brochure in your welcome packet or call Tom Doutrich (415-271-4613) or Larry Swartzlander (916-799-7084) for details.

Thank you for racing at our Fairs!

**HANG ON REARVIEW MIRROR
FACING FORWARD**



**SUMMER FAIR
RACING**



**2012 VIP
HORSEMAN**

CA Authority of Racing Fairs Legislative Report - Last 10 Days

3/15/2013

AB 1074 (Atkins D) Horse racing: statewide marketing organization.**Current Text:** Introduced: 2/22/2013 [pdf](#) [html](#)**Introduced:** 2/22/2013**Status:** 3/7/2013-Referred to Com. on G.O.**Location:** 3/7/2013-A. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Summary: Existing law, operative until January 1, 2014, authorizes thoroughbred racing associations, fairs, and the organization responsible for contracting with thoroughbred racing associations and fairs with respect to the conduct of racing meetings, to form a private, statewide marketing organization to market and promote thoroughbred and fair horse racing. If a marketing organization is formed, existing law requires an amount not to exceed 0.25% of the total amount handled by each satellite wagering facility to be distributed to the marketing organization, and imposes certain requirements on the marketing organization, including that the marketing organization annually submit certain information to the California Horse Racing Board. Violations of the Horse Racing Law are generally misdemeanors. This bill would delete the repeal date, thereby extending the operation of those provisions indefinitely. By making these provisions of the Horse Racing Law permanent, a violation of which is a crime, the bill would create new crimes and would thereby impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization Position

CARF

AB 1154 (Gray D) Horse racing: equine drug testing: equine medical director.**Current Text:** Introduced: 2/22/2013 [pdf](#) [html](#)**Introduced:** 2/22/2013**Status:** 3/7/2013-Referred to Com. on G.O.**Location:** 3/7/2013-A. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Summary: Existing law provides that it is the intent of the Legislature that the California Horse Racing Board contract with the Regents of the University of California to provide equine drug testing. Existing law also requires the board to contract to provide compensation for an equine medical director, with specified duties and responsibilities, who shall advise the Kenneth L. Maddy Equine Analytical Chemistry Laboratory, located at the University of California at Davis,

and be appointed by the Dean of the School of Veterinary Medicine, as specified. This bill would instead authorize the board to contract to provide compensation for an equine medical director.

Organization Position

CARF

AB 1226 (Hall D) Horse racing: jockey riding fees.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/7/2013-Referred to Com. on G.O.

Location: 3/7/2013-A. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Summary: Existing law establishes the California Horse Racing Board, which generally regulates horse racing in the state, including setting default riding fees for jockeys that apply in the absence of a contract or special agreement regarding riding fees to the contrary. Existing law establishes the default riding fees for jockeys as a certain percentage of the win purse, which is defined as the amount paid the winning horse less the fees paid by the owner to enter the horse in the race. Existing law also requires a jockey who finishes 2nd or 3rd in a race in which the purse is \$9,999 or less to be awarded a minimum amount, as specified. This bill would instead require a jockey whose horse finishes first, 2nd, or 3rd, to be paid percentages of the gross purse, as specified, except a jockey who finishes 2nd or 3rd in a race in which the purse is \$9,999 or less. The bill would define gross purse as the published amount of the purse before any deductions. By imposing requirements on the payments made to jockeys, the violation of which would be a misdemeanor, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization Position

CARF

AB 1267 (Hall D) Tribal gaming: compact ratification.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/11/2013-Referred to Coms. on G.O. and NAT. RES.

Location: 3/11/2013-A. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Summary: Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude

compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes, including the Shingle Springs Band of Miwok Indians. This bill would ratify the amendment to the tribal-state gaming compact entered into between the State of California and the Shingle Springs Band of Miwok Indians, executed on November 15, 2012. The bill would provide that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of CEQA. This bill contains other related provisions and other existing laws.

Organization Position

CARF

[AB 1303](#) ([Hall](#) D) Horse racing: takeouts: disclosure to patrons.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/11/2013-Referred to Com. on G.O.

