

NEBRASKA RACING & GAMING COMMISSION  
MINUTES OF MEETING

DATE: AUGUST 31, 2022  
TIME: 1:30 pm  
LOCATION: Nebraska East Union  
Prairie Suite  
1705 Arbor Drive  
Lincoln, NE 68503

PRESENT COMMISSIONERS:

Dennis Lee Chairman  
Janell Beveridge Vice Chair  
Jeff Galyen Commissioner  
Tony Fulton Commissioner

ABSENT COMMISSIONERS:

Shane Greckel Commissioner  
Shelby Bakenhus Commissioner

Chm. Lee convened the meeting at 1:52pm in compliance with the provisional of Neb. Re. Stat. 84-1411. Notice of the meeting was published in the Lincoln Journal Star. In addition, copies of such notice were sent to those on the Racing and Gaming Commission agenda mailing list. Notification was given to public of the open meetings law and notification to its location for public view.

MEETING MINUTES AND FINANCIAL REPORTS

Galyen moved and Fulton seconded to amend the July 14, 2022 minutes under the section “CER’s CANCELLED RACE DAY PER STATUTE 2-1228” to read as follows “Galyen moved to designate June 5<sup>th</sup> as a live race day due to factors beyond the racetrack’s control.” Voting Aye: Lee, Beveridge, Galyen, Fulton. Motion carried. Fulton moved and Galyen seconded to approve the July 2022 Financial Reports. Voting Aye: Lee, Beveridge, Galyen, Fulton. Motion carried.

SIMULCAST APPLICATIONS RECEIVED SINCE JULY 14, 2022

Chm. Lee moved and Beveridge seconded to approve Fonner Park’s request to add Timonium Fair to their simulcast. Voting Aye: Lee, Beveridge, Galyen, Fulton. Motion carried.

FONNER PARK’S REQUEST TO REMODEL FACILITY

Galyen moved to table this item until the next commission meeting, Fulton seconded. Voting Aye: Lee, Beveridge, Galyen, Fulton. Motion carried.

ACTION ITEM: WARHORSE GAMING LINCOLN, LLC PROVISIONAL LICENSE

Chairman Lee moved and Beveridge seconded to extend the provisional license of Warhorse Lincoln, LLC another 30 days. Voting Aye: Lee, Beveridge, Galyen, Fulton. Motion carried.

HOURS OF OPERATION FOR WARHORSE GAMING LINCOLN

Fulton moved with Beveridge seconding to approve the hours of operation of Warhorse Lincoln in reference to Administrative Title Code 296 Rule 2.002.03.

### DIRECTOR'S UPDATE

Executive Director Tom Sage mentioned that the position for Director of Compliance is being extended for potential applicants. The IT Manager and Finance and Business Manager positions will be posted later that week. Sage also described items of the upcoming October 21<sup>st</sup> meeting where Live Race Dates and Sports Wagering Rules will be discussed.

### NEBRASKA ATTORNEY GENERAL RESPONSE TO NEB. RE. STAT. 9-1106

Attorney Ryan Forrest summarized the response from the Attorney General regarding the questions the Commission asked about the market studies described in NEB. RE. STAT. 9-1106, as being directed to follow the statute.

### HBPA PROPOSAL TO MOVE HORSEMEN'S PARK SIMULCAST TO INFIELD

Chm. Lee moved and Beveridge seconded to approve the move of simulcasting into the infield at Horsemen's Park in Omaha subject to the confirmation of receiving an occupancy permit issued and approved by the Commission staff. Voting Aye: Lee, Beveridge, Galyen, Fulton. Motion carried.

### DISCUSSION ON VOLUNTARY SELF-EXCLUSION PROGRAM

Many members within the industry came up to discuss the application for the self-exclusion program. Issues were brought up about human trafficking and were discussed. No action required.

### PUBLIC COMMENTS

Ryan Forrest mentioned that the Attorney General is aware of the lawsuit against HISA. The commission's position on HISA and willingness is to follow the Attorney General's recommendation on joining the lawsuit against HISA. Lynne McNally said the tracks in Nebraska and the Horsemen have already joined the lawsuit.

### MEETINGS WITH ASSOCIATIONS

Nebraska Thoroughbred Breeders' Association – Julie Larmon that the Columbus breed money has been paid and that the numbers for the foal crop have tripled.

NE Horsemen's Benevolent and Protective Association – Lynne McNally asked if changing the track surface would need to go before the Construction Committee. Tom Sage and Chairman Lee said it would

Nebraska Quarter Horse Racing Association- none

Nebraska Quarter Horse Breeders Association – none

### EXECUTIVE SESSION AND ADJOURNMENT

There was no executive session and Chm. Lee adjourned the meeting at 4:20pm.