

Agenda Item # 3

ADDENDUM to AGREEMENT

This Addendum made this ____ day of June, 2016 by and between Hoosier Park, LLC, an Indiana limited liability company (Hoosier Park) and the Indiana Standardbred Association, Inc. (ISA).

RECITALS

WHEREAS, Hoosier Park and ISA entered into an Agreement, concerning the 2016 Hoosier Park race meet, dated March 15, 2016 (Agreement), which was approved by the Indiana Horse Racing Commission (IHRC) at its regular meeting on March 15, 2016; and

WHEREAS, since the execution and approval of the Agreement, Hoosier Park and ISA have reached an additional agreement, which they wish to memorialize by amending the Agreement with this Addendum.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, Hoosier Park and ISA agree as follows:

1. Incorporation of RECITALS. The above RECITALS and all defined terms in the Agreement are hereby incorporated by reference and made a part of this Addendum;
2. Amendment of Paragraph 18 (c). Paragraph 18 (c) of the Agreement is stricken in its entirety and the following is substituted in lieu thereof:

“18 (c) Each live race day when Hoosier Park simulcasts a Standardbred race to out-of-state facilities, all revenues Hoosier Park receives from simulcasting the sale of its live Standardbred races to out-of-state facilities, Hoosier Park shall retain fifty percent (50%) of all funds received from live Standardbred racing and fifty percent (50%) of all funds received from live Standardbred racing shall go to the Hoosier Park Standardbred Purse Account less a total daily fee to be retained by Hoosier Park of Fourteen Hundred and Thirty-Seven Dollars and Fifty Cents(\$1,437.50) which consists of the following:

- 1) Eight Hundred and Seventy-Five Dollars (\$875.00) for broadcast of Hoosier Park’s simulcast signal;*
- 2) Three Hundred and Seventy-Five Dollars (\$375.00) for Trakus® expenses; and*
- 3) One Hundred and Eighty-Seven Dollars and Fifty Cents (\$187.50) for high definition telecom transmission.”*

3. Effective Date of Addendum. Upon execution by Hoosier Park and ISA and approval by the IHRC, this Addendum shall be effective, retroactively, to the date of the Agreement, March 15, 2016; and
4. Limitation of Amendment. All provisions of the Agreement shall remain in full force and effect except to the extent specifically amended herein.

Executed at Anderson, Indiana on the date specified above.

Hoosier Park

ISA

Hoosier Park, LLC _____

Indiana Standardbred Association, Inc.

By _____

By _____

Richard B. Moore, Vice President
& General Manager of Racing

Jack Keininger, President

Agenda Item # 4

Ruling Log

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16015	3/26/2016	Kelly Goodwin	SB	9/6/2014	Methylprednisolone	250		Purse Redist	
16014	3/26/2016	Robert Reed	SB	12/31/2015	Restored-Misc.				
16016	3/29/2016	Jenny Melander	SB	12/31/2015	Restored-Misc.				
16017	4/5/2016	Charles Dillander	SB	4/1/2016	Whip-indiscriminate	300			
16018	4/5/2016	Mark Evers	SB	4/1/2016	Driving infraction	200			
16019	4/5/2016	Matthew Krueger	SB	4/2/2016	Whip-indiscriminate	300			
16020	4/7/2016	Phebe Penn	SB		Change of occupation				
16021	4/9/2016	Richard Plano	SB	4/7/2016	Driving infraction	50			
16022	4/9/2016	Gerald Longo	SB	4/8/2016	Fail Drive W/I Prog.	50			
16023	4/9/2016	Gerald Longo	SB	4/8/2016	Miscellaneous	50			
16025	4/12/2016	Odell Cross	SB	4/9/2016	Whip-indiscriminate	300			
16026	4/13/2016	Thomas Luther	SB	4/12/2016	Whip-indiscriminate	300			
16024	4/13/2016	Samuel Widger	SB	4/8/2016	Driving infraction	200			
16027	4/14/2016	Ross Leonard	SB	4/8/2016	Whip-indiscriminate	300			
16029	4/21/2016	Donald Eash	SB	4/21/2016	Driving infraction	100			
16505	4/21/2016	Robert Mayer	TB	4/11/2016	License relinquished				
16506	4/21/2016	Charles Zehnder	TB	4/17/2009	Restored-Misc.				
16507	4/21/2016	Cindy Haehn	TB	4/21/2010	Previous Ruling Resc.				
16030	4/22/2016	Timothy Clevenger	SB	4/22/2016	Whip-indiscriminate	300			