Location: 3/11/2013-A. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: Existing law, the Horse Racing Law, authorizes racing associations and fairs to make various deductions from the amounts handled, and specifies the manner in which the amounts deducted are required to be distributed. A violation of the Horse Racing Law, where no other penalty is expressed, is a misdemeanor. This bill would require each racing association or fair to inform patrons, through the official program, of the takeout being applied to the handle for the racing meeting. By creating a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization Position

CARF

[AB 1342](#) ([Jones-Sawyer](#) D) Gambling activities and establishments.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/14/2013-Referred to Com. on G.O.

Location: 3/14/2013-A. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: The Gambling Control Act provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission and the investigation and enforcement of those activities and establishments by the Department of Justice. The act requires an application for a license or a determination of suitability to be accompanied by

the deposit of a sum of money that will be adequate to pay the anticipated costs and charges incurred in the investigation and processing of the application. The designated chief at the department is required to adopt a schedule of costs and charges of investigation for use as guidelines in fixing the amount of the required deposit. This bill would require the department and the commission to establish an enhanced fee schedule for applicants who wish to have their applications processed and background investigations conducted in an expedited manner.

Organization Position

CARF

[AB 1347](#) ([Gray](#) D) Horse racing: statewide marketing organization.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/14/2013-Referred to Com. on G.O.

Location: 3/14/2013-A. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: Existing law, operative until January 1, 2014, authorizes thoroughbred racing associations, fairs, and the organization responsible for contracting with thoroughbred racing associations and fairs with respect to the conduct of racing meetings, to form a private, statewide marketing organization to market and promote thoroughbred and fair horse racing. If a marketing organization is formed, existing law requires an amount not to exceed 0.25% of the total amount handled by each satellite wagering facility to be distributed to the marketing organization, and imposes certain requirements on the marketing organization, including that the marketing organization annually submit certain information to the California Horse Racing Board. This bill would extend the operation of those provisions to January 1, 2019. Because the bill would extend provisions of the Horse Racing Law, a violation of which is a crime, the bill would create new crimes and would thereby impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization Position

CARF Sponsor

[HR 8](#) ([Hall](#) D) Relative to Problem Gambling Awareness Week.

Current Text: Amended: 3/7/2013 [pdf](#) [html](#)

Introduced: 2/19/2013

Last Amend: 3/7/2013

Status: 3/7/2013-Read. Amended. Adopted. (Page 523.).

Location: 3/7/2013-A. ADOPTED

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: The Bureau of Gambling Control within Department of Justice, the California Gambling Control Commission, the California State Lottery, the California Friday Night Live Partnership, the California Gaming Association, California Tribal Business Alliance, Media Solutions, the NICOS Chinese Health Coalition, and the National Asian Pacific American Families Against Substance Abuse (NAPAFASA) have joined the Office of Problem and Pathological Gambling within the State Department of Alcohol and Drug Programs and the California Council on Problem Gambling in a collaborative effort to promote problem gambling prevention and treatment programs; now therefore, be it Resolved by the Assembly of the State of California, That the week of March 3, 2013, to March 9, 2013, inclusive, be recognized as Problem Gambling Awareness Week and the agencies and organizations described above be commended for their concerted effort to raise public awareness of problem gambling.

Organization Position

CARF

SB 472 (Hill D) Gaming: licenses.

Current Text: Introduced: 2/21/2013 [pdf](#) [html](#)

Introduced: 2/21/2013

Status: 3/11/2013-Referred to Com. on G.O.

Location: 3/11/2013-S. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: The Gambling Control Act provides for the licensure of certain individuals and establishments involved in various gambling activities, and for the regulation of those activities, by the California Gambling Control Commission. The act requires every person who is required to hold a state license to obtain the license prior to engaging in the activity or occupying the position with respect to which the license is required, except as specified. Existing law requires every person who, by order of the commission, is required to apply for a gambling license or a finding of suitability to file an application within 30 calendar days after receipt of the order. This bill would instead require the application described above to be filed within 45 calendar days after receipt of an order of the commission.

Organization Position

CARF

SB 601 (Yee D) Gambling activities and establishments.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/11/2013-Referred to Com. on G.O.

Location: 3/11/2013-S. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Summary: The Gambling Control Act provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission and the investigation and enforcement of those activities and establishments by the Department of Justice. Existing law declares the intent of the Legislature in enacting the act, to provide uniform, minimum standards of regulation of permissible gambling activities and the operation of lawful gambling establishments. This bill would require the Legislative Analyst to conduct an economic study to be submitted to the Legislature no later than December 1, 2014, analyzing the economic impact of all California laws and regulations on gambling establishments and the state's economy, as specified. The bill would authorize the Legislative Analyst to submit a claim to the Controller for its expenses associated with the study, to be paid from the Gambling Control Fund upon appropriation of the Legislature.

