

**TEXAS RACING COMMISSION**  
**P. O. Box 12080**  
**Austin, TX 78711-2080**  
**(512) 833-6699**  
**Fax (512) 833-6907**

Texas Racing Commission  
Tuesday, August 5, 2008  
10:30 a.m.  
Texas Department of Public Safety  
6100 Guadalupe  
Criminal Law Enforcement, Building E  
First Floor Auditorium  
Austin, Texas 78752

## **AGENDA**

- I. CALL TO ORDER**  
Roll Call
- II. PUBLIC COMMENT**
- III. GENERAL BUSINESS**  
Discussion, consideration and possible action on the following matters:
  - A. Budget and Finance Update III-1
  - B. Report on Racetrack Inspections III-5
  - C. Report and Update by the Executive Director and Staff Regarding Administrative Matters
  - D. Report by the Working Group on Policies, Procedures, and Ethics
  - E. Report by the Working Group on Future Funding of the Commission
  - F. Presentation on Oklahoma's Enforcement Efforts regarding Brush Tracks

- G. The Commission's Legislative Appropriations Request for 2010-2011 III-6
- H. Report and Update by the Texas Quarter Horse Association as an official State Horse Breed Registry

**IV. PROCEEDINGS ON RACETRACKS**

Discussion, consideration and possible action on the following matters:

- A. Request by Sam Houston Race Park for Approval of Totalisator Contract with Scientific Games Racing, LLC. IV-1
- B. Request by Valle de los Tesoros, Ltd, for Approval of Change of Ownership IV-2
- C. Request by LRP Group, Ltd., for Approval of Change of Ownership IV-6
- D. Allocation of Live Race Dates for Greyhound Racetracks under Commission Rule 303.41 IV-10
- E. Allocation of Live Race Dates for Horse Racetracks under Commission Rule 303.41 IV-53

**V. PROCEEDINGS ON RULEMAKING**

Discussion, consideration and possible action on the following rules:

**A. Rule Proposals**

- 1. Proposal to Amend § 309.3, Racetrack License Application Procedure V-1
- 2. Proposal to Amend § 311.3, Information for Background Investigation V-2
- 3. Proposal by Valley Race Park to Amend § 309.355, Grading System V-3
- 4. Proposals by the Texas Greyhound Association V-5
  - a. Proposal to amend § 309.307, Lures
  - b. Proposal to amend § 309.316, Emergency Care Facility
  - c. Proposal to amend § 309.355, Grading System
  - d. Proposal to amend § 309.363, Official Program
  - e. Proposal to amend § 315.1, Required Officials
  - f. Proposal for new § 315.43, Track Superintendent
  - g. Proposal for new § 315.44, Brakeman

5. Proposal by the Texas Quarter Horse Association to amend § 319.111, Bleeders and Furosemide Program V-12

**B. Rule Adoptions** V-34

(Comments to the Proposals begin on page V-13)

1. Adoption of § 309.1, Racetrack Licenses
2. Adoption of § 309.7, Horse Racetrack Application Fees
3. Adoption of § 309.9, Denial, Suspension and Revocation of Licenses
4. Adoption of § 309.103, Construction and Renovation of Racetrack Facilities
5. Adoption of § 309.111, Comfort and Safety
6. Adoption of § 309.113, Accessibility by Disabled Persons
7. Adoption of § 309.114, Restrooms
8. Adoption of § 309.115, Refreshments
9. Adoption of § 309.116, Complaints
10. Adoption of § 309.117, First Aid
11. Adoption of § 309.118, Regulatory Office Space and Equipment
12. Adoption of § 309.120, Parking for Licensees
13. Adoption of § 309.123, Internal Communication System
14. Adoption of § 309.168, Hazardous Weather
15. Adoption of § 309.250, Test Barn
16. Repeal of § 309.251, Isolation Area
17. Repeal of § 309.252, Treatment Area
18. Adoption of § 309.253, Postmortem
19. Adoption of § 309.254, Equine Ambulance
20. Adoption of § 309.255, Chase Vehicle
21. Adoption of § 309.256, Starting Crew
22. Adoption of § 309.296, Official Program
23. Adoption of § 309.305, Starting Boxes
24. Adoption of § 309.309, Lockout Kennel
25. Adoption of § 309.311, Kennel Compound
26. Adoption of § 309.312, Turnout Pens