Ruling Number	Ruling Date	Name	Breed	Violation Date	Violation	Fines	Suspended From	Suspended To	Days Suspended
16028	4/23/2016	Tom Tetrick	SB	4/21/2016	Whip-indiscriminate	300			
16031	4/26/2016	Thomas Haughton	SB	10/1/2003	Restored-Misc.				
16508	4/26/2016	Donald Hunt	TB	4/20/2016	Trainer Responsibility	100			
16032	4/27/2016	Todd Warren	SB	4/22/2016	Fail to Drive W/I Prog	100			
16033	4/27/2016	Brian Carpenter	SB	4/26/2016	Whip-indiscriminate	300			
16509	4/27/2016	Rafael Mojica	TB	4/23/2016	Jockey Requirements	100			
16510	4/27/2016	Orlando Mojica	TB	4/23/2016	Jockey Requirements	100			
16513	4/30/2016	Didiel Osorio	TB	4/27/2016	Riding infraction	100			
16514	4/30/2016	Victor Olivo	QH	4/29/2016	Trainer responsibility	100			
16512	4/30/2016	Maely Alvarez	TB	4/23/2016	Alcohol on Backside	200			

Agenda Item # 5

TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule

LSA Document #15 - ____ (E)

DIGEST

Amends 71 IAC 3-2-9 regarding the judge's list. Effective upon filing with the Publisher.

SECTION 1. 71 IAC 3-2-9 IS AMENDED TO READ AS FOLLOWS:

71 IAC 3-2-9 **Judge's list**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 9. (a) The judges shall maintain a judge's list of the horses that are ineligible to be entered in a race because of poor or inconsistent performance or behavior on the race track that may endanger the health and safety of the participants and for the protection of the wagering public. The reasons for a horse to be placed on the judge's list and ordered to qualify shall include, but not be limited to, the following on a fast or good track:

- (1) Making a break in a qualifying race.
- (2) Making a break in a race following a qualifying race unless finishing first, second, or third. Two (2) year old non-wagering purse races for three hundred dollars (\$300) or less shall be considered a qualifying race.
- (3) Poor performance or failure to go in a qualifying time.
- (4) Poor performance in a qualifying race regardless of going in qualifying time.
- (5) Making breaks in two (2) consecutive starts unless finishing first, second, or third in one (1) of the two (2).
- (6) Being scratched sick or lame in two (2) consecutive programmings.
- ~~(7) Scratched sick/lame in a race previous or subsequent to a break line.~~
- (8) Numerous bad lines in its last six (6) starts regardless of being consecutive on finishing first, second, or third.
- (9) Poor performance while competing in a race followed by a break later in that race.

(b) Horses racing at all county fair race tracks that return to pari-mutuel race tracks to compete shall be bound by the same qualifying and judge's list standards as horses racing at the Indiana pari-mutual *[sic]* tracks. Time allowances for half-mile tracks shall be set by the race secretary at the pari-mutuel track, except as indicated in the conditions of the Indiana sires stakes.

(c) Horses that are on the judge's list or are not eligible to compete due to the qualifying standards at the Indiana pari-mutuel race track may be allowed to compete in "paid in events" if they have a clean line in qualifying time in the last thirty (30) days (race date to race date) unless declared ineligible under 71 IAC 3-2-9(g) or 71 IAC 3-2-9(h) *[subsections (g) and (h)]*.

(d) Horses allowed to race in a "paid in event" under 71 IAC 3-2-9(c) *[subsection (c)]* that fail to show a clean line or go in qualifying time in that event shall be placed on the judge's list and show a successful qualifying race prior to competing in another "paid in event".

(e) The judges may place a horse on the judge's list when there exists a question as to the exact identification, ownership, or trainer of a horse.

(f) A horse may not be released from the judge's list without permission of the judges.

(g) Qualifying standards shall not be waived for non-Indiana late closers, Indiana sire stakes finals, late closer finals, and all "paid in events" if there exist [*sic, exists*] a compromise with the health and safety of the participants in those races.