Organization Position

CARF

[SB 678](#) ([Correa](#) D) Internet gambling.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/11/2013-Referred to Com. on G.O.

Location: 3/11/2013-S. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Summary: The Gambling Control Act provides for the licensure of certain individuals and establishments that conduct controlled games, as defined, and for the regulation of these gambling activities by the California Gambling Control Commission. The Department of Justice has related investigatory and enforcement duties under the act. Any violation of these provisions is punishable as a misdemeanor, as specified. This bill would authorize the operation of Internet poker Web sites within the borders of this state. The bill would require the commission to establish a regulatory framework for the licensure of eligible entities and the operation of Internet poker Web sites within the borders of the state.

Organization Position

CARF

[SB 721](#) ([Padilla](#) D) Horse racing: license fee retention.

Current Text: Introduced: 2/22/2013 [pdf](#) [html](#)

Introduced: 2/22/2013

Status: 3/11/2013-Referred to Com. on G.O.

Location: 3/11/2013-S. G.O.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House					2nd House							

Summary: Existing law, the Horse Racing Law, generally regulates horse racing and vests the administration and enforcement of the Horse Racing Law in the California Horse Racing Board. A violation of the act, where no other penalty is expressed, is a misdemeanor. Existing law authorizes any county or district agricultural association fair conducting racing meetings for the first time on or after January 1, 1979, to retain the applicable state license fee for payment of a capital expense loan incurred for the purpose of preparing its facilities for horse racing. This bill would repeal that authorization. Because this bill would expand the scope of a crime by removing an exception, it would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization Position

CARF

Total Measures: 12

Total Tracking Forms: 12

BILL NUMBER: AB 1388 INTRODUCED
BILL TEXT

INTRODUCED BY Committee on Agriculture

MARCH 4, 2013

An act to amend Section 9641.5 of the Food and Agricultural Code, relating to animal quarantine.

LEGISLATIVE COUNSEL'S DIGEST

AB 1388, as introduced, Committee on Agriculture. Animal quarantine: horses and Equidae: importation: test verification.

Existing law requires any horse or other Equidae brought into this state to be accompanied by a certificate of health and verification that the horse or Equidae has been tested within the preceding 6 months and found negative to a test for equine infectious anemia, except as otherwise specified. A violation of those provisions is a crime.

This bill would instead require verification that a horse or other Equidae has been tested, and found negative, for equine infectious anemia within the preceding 12 months. The bill would also make technical changes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 9641.5 of the Food and Agricultural Code is amended to read:

9641.5. (a) Any horse or other Equidae brought into this state shall be accompanied by the following:

~~—(a)—~~

(1) A certificate of health from the state of origin issued by an accredited veterinarian. The certificate shall state that the horse or other Equidae is free from evidence of any communicable disease.

~~—(b)—~~

(2) Verification that any horse or Equidae has been tested within the preceding ~~six~~ 12 months and found negative to a test for equine infectious anemia. The test shall be approved by the ~~director~~ secretary and conducted by a laboratory approved by the United States Department of Agriculture, and the necessary sample shall be taken, and the verification signed by, an accredited veterinarian.

~~—A~~

(b) A nursing foal of less than six months of age when accompanied by a negative dam and any horse or other Equidae consigned for immediate slaughter shall be exempt from the testing requirements of this section.

~~—Any~~

(c) Any horse or other Equidae moved from California to another state for a period of not more than 14 days, are exempt from this section upon returning to California, provided, that the exemption does not apply to any horse or other Equidae that leaves the continental United States.

CURRENT BILL STATUS

MEASURE : S.B. No. 741

AUTHOR(S) : Cannella (Coauthors: Senators Fuller, Gaines, and
Nielsen) (Coauthors: Assembly Members Bigelow, Dahle,
Gray, Olsen, Perea, V. Manuel Pérez, and Williams).

TOPIC : California fairs: funding.