27. Adoption of § 309.314, Sprint Path
28. Adoption of § 309.317. Facilities and Equipment Maintenance Personnel

**VI. EXECUTIVE SESSION**

The following items may be discussed and considered in executive session or open meeting and have action taken in the open meeting:

- A. Under Government Code Sec. 551.071, the Commission may open an executive session to confer with its attorney regarding pending or contemplated litigation on any matter listed in this agenda.
- B. Under Government Code Sec. 551.071(2), the Commission may open an executive session to discuss all matters identified in this agenda where the commission seeks the advice of their attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and to discuss the Open Meetings Act and the Administrative Procedures Act.
- C. Under Texas Racing Act, Art. 179e, Sec. 6.03, Vernon's Texas Civil Statutes, the Commission may open an executive session to review a totalisator contract.

**VII. OLD/NEW BUSINESS**

Schedule next Commission Meeting (Tuesday, October 7, 2008)

**VIII. ADJOURN**

# Budget and Finance Update

# Texas Racing Commission

FYE 08/31/2008

LBB-4

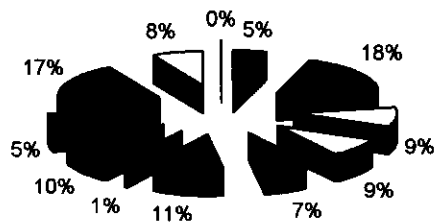
Cumulative Operating Budget Status  
by LBB Expenditure Object/Codes

Strategy	Description	FY 2008 Annual Budget	FY 2008 Expended Thru 6/30/2008	FY 2008 Unexpended Bal 6/30/2008	With 83.34% of Year Lapsed % of Budget Expended
\$ 0	FTE's = 76.60				
	<u>Sum Of All Strategies other than A.2.1</u>				
	1001 Salaries and Wages	3,796,297	2,832,010	964,286	74.60%
	1002 Other Personnel Cost	142,540	128,688	13,852	90.28%
	2001 Prof Fees and Services	183,242	63,794	119,448	34.81%
	2003 Consumables	29,938	15,750	14,188	52.61%
	2004 Utilities	22,900	19,321	3,579	84.37%
	2005 Travel	228,878	148,673	80,205	64.96%
	2006 Rent Building	108,014	98,507	9,507	91.20%
	2007 Rent Machine	16,500	10,043	6,457	60.87%
	2009 Other Operating Cost	292,840	185,941	106,899	63.50%
	CB Computer Equipment	35,340	12,741	22,599	36.05%
\$ 4,856,488	<b>Total Operating Budget</b>	<b>4,856,488</b>	<b>3,515,468</b>	<b>1,341,020</b>	<b>72.39%</b>
\$ 5,389,159	<b>Strategy A.2.1. TX Bred Incentive</b>	<b>5,389,159</b>	<b>4,019,395</b>	<b>1,369,764</b>	<b>74.58%</b>
\$ 10,245,647	<b>Total All Strategies</b>	<b>10,245,647</b>	<b>7,534,863</b>	<b>2,710,784</b>	<b>73.54%</b>

### Expended Operational Budget By Strategy

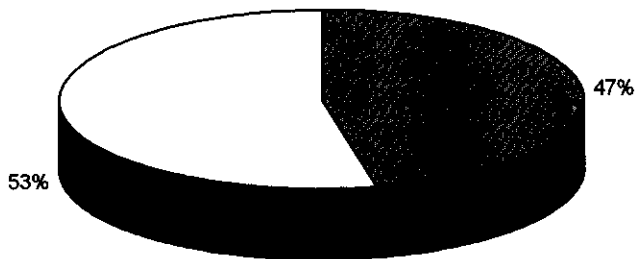
Regulate Racetrack Owners	\$ 186,761
Supervise Racing	\$ 597,610
Monitor Licensee Activities	\$ 325,520
Inspect & Provide Emergency Care	\$ 312,170
Administer Drug Test	\$ 251,648
Occupational Licensing Program	\$ 399,020
Texas On-Line Program	\$ 18,908
Monitor Pari-Mutuel Wagering	\$ 367,013
Wagering & Compliance Inspection	\$ 188,136
Central Administration	\$ 586,451
Information Resources	\$ 282,231
Other Support Services	\$ -

