



Governor
Matthew H. Mead

Wyoming Pari-Mutuel Commission

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Executive Director
Charles E. Moore

COMMISSIONERS

Donald Murphy, President Robert Atherton, Vice President
Bill Dobbs Joe Tully Jacqueline Crow Patti Bergstrom Mantha Phillips

Approved July 27, 2012

Minutes of the April 13, 2012 Special Teleconference meeting of the Wyoming Pari-Mutuel Commission.

Members in attendance: Don Murphy, President
Robert Atherton, Vice President
Joe Tully, Commissioner
Bill Dobbs, Commissioner
Jacqueline Crow, Commissioner
Mantha Phillips, Commissioner
Patti Bergstrom, Commissioner

Administrative staff: Charles Moore, Executive Director
Mike Kahler, Senior Assistant Attorney General

Guests: Ron Cook, WABRA
Eugene Joyce, Wyoming Horse Racing LLC
Timothy Lattner, Wyoming Horse Racing LLC
Laurie Urbigkit, Wyoming Horse Racing LLC
Joan Bledsoe, Wyoming Downs
Frank Lamb, Wyoming Downs
Glade Van Tassell
Sharon Jenson

Item #1 Call to Order

The meeting convened at 10:04 a.m., President Donald Murphy presiding.
All Commissioners present

Item #2 Motion to adopt agenda

A motion was made by Commissioner Bergstrom and seconded by Commissioner Phillips to adopt the agenda as presented. **Motion carried.**

Item #3 Approvals

President Murphy asked for a motion to accept the minutes as presented. A motion was made by Commissioner Tully and seconded by Commission Bergstrom to approve the minutes as presented for the January 27, 2012 meeting. **Motion carried.**

Item #4 Wyoming Horse Racing LLC

A. Request for additional simulcast days for 2012. A formal request was made March 12, 2012 by WHR LLC requesting to amend their amended permitted simulcast days for 2012. The request would be in addition to the already permitted days for 2012. The following days are requested; May 1,7,8,14,15,21,22,28,29; June 4,5,11,12,18,19,25,26; July 2,3,9,10,16,17,23,24,30,31; August 6,7,13,14,20,21,27,28; September 4,5,10,11,17,18,24,25; October 1,2,8,9,15,16,22,23,29,30; November 5,6,12,13,19,20,26,27; December 3,4,10,11,17,18,31. Mr. Joyce was asked to explain WHR LLC's request. A short discussion followed, a motion was thereupon made by Commissioner Phillips and seconded by Commission Atherton to approve the additional requested days, and amend the originally amended permit for 2012 to reflect the above requested days. **Motion carried.**

Item #5 Wyo. Stat. § 11-25-105(m)

A. Source Market Fee. The Commission had requested comments on this matter from Wyoming Horse Racing LLC and Wyoming All Breeds Racing Association both recipients of the fees as well as Wyoming Downs a potential recipient. Director Moore started with a review of the comments. A lengthy discussion ensued with many valid points. The comments received seem to reflect all parties are in agreement that the fee should be set low to start with and evaluated annually. With no further comments President Murphy asked for a motion. A motion was made by Commissioner Tully and seconded by Commissioner Phillips to set the source market fee at three percent (3%). President Murphy asked if the Commissioners had any further discussion. With none, he asked for a vote. **Motion carried.**

Item #6 Proceedings on Enrolled Act No. 3, House 2011, amended/new rules

A. Proposed amended/new rules "*Chapter 10, Simulcasting*". Director Moore presented the rules which had been reviewed by counsel. Through out Chapter 10 changes have been made to up date and clarify language.

New Section 8. Out-of-State Simulcast, Account Wagering, and Advance Deposit Wagering Facilities. This section was addressed in detail; Section 8, (a), (iii) "*The annual fee of two hundred and fifty dollars (\$250.00) shall be paid to the Commission for licensing, and is not in lieu of a source market fee*".

The additional language change reflects the intent to monitor the source market fee charged. Allowing the Commission the flexibility to annually review the percentage and react to market changes quickly.

A source market fee of three percent (3%) shall be paid by all authorized and licensed entities. This was determined by a motion in Item #5 which reads; "*a motion was made by Commissioner Tully and seconded by Commissioner Phillips to set the source*

market fee at three percent (3%). Motion carried.” The source market fee shall be review annually by the Commission and not put in rule.

The formal rule making process will proceed.

Item #7 Proceedings on Enrolled Act No. 16, Senate 2011, amended/new rules

A. Status report on adopted amended rules “*Chapter 5 Officials, Section 16 (h)*”.

Director Moore gave a brief update; Governor Mead had signed these rules on Monday April 9, 2012. No further action is required.

B. Amended/new rules which have passed public comment “*Chapter 1 Definitions & Chapter 7 Licensing*”. Director Moore reported the public comment period was over. The Commission accepted comments from January 9, 2012 through February 23, 2012, with no comments received. A motion was made by Commissioner Bergstrom and seconded by Commission Atherton to adopt the rules as presented. **Motion carried.**

Item #8 Enrolled Act No. 6, House 2012

President Murphy asked Mr. Joyce to explain Enrolled Act No. 6, House 2012. A brief presentation was made, no action required.

Item #9 Wyoming Downs

The Commission received a letter from Mr. Eric Nelson “Wyoming Downs” dated March 13, 2012. In that letter Mr. Nelson requested inclusion on the next Pari-Mutuel Commission Meeting Agenda for the purpose of; introduction of ownership, management, summary of tentative business plan, and legislative plans for 2013. Joan Ramos Bledsoe representing Wyoming Downs introduced herself, apologizing that Mr. Nelson was unable to attend the meeting. She gave a short overview of Wyoming Downs and the employment of Mr. Frank Lamb as a consultant to their company. They are happy to be back in Wyoming and look forward to racing in 2013. At this time we are still assessing the investment and are reviewing possible legislation which could reposition and enhance racing in Wyoming. No other information was provided.

Item #10 Adjourn

There being no further business to consider, a motion was made by Commissioner Phillips and seconded by Commissioners Dobbs to adjourn. **Motion carried.**

Meeting adjourned at 11:10 a.m.

Submitted by: _____
Charles E. Moore Executive Director