(h) Horses that are placed on the vets or judge's list as sick, lame, or injured for a specified number of days, which includes the race date or are required to qualify before racing by the vet or starter, shall not be eligible to race under rule 71 IAC 3-2-9(c) [*subsection (c)*]. (*Indiana Horse Racing Commission; 71 IAC 3-2-9; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1129; emergency rule filed Apr 9, 1998, 1:18 p.m.: 21 IR 3377; emergency rule filed Feb 20, 2001, 10:08 a.m.: 24 IR 2097; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 27, 2002, 10:25 a.m.: 25 IR 2534; emergency rule filed Feb 21, 2003, 4:15 p.m.: 26 IR 2380; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1911; emergency rule filed Apr 21, 2004, 3:45 p.m.: 27 IR 2754; emergency rule filed May 10, 2005, 3:20 p.m.: 28 IR 2745; emergency rule filed Jan 25, 2006, 10:30 a.m.: 29 IR 1955; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 19, 2009, 11:07 a.m.: 20090401-IR-071090195ERA, eff Mar 12, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.]; emergency rule filed Mar 23, 2010, 1:27 p.m.: 20100331-IR-071100170ERA; emergency rule filed Mar 3, 2011, 11:50 a.m.: 20110309-IR-071110100ERA; emergency rule filed Mar 8, 2012, 11:43 a.m.: 20120321-IR-071120117ERA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA; emergency rule filed Mar 30, 2016, 12:18 p.m.: 20160406-IR-071160138ERA)*)

Industry Response to proposed SB rule change

Pitman, Deena

From: John Kieninger [jack-jeri@rtcol.com]
Sent: Tuesday, May 24, 2016 8:14 AM
To: Pitman, Deena
Subject: RE: Drafts of proposed rule changes for consideration during June 8th IHRC commission meeting

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Deena

The ISA agree to the rule changes as proposed.

Thank You

Jack Kieninger

From: Pitman, Deena [<mailto:dpitman@hrc.IN.gov>]
Sent: Monday, May 23, 2016 3:30 PM
To: Pitman, Deena
Subject: Drafts of proposed rule changes for consideration during June 8th IHRC commission meeting

Dear Interested Parties:

Attached please find draft proposed rule changes that the Commission will be considering at its next regularly scheduled board meeting on June 8, 2016 (at Hoosier Park). Please take a look at the drafts and forward any suggestions or proposed changes to me no later than May 30th. If this is a duplicate of an email you have previously received, please accept my apologies.

Best wishes for the upcoming holiday weekend. ~Deena

71 IAC 5.5-4-2 Apprentice jockeys

Authority: IC 4-31-6-2

Affected: IC 4-31

Sec. 2. (a) An applicant may be prohibited from riding until the stewards or the commission have [*sic., has*] sufficient opportunity to verify the applicant's previous riding experience.

(b) The conditions of an apprentice jockey license do not apply to quarter horse racing. A jockey's performance in quarter horse racing do [*sic., does*] not apply to the conditions of an apprentice jockey license.

(c) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey.

(d) An apprentice certificate may be obtained from the stewards on a form provided by the commission. A person shall not receive more than one (1) apprentice certificate. In case of emergencies, a copy of the original may be obtained from the commission where it was issued.

~~(e) An apprentice jockey shall ride with a five (5) pound weight allowance beginning with the apprentice jockey's first mount and for one (1) full year from the date of the apprentice jockey's fifth winning mount. If after riding one (1) year from the date of the apprentice jockey's fifth winning mount, the apprentice jockey has failed to ride a total of forty (40) winners from the date of the apprentice jockey's first winning mount, the apprentice jockey shall continue to ride with a five (5) pound weight allowance for one (1) more year from the date of the apprentice jockey's fifth winning mount or until the apprentice jockey has ridden forty (40) winners, whichever comes first.~~

(e) An apprentice jockey shall ride with a ten (10) pound weight allowance beginning with the apprentice jockey's first mount until the apprentice wins five (5) races. Once the apprentice jockey wins his or her fifth race, he or she shall ride with a seven (7) pound weight allowance for a period of one (1) year from the date of his or her fifth win. During the course of this year, if the apprentice jockey wins a total of forty (40) races, he or she will ride with a five (5) pound allowance until such time as that year is up. If apprentice does not win forty (40) races within the year, he or she shall retain their apprenticeship for additional year or until the fortieth (40) win. After that time if apprentice does not win forty (40) races the second year they will no longer be considered an apprentice jockey they will become a journeyman jockey.