### Expended Operational Budget



■ Regulate Racetrack Owners	■ Supervise Racing
□ Monitor Licensee Activities	□ Inspect & Provide Emergency Care
■ Administer Drug Test	■ Occupational Licensing Program
□ Texas On-Line Program	■ Monitor Pari-Mutuel Wagering
■ Wagering & Compliance Inspection	■ Central Administration
□ Information Resources	■ Other Support Services

### Expended Appropriations



■ Operational Budget □ ATB Budget

### Expended Appropriations

Operational Budget	\$ 3,515,468
ATB Budget	\$ 4,019,395

# Texas Racing Commission

FYE 08/31/2008

LBB-1

Cumulative Operating Budget Status  
by LBB Expenditure Object/Codes

Strategy	Description	FY 2008 Annual Budget	FY 2008 Expended Thru 6/30/2008	FY 2008 Unexpended Bal 6/30/2008	With 83.34% of Year Lapsed % of Budget Expended
A.1.1.	FTE's = 4.00 <u>Regulate Racetrack Owners</u>				
	1001 Salaries and Wages	234,022	169,423	64,598	72.40%
	1002 Other Personnel Cost	5,140	11,289	(6,149)	219.63%
	2001 Prof Fees and Services	5,000	1,674	3,326	33.47%
	2003 Consumables	250	122	128	48.68%
	2004 Utilities	-	-	-	
	2005 Travel	8,100	1,240	6,860	15.30%
3.33%	2006 Rent Building	-	-	-	
\$ 4,589	2007 Rent Machine	-	-	-	
\$ 251,055	2009 Other Operating Cost	16,075	3,013	13,062	18.75%
\$ 12,943	CB Computer Equipment	-	-	-	
\$ 268,587	<b>Total Strategy A.1.1.</b>	<b>268,587</b>	<b>186,761</b>	<b>81,826</b>	<b>69.53%</b>
A.2.1.	FTE's = 0 <u>Texas Bred Incentive</u>				
	ATB Money Expended	5,389,159	4,019,395	1,369,764	74.58%
\$ 5,389,159	<b>Total Strategy A.2.1.</b>	<b>5,389,159</b>	<b>4,019,395</b>	<b>1,369,764</b>	<b>74.58%</b>
A.3.1.	FTE's = 12.00 <u>Supervise Racing and Licensees</u>				
	1001 Salaries and Wages	706,650	513,821	192,828	72.71%
	1002 Other Personnel Cost	20,800	20,392	408	98.04%
	2001 Prof Fees and Services	12,742	10,331	2,411	81.08%
	2003 Consumables	-	-	-	
	2004 Utilities	-	374	(374)	
	2005 Travel	40,817	37,121	3,696	90.95%
-6.56%	2006 Rent Building	-	-	-	
\$ 13,855	2007 Rent Machine	-	-	-	
\$ 849,215	2009 Other Operating Cost	4,875	2,830	2,045	58.04%
\$ (41,847)	CB Computer Equipment	35,340	12,741	22,599	36.05%
\$ 821,224	<b>Total Strategy A.3.1.</b>	<b>821,224</b>	<b>597,610</b>	<b>223,614</b>	<b>72.77%</b>
A.3.2.	FTE's = 7.00 <u>Monitor Occupational Licensee Act.</u>				
	1001 Salaries and Wages	389,723	291,541	98,182	74.81%
	1002 Other Personnel Cost	24,300	17,754	6,546	73.06%
	2001 Prof Fees and Services	-	-	-	
	2003 Consumables	-	-	-	
	2004 Utilities	-	-	-	
	2005 Travel	28,719	13,266	15,453	46.19%
-0.77%	2006 Rent Building	-	-	-	
\$ 7,641	2007 Rent Machine	-	-	-	
\$ 434,687	2009 Other Operating Cost	3,875	2,958	917	76.35%
\$ 4,289	CB Computer Equipment	-	-	-	
\$ 446,617	<b>Total Strategy A.3.2.</b>	<b>446,617</b>	<b>325,520</b>	<b>121,097</b>	<b>72.89%</b>
A.4.1.	FTE's = 7.10 <u>Inspect and Provide Emerg. Care</u>				
	1001 Salaries and Wages	382,651	271,500	111,151	70.95%
	1002 Other Personnel Cost	10,260	11,370	(1,110)	110.82%
	2001 Prof Fees and Services	20,000	10,486	9,514	52.43%
	2003 Consumables	-	-	-	
	2004 Utilities	-	-	-	
	2005 Travel	13,500	11,842	1,658	87.72%
-3.82%	2006 Rent Building	-	-	-	
\$ 6,730	2007 Rent Machine	-	-	-	
\$ 436,742	2009 Other Operating Cost	7,125	6,972	153	97.86%
\$ (9,937)	CB Computer Equipment	-	-	-	
\$ 433,536	<b>Total Strategy A.4.1.</b>	<b>433,536</b>	<b>312,170</b>	<b>121,366</b>	<b>72.01%</b>