HOUSE LOCATION : SEN

TYPE OF BILL :

Active
Urgency
Appropriations
2/3 Vote Required
Non-State-Mandated Local Program
Fiscal
Non-Tax Levy

LAST HIST. ACT. DATE: 03/27/2013

LAST HIST. ACTION : Set, first hearing. Hearing canceled at the request of
author.

COMM. LOCATION : SEN AGRICULTURE

TITLE : An act to amend Sections 19606.1, 19614, 19620, and
19620.2 of, and to repeal Sections 19608.3 and 19620.1
of, the Business and Professions Code, to amend Sections
3954, 3965, 3965.1, and 3967 of, to repeal Sections
4051.1, 4051.2, 4057, and 4401.5 of, and to repeal and
add Sections 3200, 4051, and 4053 of, the Food and
Agricultural Code, and to amend Section 11011.2 of the
Government Code, relating to fairs, making an
appropriation therefor, and declaring the urgency
thereof, to take effect immediately.

COMPLETE BILL HISTORY

BILL NUMBER : S.B. No. 741
AUTHOR : Cannella
TOPIC : California fairs: funding.

TYPE OF BILL :
Active
Urgency
Appropriations
2/3 Vote Required
Non-State-Mandated Local Program
Fiscal
Non-Tax Levy

BILL HISTORY

2013

Mar. 27 Set, first hearing. Hearing canceled at the request of author.
Mar. 19 Set for hearing April 2.
Mar. 11 Referred to Coms. on AGRI. and G.O.
Feb. 25 Read first time.
Feb. 23 From printer. May be acted upon on or after March 25.
Feb. 22 Introduced. To Com. on RLS. for assignment. To print.

2015 (United States)

January						
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Cash-Hungry States Eye Sports Betting, to Leagues' Dismay



N.C.A.A.: Money Talks: The Times's Joe Drape talks about who's getting in on the billions spent on gambling and previews the Round of 16.

By **JOE DRAPE**

Published: March 27, 2013

LAS VEGAS — It is a lucrative time of year for Nevada, where more than \$200 million will be wagered in sports books on the N.C.A.A. men's basketball tournament, a pot of money that has budget-crunched states across the country pushing for a piece of the action despite strong opposition from the N.C.A.A. and professional sports leagues.

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Isaac Brekken for The New York Times
Patrons at the Las Vegas Hotel and Casino sports book last Thursday as the N.C.A.A. men's basketball tournament

Voters in New Jersey passed a referendum by a 2-to-1 margin making sports betting legal, and last year Gov. Chris Christie signed a law legalizing it at Atlantic City's 12 casinos and the state's 4 horse racing tracks. Illinois is considering allowing sports betting, and California lawmakers are looking to reintroduce a sports gambling bill that the



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Isaac Brekken for The New York Times
Bill Keith filling out a betting slip.

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Isaac Brekken for The New York Times
March Madness in Las Vegas.

State Senate passed last year.

All this has the sports' governing bodies on high alert. The N.C.A.A. has filed a lawsuit with the N.F.L., the N.H.L., the N.B.A. and Major League Baseball claiming that sports betting in New Jersey would "irreparably" corrupt sports in the United States. This year they were joined by the Justice Department, which defended the constitutionality of a 1992 law banning sports betting outside Nevada and a few other states that had long allowed such gambling.

The N.C.A.A. also canceled several tournaments and sporting events in the state and said it would bar New Jersey from hosting events in the future if sports betting were put into effect.

Last month, a federal judge ruled against New Jersey and upheld the ban on sports betting. The state is appealing, and legal experts say the case will likely reach the Supreme Court.

As gamblers poured into Las Vegas in anticipation of three weeks of betting on unpredictable tournament action, the N.C.A.A. sounded this warning on its official Twitter account: "Student-athletes, coaches & admins: A reminder that betting on #MarchMadness isn't worth the risks," with a link to a release [detailing the arguments](#) against wagering on sports.

In a statement, the organization was concise in explaining its opposition. "The N.C.A.A. maintains that the spread of legalized sports wagering is a threat to the integrity of athletic competition and student-athlete well-being," it said.

Nevertheless, the money being wagered on the tournament will more than double the record \$98.9 million bet on last month's Super Bowl.

