

NEBRASKA RACING & GAMING COMMISSION
MINUTES OF MEETING

DATE: July 14, 2022
TIME: 1:30 pm
LOCATION: Regency Suite
Nebraska Union
1400 R Street
Lincoln NE 68588

PRESENT COMMISSIONERS:

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| Dennis Lee | Chairman |
| Jeffrey Galyen | Commissioner |
| Shane Greckel | Commissioner |
| Shelby Bakenhus* | Commissioner |
| Tony Fulton | Commissioner |

ABSENT:

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| Janell Beveridge | Vice Chairperson |
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*Delayed

Chm. Lee convened the meeting at 1:40pm in compliance with the provision of Neb. Re. Stat. 84-1411. Notice of the meeting was published in the Lincoln Journal Star. In additions, copies of such notice were sent to those on the Racing and Gaming Commission agenda mailing list. Notification was given to the public of the open meetings law and notification to its location for public view.

MEETING MINUTES AND FINANCIAL REPORTS

Chm. Lee moved and Fulton seconded to amend the June 2, 2022, minutes under the section “MEETING MINUTES AND FINANCIAL REPORTS” to correct spelling and grammar errors. Voting Aye: Lee, Galyen, Greckel, and Fulton. Motion carried. Galyen moved and Fulton seconded to approve the May and June 2022 Financial Reports. Voting Aye: Lee, Galyen, Greckel, Fulton. Motion carried. Bakenhus arrived at the meeting.

SIMULCAST APPLICATIONS RECEIVED SINCE JUNE 2, 2022

Chm. Lee moved and Galyen seconded to approve the applications received. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton.

HBPA REQUEST TO REMODEL LINCOLN RACECOURSE FACILITY

Galyen moved and Greckel seconded to approve the request to remodel Lincoln Racecourse with reference to Administrative Title 294 Rule 3.001.14. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton. Motion carried.

REQUIREMENTS FOR CERTIFICATION OF INDEPENDT TESTING LABORATORIES

Chm. Lee moved with Fulton seconding to approve the Minimum Requirements for Certification of Independent Testing Laboratories and the Application for Certification under the caveat that a spelling error found in “Appendix A” be fixed. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton. Motion carried.

CER'S CANCELLED RACE DAY PER STATUTE 2-1228

After review and discussion of documents presented to the Commission by Columbus Exposition of Racing, Galyen moved to designate June 5th, 2022 as a live race date due to factor's beyond the racetrack's control. Greckel seconded. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton. Motion carried.

CER'S/CAESAR'S REQUEST FOR CLARIFICATION ON LICENSING PROCEDURE

The Commission decided not to give advice on procedure for a temporary or permanent gaming facility license.

FONNER PARK'S REQUEST TO REMODEL THEIR FACILITY

Chm. Lee moved and Fulton seconded to refer this request to the Construction Committee and be placed on the agenda for the Commissions' August meeting. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton. Motion carried.

REQUEST WAIVER OF RULES- HARRAH'S & WARHORSE

Items 9 & 10 were taken together as both asked to waiver the same set of rules of 3.012.01K & 3.012.1L under Title 296. For Harrah's: Chm. Lee moved to not waiver these rules at this current meeting with Greckel seconding. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton.

For WarHorse Lincoln: Chm. Lee moved to waiver the number of days down from 120 to 45 days with Greckel seconding. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton. Motion carried.

DISCUSSION ON JOINING LOUISIANA LAWSUIT AGAINST HISA

Garald Wollesen and David Anderson representing the HPBA requested that Nebraska Horsemen only be regulated by the State of Nebraska, not with the addition of the Horseracing Integrity Safety Act (HISA) which took affect July 1st, 2022. Fulton moved with Chm. Lee seconding that Director Tom Sage seek the opinion of the Attorney General in how to maintain the status quo. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton. Motion carried.

DIRECTOR'S UPDATE

Director Tom Sage introduced Steve Anderson who will be the Director of Enforcement. Interviews for Investigators start next week. Sage also mentioned that radios have been purchased for those Investigators which will have access to the statewide radio system. Director Sage added that the current staff have been working excellent together. Sports Wagering rules and minimum internal control standards have been released for public comment. Sage recently attended a convention where he said the State of Nebraska has a very promising future regarding racing.

DIRECTOR'S SALARY INCREASE

Greckel moved and Lee seconded to increase the Director's salary. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton. Motion carried.

ARCI'S REQUEST FOR TOM SAGE TO REPRESENT ARCI IN FRANCE

Noting that this will be at the expense of ARCI, Chm. Lee moved that Director Sage represent ARCI at the IFHA Conference in Paris, France and will be attending this conference while receiving his compensation from the State of Nebraska. Fulton seconded. Voting Aye: Lee, Galyen, Greckel, Bakenhus, Fulton.

PUBLIC COMMENTS

Director Sage read an email he received from Sean Boyd stating that Global Gaming Nebraska will no longer be participating in the North Platte Exposition of Racing or the Scotts Bluff Exposition and Racing.

Commissioner Greckel wanted to raise three points, the first being that the convention he attended with Director Sage created many positive connections that the state needs. Second, he would like to create a matrix to quantify the apps they are receiving. Then the third point, Greckel asked the commission if applications could go straight to the construction committee instead of waiting until the next commission meeting to get approval to be sent to the construction committee.

MEETINGS WITH ASSOCIATIONS

Nebraska Thoroughbred Breeders' Association – None

NE Horsemen's Benevolent and Protective Association – Lynn McNally had two comments, the first being that Tom Sage was going to be walking the facility of Lincoln Racecourse with the Fire chief, Assistant Police Chief, Police Chief, City Attorney, and Mayor of Lincoln for coordination of emergency situations. The second that the groundbreaking ceremony in Omaha will be happening in the next couple of weeks and asked the commissioners to join. Then third, McNally asked the best way to get information to the commissioners, with the answer being to email Director Sage.

Nebraska Quarter Horse Racing Association and Nebraska Quarter Horse Breeders Association- Ed Zimba was curious on how the best way to provide information to the Commission, as they are currently looking at some rule changes that might need commission or statute changes.

EXECUTIVE SESSION AND ADJOURNMENT

Director Sage recommended an executive session was not necessary and Chm. Lee adjourned the meeting at 3:56pm.