# Texas Racing Commission

FYE 08/31/2008

LBB-2

Cumulative Operating Budget Status  
by LBB Expenditure Object/Codes

Strategy	Description	FY 2008 Annual Budget	FY 2008 Expended Thru 6/30/2008	FY 2008 Unexpended Bal 6/30/2008	With 83.34% of Year Lapsed % of Budget Expended
	FTE's = 6.50				
A.4.2.	<u>Administer Drug Testing</u>				
	1001 Salaries and Wages	289,340	220,860	68,480	76.33%
	1002 Other Personnel Cost	12,280	5,040	7,240	41.04%
	2001 Prof Fees and Services	-	-	-	
	2003 Consumables	-	-	-	
	2004 Utilities	-	-	-	
	2005 Travel	32,140	21,442	10,698	66.71%
1.08%	2006 Rent Building	-	-	-	
\$ 5,449	2007 Rent Machine	-	-	-	
\$ 325,703	2009 Other Operating Cost	6,375	4,306	2,069	67.55%
\$ 8,983	CB Computer Equipment	-	-	-	
\$ 340,135	<b>Total Strategy A.4.2.</b>	<b>340,135</b>	<b>251,648</b>	<b>88,487</b>	<b>73.98%</b>
	FTE's = 13.00				
B.1.1.	<u>Occupational Licensing</u>				
	1001 Salaries and Wages	428,147	347,898	80,249	81.26%
	1002 Other Personnel Cost	29,540	14,127	15,413	47.82%
	2001 Prof Fees and Services	-	-	-	
	2003 Consumables	2,500	132	2,368	5.28%
	2004 Utilities	-	-	-	
	2005 Travel	33,250	19,002	14,248	57.15%
-4.18%	2006 Rent Building	-	-	-	
\$ 8,127	2007 Rent Machine	11,000	6,206	4,794	56.42%
\$ 547,692	2009 Other Operating Cost	36,625	11,654	24,971	31.82%
\$ (14,757)	CB Computer Equipment	-	-	-	
\$ 541,062	<b>Total Strategy B.1.1.</b>	<b>541,062</b>	<b>399,020</b>	<b>142,043</b>	<b>73.75%</b>
	FTE's = 0				
B.1.2.	<u>Texas OnLine</u>				
	1001 Salaries and Wages	-	-	-	
	1002 Other Personnel Cost	-	-	-	
	2001 Prof Fees and Services	-	-	-	
	2003 Consumables	-	-	-	
	2004 Utilities	-	-	-	
	2005 Travel	-	-	-	
0.00%	2006 Rent Building	-	-	-	
	2007 Rent Machine	-	-	-	
\$ 23,250	2009 Other Operating Cost	23,250	18,908	4,342	81.32%
\$ -	CB Computer Equipment	-	-	-	
\$ 23,250	<b>Total Strategy B.1.2.</b>	<b>23,250</b>	<b>18,908</b>	<b>4,342</b>	<b>81.32%</b>
	FTE's = 9.00				
C.1.1.	<u>Monitor Wagering and Audit</u>				
	1001 Salaries and Wages	412,344	327,586	84,758	79.44%
	1002 Other Personnel Cost	11,780	14,863	(3,083)	126.17%
	2001 Prof Fees and Services	-	-	-	
	2003 Consumables	225	213	12	94.65%
	2004 Utilities	-	-	-	
	2005 Travel	21,800	16,324	5,476	74.88%
-1.80%	2006 Rent Building	-	-	-	
\$ 8,085	2007 Rent Machine	-	-	-	
\$ 457,218	2009 Other Operating Cost	19,010	8,028	10,982	42.23%
\$ (144)	CB Computer Equipment	-	-	-	
\$ 465,159	<b>Total Strategy C.1.1.</b>	<b>465,159</b>	<b>367,013</b>	<b>98,146</b>	<b>78.90%</b>
	FTE's = 5.00				
C.1.2.	<u>Wagering &amp; Compliance Inspections</u>				
	1001 Salaries and Wages	228,004	168,476	59,528	73.89%
	1002 Other Personnel Cost	6,060	5,560	500	91.75%
	2001 Prof Fees and Services	75,000	-	75,000	0.00%
	2003 Consumables	-	-	-	
	2004 Utilities	-	-	-	
	2005 Travel	18,952	10,986	7,966	57.97%
-0.60%	2006 Rent Building	-	-	-	
\$ 3,477	2007 Rent Machine	-	-	-	
\$ 327,143	2009 Other Operating Cost	4,125	3,114	1,011	75.50%
\$ 1,521	CB Computer Equipment	-	-	-	
\$ 332,141	<b>Total Strategy C.1.2.</b>	<b>332,141</b>	<b>188,136</b>	<b>144,005</b>	<b>56.64%</b>