(f) If an apprentice jockey is unable to ride for a period of seven (7) consecutive days or more after the date of the apprentice jockey's fifth winning mount because of service in national armed forces, enrollment in an institution of secondary or higher education, or because of physical disablement, the commission may extend the time during which the apprentice weight allowance may be claimed for a period not to exceed the period the apprentice jockey was unable to ride. The apprentice jockey extension form approved by the commission shall be completed and provided to the commission. The commission currently licensing the apprentice jockey shall have the authority to grant an extension to an eligible applicant, but only after the apprentice has produced on the approved form documentation verifying time lost as defined by this regulation. An apprentice may petition one (1) of the jurisdictions in which he or she is licensed and riding for an extension of the time for claiming apprentice weight allowances, and the apprentice shall be bound by the decision of the jurisdiction so petitioned.

(g) The conditions set forth in section 1 of this rule shall also apply. (*Indiana Horse Racing Commission; 71 IAC 5.5-4-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2857, eff Jul 1, 1995; emergency rule filed Jun 22, 1998, 5:09 p.m.: 21 IR 4233; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1915; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-07107003ORFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA*)

71 IAC 7.5-6-3

Jockey requirements

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 3. (a) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and weight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled, except as approved by the stewards.

(b) A jockey who has not fulfilled all riding engagements, who desires to leave the jockeys' quarters, must first receive the permission of the stewards and must be accompanied by an association security guard.

(c) While in the jockeys' quarters, jockeys shall have no contact or communication with any person outside the jockeys' quarters other than:

(1) commission personnel and officials;

(2) an owner or trainer for whom the jockey is riding;

(3) the jockey's agent; or

(4) a representative of the regular news media; except with the permission of the stewards. Any communication permitted by the stewards may be conducted only in the presence of the clerk of scales or other person designated by the stewards. Such communication may include the use of personal cell phones in a restricted area approved by the commission or its designee.

(d) Jockeys shall be weighed out for their respective mounts by the clerk of scales not more than thirty (30) minutes before post time for each race.

(e) Only valets employed by the association shall assist jockeys in weighing out.

(f) A jockey must wear a safety vest when riding in any official race. The safety vest shall meet one (1) of the standards for safety vests outlined in 71 IAC 5.5-1-26.

(g) Weighing Out

(1) A jockey's weight shall include his/her clothing, boots, saddle and its attachments, and any other equipment except the bridle, bit, blinkers, goggles, number cloth, and safety equipment including helmet, vest, over-girth, reins, and breast collar.

(2) Upon steward's approval, jockeys may be allowed up to three

(3) pounds more than published weights to account for inclement weather, clothing, and equipment.

(h) Seven (7) pounds is the limit of overweight any horse is permitted to carry. **If a jockey is more than two (2) pounds overweight, an owner or trainer may replace said jockey without penalty.**

(i) Once jockeys have fulfilled their riding engagements for the day and have left the jockeys' quarters, they shall not be readmitted to the jockeys' quarters until after the entire racing program for that day has been completed, except with permission of the stewards.

(Indiana Horse Racing Commission; 71 IAC 7.5-6-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2871, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3409; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Aug 21, 2003, 4:45 p.m.: 27 IR 206; emergency rule filed Feb 17, 2005, 11:48 a.m.: 28 IR 2154; emergency rule filed Jul 28, 2006, 11:17 a.m.: 20060809-IR-071060278ERA, eff Aug 1, 2006; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 19, 2009, 11:07 a.m.: 20090401-IR-071090195ERA, eff Mar 12, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.]; emergency rule filed Mar 23, 2010, 1:27 p.m.: 20100331-IR-071100170ERA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)

71 IAC 6.5-1-2 Claiming of horses

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) Any horse starting in a claiming race is subject to be claimed for its entered price by any:

- (1) licensed owner; or
- (2) holder of a valid ~~claim~~ **open claiming** certificate; or
- (3) licensed authorized agent acting on behalf of an eligible claimant.