The federal law on sports betting, which was championed by then-Senator Bill Bradley of New Jersey, a former player for the Knicks, was intended to limit its expansion beyond Nevada, Delaware, Oregon and Montana. But New Jersey and advocates in other states say there are too many dollars at stake for that policy to continue to make sense.

Nevada took in more than \$3.4 billion in bets on sports last year, generating \$15 million to \$20 million in tax revenue. The F.B.I. estimates that \$2.6 billion is bet illegally on the college basketball tournament alone, while the National Gambling Impact Study



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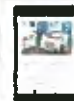
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Commission says \$380 billion is bet annually with bookies or offshore betting operations, often controlled by organized crime, on all sporting events together.

Last March, Nevada sports books handled \$288.5 million in bets on basketball, an estimated 70 percent of them — or \$201 million — on college games, according to the state's gambling commission.

In Britain, where bookmaking shops are ubiquitous and online wagering is readily available, bookmakers paid 900 million pounds in taxes (about \$1.36 billion), 24 percent of it, or about \$343 million, on sports and horse racing, according to a study by Deloitte on behalf of the Association of British Bookmakers.

The predawn scene at the Las Vegas Hotel and Casino last week served as a vivid illustration of Nevada's special lure. At 4:30 a.m., a group had claimed a table in the sports book area of the casino, and within three hours, hundreds of people were in a line that snaked through slot machines and onto the casino floor.

"This is the only place to be during the tournament," said Laurie Moss, a Denver software architect who has made the pilgrimage here for 13 years to bet on college games.

The growing acceptance of legalized sports betting has been reflected in an array of polls. Most recently, one from Fairleigh Dickinson University's [PublicMind in December](#) found that 51 percent of registered voters favor legalizing sports betting in states where it is not legal. That was up from its March 2010 poll, which showed 39 percent of voters supported expanding sports betting.

Even a Las Vegas stalwart like Bill Herzog, who often travels here from Los Angeles to gamble, says staying home to bet every now and then can be a good thing. "When people are going to gamble anyway, we might as well let some of that revenue stay in their home states," he said.

In court, the N.C.A.A. and sports leagues have argued that wider sports betting would compromise their image and offer a powerful temptation for their athletes to fix games. It is an argument advocates of sports betting claim is disingenuous, considering that the leagues have coexisted with gambling in Nevada since 1949.

Dennis Drazin, a lawyer who advises Monmouth Park racetrack, which has announced plans to set up a sports book, said the leagues long ago made gambling part of their enterprise.

"If gambling is really hurting the leagues, why does every sports show

talk about point spreads and favorites and underdogs? And why does every office in America have a pool on the N.C.A.A. tournament?" Drazin said. "Really, what they are doing is permitting the mob to control all the betting and, in effect, acting like co-conspirators."

He also points to policies at odds with their stated opposition. Las Vegas hosted several N.C.A.A. conference tournaments this month, and professional athletes are allowed to promote team-branded lottery cards and to encourage fantasy leagues on their Web sites.

A. G. Burnett, chairman of the Nevada State Gaming Control Board, said perhaps the best way for sports leagues to protect themselves from gambling was to allow betting to expand in legal and regulated fashion.

"We have been in this business for decades and haven't had any problems with Nevada or U.N.L.V. or any of our universities," Burnett said. "The game-fixing scandals have happened in other states where gambling is illegal. What we have here is a regulatory process specifically to monitor what happens on both sides of the counter. This is all we do, and we're good at it."

A version of this article appeared in print on March 28, 2013, on page A1 of the New York edition with the headline: Needy States Weigh Sport Betting As Leagues Line Up Against It.

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Thoroughbred Owners of California (TOC)
Attn: Chairman Mike Pegram and Directors
Santa Anita Park
285 West Huntington Drive
Arcadia, California 91007

Dear Chairman Pegram and All TOC Directors:

As you know, some of the most important decisions in the history of California racing are before us, related to the impending closure of Hollywood Park, a situation which demands inclusion and transparency in evaluating the alternatives which will serve the best interest of the sport and all stakeholders.

Unfortunately, TOC's approach to this matter – which involves all of California racing, not just Southern California – has been neither inclusive nor transparent. It has led to suspicion, mistrust, and misinformation. The only organization to hold any open meetings or open discussion about this situation thus far has been ours, and we have been hampered in our efforts to make objective evaluations of the alternatives by our inability to receive critical, verified information. Given TOC's legislated role in California racing, its lack of correct governance and transparent consideration in the present circumstance is unconscionable.