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# Texas Racing Commission

FYE 08/31/2008

LBB-3

Cumulative Operating Budget Status  
by LBB Expenditure Object/Codes

Strategy	Description	FY 2008 Annual Budget	FY 2008 Expended Thru 6/30/2008	FY 2008 Unexpended Bal 6/30/2008	With 83.34% of Year Lapsed % of Budget Expended
D.1.1.	FTE's = 8.00 Central Administration				
	1001 Salaries and Wages	439,059	329,131	109,928	74.96%
	1002 Other Personnel Cost	16,620	23,552	(6,932)	141.71%
	2001 Prof Fees and Services	25,500	19,919	5,581	78.11%
	2003 Consumables	25,000	13,321	11,679	53.28%
	2004 Utilities	20,000	13,787	6,213	68.93%
	2005 Travel	28,500	15,389	13,111	54.00%
0.47%	2006 Rent Building	105,314	95,807	9,507	90.97%
\$ 5,924	2007 Rent Machine	5,500	3,837	1,663	69.76%
\$ 753,938	2009 Other Operating Cost	103,857	71,709	32,148	69.05%
\$ 9,487	CB Computer Equipment	-	-	-	
\$ 769,350	<b>Total Strategy D.1.1.</b>	<b>769,350</b>	<b>586,451</b>	<b>182,898</b>	<b>76.23%</b>
D.2.1.	FTE's = 5.00 Information Resources				
	1001 Salaries and Wages	286,357	191,774	94,583	66.97%
	1002 Other Personnel Cost	5,760	4,740	1,020	82.29%
	2001 Prof Fees and Services	45,000	21,384	23,616	47.52%
	2003 Consumables	1,963	1,963	0	99.98%
	2004 Utilities	2,900	5,160	(2,260)	262.87%
	2005 Travel	3,100	2,062	1,038	66.51%
6.30%	2006 Rent Building	2,700	2,700	-	100.00%
\$ 5,498	2007 Rent Machine	-	-	-	
\$ 380,469	2009 Other Operating Cost	67,648	52,448	15,200	77.53%
\$ 29,461	CB Computer Equipment	-	-	-	
\$ 415,428	<b>Total Strategy D.1.2.</b>	<b>415,428</b>	<b>282,231</b>	<b>133,197</b>	<b>67.94%</b>
D.1.3.	FTE's = - Other Support Services				
	1001 Salaries and Wages	-	-	-	
	1002 Other Personnel Cost	-	-	-	
	2001 Prof Fees and Services	-	-	-	
	2003 Consumables	-	-	-	
	2004 Utilities	-	-	-	
	2005 Travel	-	-	-	
	2006 Rent Building	-	-	-	
	2007 Rent Machine	-	-	-	
\$ -	2009 Other Operating Cost	-	-	-	
\$ -	CB Computer Equipment	-	-	-	
\$ -	<b>Total Strategy D.1.3.</b>	<b>-</b>	<b>-</b>	<b>-</b>	
\$ 69,376	Estimated 2% appropriation rider FY-08				
\$ 4,787,112	Operating Budget regular appropriations	4,856,488	3,515,468	983,089	72.39%
\$ 5,389,159	Strategy A.2.1. TX Bred Incentive	5,389,159	4,019,395	1,369,764	74.58%
\$ 10,245,647	Total M.O.F.				
\$ 10,245,647	Total All Strategies	10,245,647	7,534,863	2,352,853	73.54%