(b) Every horse claimed shall race for the account of the original owner, but title to the horse shall be transferred to the claimant at the time the horse leaves the starting gate. The successful claimant shall become the owner of the horse, regardless of whether it is alive or dead, sound or unsound, or injured prior to, during, or after the race. (*Indiana Horse Racing Commission; 71 IAC 6.5-1-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; emergency rule filed June 8, 1999, 9:30 a.m.: 22 IR 3121, eff May 26, 1999 [NOTE: IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2780; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA*)

71 IAC 6.5-1-3 Claim certificate

Authority: IC 4-31-3-9

Affected: IC 4-31

~~Sec. 3. (a) An applicant for a claim certificate shall submit to the commission:~~

- ~~(1) an application for an owner's license and the required fee; and~~
- ~~(2) the name of a licensed trainer, or person eligible to be a licensed trainer, who will assume the care and responsibility for any horse claimed.~~

~~(b) The stewards shall issue a claim certificate upon satisfactory evidence that the applicant is eligible for an owner's license.~~

~~(c) The claim certificate shall expire thirty (30) days after the date of issuance, or upon the claim of a horse, or upon issuance or denial of an owner's license, whichever comes first.~~

~~(d) A claim certificate may be renewed by the stewards during the same year.~~

(a) Any owner, except an owner/trainer, may claim any horse subject to be claimed in flat racing in Indiana provided the owner:

- 1. has foal papers on file in the Indiana Grand racing office and has started a horse at the current race meeting; or**
- 2. has been issued an open claiming certificate by the Stewards.**

(b) The Stewards shall issue an open claiming certificate to any person who:

- 1. makes application for an owners license;**
- 2. meets all requirements for the issuance of an owner's license;**

3. **does not own, nor has a spouse who:**
 - a. **owns a horse who is eligible and able to race at Indiana Grand; or**
 - b. **has foal papers on file in the Indiana Grand racing office with respect to a horse eligible to race at Indiana Grand;**
 4. **has an agreement with a trainer licensed in Indiana to take charge of, care for, and train any horse claimed by the holder of the open claiming certificate; and,**
 5. **has at a minimum, the amount of the claim and applicable taxes on deposit with the Horsemen's Bookkeeper.**
- (c) **An open claiming certificate may not be issued to any person licensed as such a trainer in any jurisdiction unless the trainer is a member of a partnership, limited liability company, corporation or other entity that would otherwise be eligible for an open claiming certificate and the claim is being made by that entity.**
- (d) **The open claiming certificate shall be valid for the calendar year in which it is issued or until the person to whom the open claiming certificate is issued executes a claim and becomes an owner of a horse through the use of the open claiming certificate, whichever period is shorter.**
- (e) **An open claiming certificate shall not be effective until the next racing day following the date of approval by the Stewards.**
- (f) **The open claiming certificate shall be enclosed in the envelope provided for the purpose of claiming by the racing office.**

(Indiana Horse Racing Commission; 71 IAC 6.5-1-3; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)

Industry Response to proposed TB/QH rule change

Pitman, Deena

From: Michael Brown [brownpreston@indy.rr.com]
Sent: Monday, May 30, 2016 12:23 PM
To: Pitman, Deena
Subject: Re: Drafts of proposed rule changes for consideration during June 8th IHRC commission meeting
Attachments: 6-8-16 rule change response, jockeys and claiming.doc

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. **** _____

Deena,
Attached is a letter representing the perspective of the Indiana HBPA board of directors, as expressed during their meeting on May 26, 2016. Please contact me if you need any additional information.

Thank you,
Mike

Michael Brown, executive director
Indiana HBPA
----- "Pitman wrote:

=====
Dear Interested Parties:

Attached please find draft proposed rule changes that the Commission will be considering at its next regularly scheduled board meeting on June 8, 2016 (at Hoosier Park). Please take a look at the drafts and forward any suggestions or proposed changes to me no later than May 30th. If this is a duplicate of an email you have previously received, please accept my apologies.

Best wishes for the upcoming holiday weekend. ~Deena



Indiana Horsemen's Benevolent & Protective Association, Inc.

32 Hollaway Boulevard
Brownsburg, IN 46112
(317)-903-4382 - www.inhbpa.org

Deena Pitman
Indiana Horse Racing Commission
1302 Meridian Street, Suite 175
Indianapolis, Indiana 46202

May 27, 2016

Deena,

Thank you for the opportunity to communicate our thoughts on the two sections of proposed rule changes under consideration for the IHRC meeting on June 8, 2016.

Our Indiana HBPA directors discussed both sections on May 26, 2016, and generated the following concerns and observations:

- 71 IAC 5.5-4-2 and 71 IAC 7.5-6-3: The directors had no questions about the Apprentice Jockeys rule changes or the Jockey Requirements change. They are fine with the draft, as proposed.
- 71 IAC 6.5-1-3 Section 3 (a): The amendment references having foal papers on file in the Indiana Grand racing office, as a requirement for claiming a horse. Currently, owners are not required to have foal papers on file with the racing office.
- Section 3 (c): The proposed change currently reads, "An open claiming certificate may not be issued to any person licensed as a trainer in any jurisdiction . . ." Shouldn't the reference to "trainer" be changed to "owner?"
- Section 3 (e): The Indiana HBPA board would like the open claiming certificate to be effective the same date as the approval by the Stewards, provided that said approval is obtained by 1 pm that day.