There can be no doubt that individual principals of TOC have been involved in meetings for many months with track executives, members of the California Horse Racing Board, potential investors, and chosen stakeholders, apparently pursuing some kind of plan(s), without involving or even informing the full board of TOC, and without involving those individuals (and their elected organizational leadership) whose very livelihoods depend on a successful sport in California, the trainers. Only this much is clear: with critical time disappearing each day, the trainers and other equally important stakeholders will simply be informed of decisions once they are made, with the obvious intention that it will be too late at that point to consider any other alternatives than what have been chosen by a few principals of TOC and the existing tracks, who may or may not be in conflicted positions.

With the pending closure of Hollywood Park, it is apparent from published reports and presentations to the CTT Board of Directors, that TOC's principals have been pursuing some kind of arrangement with Los Alamitos – using the staff resources of Del Mar Thoroughbred Club – at the same time as Santa Anita's new chairman has been involved, to the exclusion of serious consideration of Barretts/Fairplex Park. We have been advised that the Los Alamitos "arrangement," whatever its details ultimately may be, depends and is conditioned on, a drastic

revision of the caliber and amount of Thoroughbred racing to be conducted at Los Alamitos throughout the rest of the year, during the Los Alamitos Quarter Horse meetings. This one fact by itself may threaten the very existence of Northern California racing, and may also bring serious harm to remaining Thoroughbred racing in the south as well, at all existing race meetings.

Moreover, the planned track at Los Alamitos presents serious safety issues, based as it is on a planned stabling of approximately 1,700 horses, training (and racing) on a track expanded to over 7/8 mile, without any expansion, let alone proportional expansion, of the current turn curvatures! The plan shows turn radii of 287' to 290', with far, far longer straightaways than now exist, and any suggestions for methods of expanding those turns proportionally or at all have apparently been rejected.

It doesn't take an engineer to understand the significant additional stress that will be put on horses training or racing on such a disproportionate track. Even the inner track at Aqueduct, used for winter racing there, has been criticized as a safety hazard due to its "tight turns," which measure a radius of 350 feet at a mile, or 21% greater than the Los Alamitos pending design. Let us also emphasize that the length of straightaway – that is, the length of track permitting a horse to gain speed into the turn – is directly related to the potential stress and safety hazards of the turn design. In addition, the greater cross-slope/banking required for such tight turns leads to engineering problems in the grades for the transitions, not just from the home stretch into the first turn, but particularly out of the backstretch chute into that straightaway. Simply connecting turns engineered for a 5/8 track to expanded straightaways, intended to transform that track to "just under a mile," amounts to forced engineering, without the welfare of the horses adequately considered.

These are just a few of the problems the Los Alamitos plan faces. What exactly is the investment plan contemplated? Who are the principals? How will management decisions be made? Who will make them? Are any TOC directors directly or indirectly involved in investment, planning, or business decisions? Who is speaking for the horsemen in the contemplated designs, and in the contemplated business plan? What is the business plan, in fact? Are any other track managements involved in the business or investment plan?

Then there are the issues of racing dates. Our understanding is that an uncertain number of racing weeks vacated by Hollywood Park would be used by the training site for additional racing, in order to finance the expansion plan. If this is the case, why aren't other industry stakeholders evaluating the plans, to ascertain their reliability and objectivity? Why isn't this being done transparently, if it is being done at all?

Above all, the owners of valuable racing and breeding stock should be committed to ensuring the safest, most productive, most reliable, and longest term plan for the future, in conjunction with their trainers and the organization representing trainers. Los Alamitos is apparently committed to a ten-year plan, with a minimum of four years' notice of closure. Is this sufficient for a statewide industry of the size, scope, and present investment level of Thoroughbred racing in California? Can a ten-year agreement

even be enforced, practically, should a principal owner or investor sell his or her interest, or die? Given the fundamental property value of the Los Alamitos facility, in a prime Orange Country location, will its most valuable use be as a training center?