111-4

# **Report on Racetrack Inspections**

**Texas Racing Commission**  
**Report on Racetrack Inspection Activities**  
 August 5, 2008

Date of Inspection	Track	Type of Inspection	Number of Unsatisfactory Items	Track Remediation	Inspection resolved	Unsatisfactory Items Remaining
7/02/08	Gillespie	Pari-Mutuel Live	1		7/24/08	
7/3/08	Gillespie	Safety & Security	0			
7/3/08	Gillespie	Racing Stewards	0			
7/3/08	Gillespie	Veterinary	0			
7/19/08	Gillespie	Pari-Mutuel Simulcast Ops	0			
7/19/08	Gillespie	Admin	0			
6/5/08	Gulf	Safety & Security	1			1 remains
6/11/08	Gulf	Veterinary	3			3 remain
7/10/08	Gulf	Racing Judges	2			2 remain
5/22/08	Lone Star Park	Racing Stewards	3			3 remain
6/05/08	Lone Star	Veterinary	3	2 resolved 7/10/08 1 resolved 7/18/08	7/18/08	
5/23/08	Retama	Pari-Mutuel	0			
5/23/08	Retama	Racing Stewards	1		5/30/08	
5/23/08	Retama	Veterinary	0			
6/17/08	Sam Houston	Pari-Mutuel	1		7/11/08	
6/18/08	Sam Houston	Safety & Security	1		7/24/08	
6/26/08	Sam Houston	Veterinary	0			
6/27/08	Sam Houston	Racing Stewards	1			1 remains

**Gulf Greyhound Park** – Maintenance and upkeep issues regarding, kennel buildings and lighting, turnout pens, racing equipment, and starting boxes.

**Lone Star Park** – Water draining from wash rack into barn and lack of private telephone lines for Texas Racing Commission office.

**Sam Houston Race Park** – Maintenance and upkeep items in paddock, winners circle and ladies hot box.

**The Commission's  
Legislative Appropriations Request  
for 2010-2011**

# Texas Racing Commission Legislative Appropriations Request – FY2010 – FY2011 Administrator's Statement

The Racing Commission consists of a nine member policy-making board of which seven are appointed by the Governor with the advice and consent of the Senate to serve six year terms, and two are ex officio members, the Chair of the Public Safety Commission and the Comptroller of Public Accounts.

<i>Commission Members</i>	<i>Dates of Term</i>	<i>Hometown</i>
Jesse R. Adams, Chair	5/16/2003 – 2/1/2009	Helotes
G. Kent Carter, DVM, Vice-Chair	2/19/2004 – 2/1/2009	Caldwell
Gloria Hicks	11/9/2007 – 2/1/2013	Corpus Christi
Ronald F. Ederer	7/17/2007 – 2/1/2013	Fair Oaks Ranch
Rolando Pablos	10/3/2007 - 2/1/2011	San Antonio
Robert Schmidt, M.D.	11/16/2007 – 2/1/2011	Fort Worth
Charles L. Sowell	8/26/2003 – 2/1/2009	Houston

### *Ex Officio Members*

Beth Anderson, Designee for Chair, Public Safety Commission	Dallas
Susan Combs, Comptroller of Public Accounts	Austin

## **I. Overview**

The Texas Racing Commission continues to provide strict regulation of the racing industry in Texas. Though the industry is generally considered to be in a decline in Texas, it continues to positively affect the state's economy as evidenced by the following recent statistics:

- The Texas horse industry produces a total economic impact of \$5.2 billion, of which \$848 million comes from racing.
- The racing industry contributes more than 36,000 permanent jobs to the Texas economy and accounts for more than four percent of all agribusiness in the state.
- The state's share of the total amount of money wagered through pari-mutuel wagering has been approximately \$4.4 million for each of the past three years.

Texas currently has seven operational racetracks located throughout the state hosting more than 2.2 million patrons for approximately 1,200 days of live racing of horses and greyhounds. The agency staff participates in the presentation and oversight of live racing throughout the year including regulation through veterinarian services staff, stewards and judges, and law enforcement investigators. The agency also licenses more than 11,500 active racing participants while agency auditors monitor, through complex computer systems, more than \$492 million dollars wagered at the tracks annually.

All agency regulatory efforts are made to protect the health, safety and welfare of all racing participants, including race animals, and to protect patrons from any illegal, dishonest, or corrupt activities that may occur. It is a complicated industry, with complex regulations to administer, as racing participants, stakeholders, and local communities seek the significant amounts of money and financial benefits available through the development of the industry.