We would ask your consideration of these observations. And we thank you, in advance, for that consideration.

Michael Brown, executive director
Indiana HBPA

Pitman, Deena

From: Stan Bowker [sbowker2003@yahoo.com]
Sent: Tuesday, May 31, 2016 12:51 PM
To: Pitman, Deena
Subject: Re: Drafts of proposed rule changes for consideration during June 8th IHRC commission meeting

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Deena--

Looks like #1 on apprentice jockeys is OK.

Foal papers--In order to receive a "0" preference date, foal papers must be on file. The reason for requiring foals papers be in the office is so that open claiming is available only for owners who have no horses, have lost their last horse or have horses on file indicating they are participating in the program here and not claiming a horse that they can take somewhere else in 60 days.

Section 3 (c)--An open claim is for owners, not trainers. We don't want trainers that are not racing here to come in, claim a horse then take him out of here, wait for 60 days and then run at another track. Sometimes they wait for 60 days and then sell the horse to one of his/her owners.

Section 3 (e)--24 hours is needed so we can complete whatever background check is needed, i.e. ARCI, or other source when adverse information is found. We have other things we are doing every day and sometimes we don't have time to complete our review until the next morning. I don't want to be held to a specific time.

Stan

From: "Pitman, Deena" <dpitman@hrc.IN.gov>
To: Stan Bowker <sbowker2003@yahoo.com>; Stewards <stewards@hrc.IN.gov>
Cc: "Smith, Michael D" <MDSmith@hrc.IN.gov>; "Ellingwood, Lea" <LEllingwood@hrc.IN.gov>
Sent: Tuesday, May 31, 2016 10:06 AM
Subject: FW: Drafts of proposed rule changes for consideration during June 8th IHRC commission meeting

Stan, would you be able to review the HBPA's thoughts regarding the his concerns. If you could do so this morning, I would very much appreciate it. Thanks!

-----Original Message-----

From: Michael Brown [mailto:brownpreston@indy.rr.com]
Sent: Monday, May 30, 2016 12:23 PM
To: Pitman, Deena
Subject: Re: Drafts of proposed rule changes for consideration during June 8th IHRC commission meeting

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Deena,

Attached is a letter representing the perspective of the Indiana HBPA board of directors, as expressed during their meeting on May 26, 2016. Please contact me if you need any additional

information.

Thank you,
Mike

Michael Brown, executive director
Indiana HBPA

---- "Pitman wrote:

=====

Dear Interested Parties:

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Best wishes for the upcoming holiday weekend. ~Deena

Agenda Item # 6

TITLE 71 INDIANA HORSE RACING COMMISSION

Notice of Intent to Readopt
LSA Document #16-____(F)

Readopts rules in anticipation of IC 4-22-2.5-2, providing that an administrative rule adopted under IC 4-22-2 expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

OVERVIEW: Rules to be readopted without changes are as follows:

71 IAC 6-3-2
71 IAC 8.5-14-1
71 IAC 13.5-2-3
71 IAC 14-1-3
71 IAC 14.5-2-3

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication.

Send written comments to the Small Business Regulatory Coordinator for this rule (see IC 4-22-2- 28.1):

Lea Ellingwood
General Counsel
Indiana Horse Racing Commission
1302 North Meridian Street, Suite 175
Indianapolis, IN 46204
(317) 233-3119
lellingwood@hrc.in.gov

Statutory authority: IC 4-31-3-9; IC 4-35-7-12.

For purposes of IC 4-22-2-28.1, the Small Business Ombudsman designated by IC 4-4-35-8 is:

Robert Warner
Office of Small Business and Entrepreneurship
One North Capitol, Suite 600
Indianapolis, IN 46204
(317) 232-5679
ombudsman@osbe.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in IC 4-4-35-8, specifically IC 4-4-35-8(9), investigating and

attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

AGENDA ITEM #7

IHRC agency and breed development media advertising update

AGENDA ITEM #8

Centaur presentation: A “Virtual Ownership” Experience