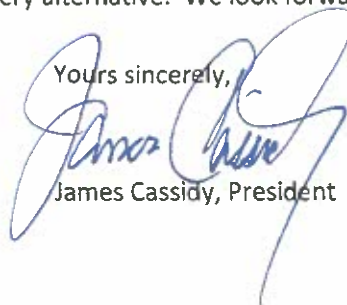
There can be no question that the Barretts/Fairplex Park facility and alternative must be considered seriously, and carefully, given all the foregoing. To begin with, no one can question its true long-term future, which is far, far in excess of ten years. Second, its close proximity to Santa Anita, where most of the vacated Hollywood Park racing weeks would be run, is of critical importance to owners, trainers, and to Santa Anita, which must be expected to fill more races over more weeks than ever before. We must all remember that the new facility is – as a matter of first priority and proportional usage – principally a training center, not a racing facility. With the exceptionally high proportion of handle and purse generation now generated away from the actual racing facility, on-track handle during the few racing weeks of the training facility is of far less importance than total handle generated from all sources. Pomona's plans, particularly for turf racing as well as training, must be seriously considered in that light.

Given the time that TOC principals, and others, have apparently spent developing the Los Alamitos alternative, at least the same attention must be provided to Barretts/Fairplex, prior to any decisions being reached. In addition, potential racing calendars must be considered in an inclusive and transparent manner, rather than by track executives and TOC representatives meeting behind closed doors, to the exclusion of important stakeholders.

Furthermore, virtually no mention has been made anywhere, except in CTT's open meetings, about the existing one-mile training facility at San Luis Rey Downs, apparently owned by an entity of The Stronach Group. This facility's possible use in whatever plans are considered must also be a factor.

In conclusion, the TOC has a responsibility to all its constituents, all licensed owners in California, including trainers also holding an owners license, to see that appropriate, inclusive, and informed discussion and consideration is provided every alternative. We look forward to hearing from you.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "James Cassidy", is written over the typed name.

James Cassidy, President

copy: TOC Directors
CTT Directors
California Horse Racing Board
CTBA Directors



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[Home](#) > [News](#) > [Categories](#) > [Headlines](#) > Los Alamitos withdraws offer to expand track for Thoroughbreds

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Los Alamitos withdraws offer to expand track for Thoroughbreds

By Steve Andersen

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Los Alamitos withdrew an offer Tuesday to expand its racetrack to accommodate Thoroughbred racing and training beginning in 2014, citing disagreements with the California Thoroughbred Trainers over the proposed racetrack expansion and a desire to avoid a showdown with Fairplex Park on acquiring racing dates.

Brad McKinzie, a consultant with Los Alamitos, said Tuesday that track owner Ed Allred could resume discussions about an expansion, if Thoroughbred industry officials deem the Fairplex Park proposal unsatisfactory.

"Ed has said all along that we won't be part of a beauty contest," McKinzie said. "They should judge Fairplex Park on its merits – stabling, the racetrack, and what it will cost. If at that time, they want to talk to Los Alamitos, I'm sure Los Alamitos will have an open mind. At this time, we won't get involved with industry infighting."

Los Alamitos, in Cypress, Calif., and Fairplex Park, in Pomona, have submitted proposals to the industry in recent months to expand their properties to gain racing dates and host training as a replacement for Hollywood Park in Inglewood, Calif. Hollywood Park has committed to racing and training through December, but is not expected to be open in 2014. The track's parent company has indicated a desire to develop the property for residential and commercial uses.

In the event Hollywood Park closes, Del Mar and Santa Anita are expected to

request more racing dates, leaving approximately six to eight weeks of racing in early summer and in the fall for another venue.

Tuesday, McKinzie challenged safety concerns expressed earlier this month by the CTT regarding the expansion of the current five-eighths-mile track at Los Alamitos to a circumference of just less than a mile.

In a letter from the CTT to the Thoroughbred Owners of California, CTT officials said they were unhappy with the “tight turns” proposed at Los Alamitos.

“We’ve gone out of our way to make sure it’s as safe as possible,” McKinzie said.

The Los Alamitos proposal did not include plans for a turf course.

Fairplex Park has proposed an expansion of its current five-eighths-mile track to six furlongs and construction of a five-eighths-mile turf course on its infield.

CTT president Jim Cassidy reiterated Tuesday that his organization was not comfortable with the Los Alamitos track expansion.

“I’ve described the racetrack they designed as a cucumber,” he said.

“Obviously, they’re upset with our accounts, but I don’t think they were false.”

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