## **II. Sunset Review and Recommendations to the 81<sup>st</sup> Legislature**

Though the LAR's FY 10-11 budget and measure projections are based on current law, it is important to note that the agency is undergoing Sunset review. And, concurrent with the substantive statutory changes inherent in a Sunset bill, are the associated costs of implementing those changes. The Sunset Advisory Commission voted on its recommendations to the 81<sup>st</sup> Legislature in July 2008, and the majority of the recommendations do not have a significant fiscal impact to the agency with the exception of Recommendation 1.1. This recommendation would require TxRC to review all racetrack licenses no less than every five years and states that the Commission "should institute a staggered schedule that allows for an abbreviated, yet complete review..." However, because each racetrack license will have different substantive issues for review and will require different emphasis in analysis, an abbreviated review is not realistic. Consequently, the Commission is currently estimating that three additional FTEs and all associated costs would be needed in order to conduct the recommended review. Although the agency would incur costs, there would be no impact to the state's General Revenue Fund presuming the Commission institutes fees to racetracks to cover the review costs.

## **III. Significant External Challenges**

The racing industry continues to be in a state of flux and the future is uncertain. The industry is subject to varying types of competition, ranging from the expansion of gaming and racing opportunities in neighboring states to unregulated sources of competition such as online gambling and unregulated racing. While the Sunset recommendations address some of these types of competition, such as prohibiting unlicensed entities that conduct online or phone wagering from accepting wagers placed by Texas citizens, it is not clear what the long-term effect will be on the Texas racing industry.

Due to the significant uncertainty, the Sunset Commission has recommended that the next Sunset review of the agency occur in six years instead of the standard 12 years. Recommendation 3.1 states that "this would allow the Legislature the opportunity to re-evaluate the Commission's role in regulating a declining industry at that time." It also states that "the Commission may need additional tools to again readjust to a further decline or a revived industry."

In the short-term, and as reflected in this LAR, the agency continues to allocate resources as efficiently as possible as well as work with racetracks to ensure that agency regulations are both fair and cost-effective.

## **IV. Significant Changes in Provision of Services**

The Commission has been significantly affected by the closure of Corpus Christi Greyhound Race Track in December 2007. This resulted in the loss and or reassignment of several employees. Staff now inspects the racetrack's physical facilities to ensure that the owners maintain and repair the facility, but there are no live or simulcast operations to regulate.

On the horizon is the opening of three newly licensed horse racetracks in Laredo and McAllen. Before each of these racetracks may open, the agency must review the plans, monitor the construction, and give final approval before the track may begin racing, training or wagering. Once a new racetrack begins simulcasting and live racing, the Commission will require up to an additional five FTE's to effectively regulate the wagering and racing.

Similarly, the Corpus Christi Greyhound Race Track may reopen in 2010, which will require similar start-up activities and staffing.

Rather than build these uncertain costs into the baseline request, the Commission requests the authority to incur these expenses through the riders described in the next section.

## **V. Prioritized Exceptional Item Requests**

All five of the exceptional items requested correspond to either new or existing riders that provide additional appropriation authority and flexibility to the Commission to meet a variety of regulatory scenarios based on industry changes - including the opening of new tracks, the reactivation of closed tracks, and the potential for additional race dates beyond those estimated for FY10-11. Below are the prioritized items and their descriptions:

- 1. Reactivate Greyhound Racetrack and Texas Bred Program Rider .** This request would give the agency the appropriation authority and FTEs to staff and regulate the re-opening of an inactive greyhound racetrack that is estimated to offer no more than 90 performances of live racing and 364 days of simulcast racing during each fiscal year of the biennium This request would also give the agency the appropriation authority to remit Texas Bred Incentive Program funds collected.
- 2. New Horse Racetracks Rider – Cost Adjustment.** This request would increase appropriation authority in each fiscal year to adjust for the additional cost of travel and salaries that have increased since the original drafting of this rider in 2004.
- 3. Greyhound Live Performances Beyond Base Estimates Rider.** This request would give the agency additional appropriation authority and FTEs to staff and regulate live horse race days granted, if any, beyond the estimated days included in the base appropriation authority and the inactive greyhound racetrack rider.
- 4. Horse Live Race Days Beyond Base Estimates Rider.** This request would give the agency additional appropriation authority and FTEs to staff and regulate live horse race days granted, if any, beyond the estimated live horse race days included within the base appropriation authority and the new horse racetracks rider.
- 5. Live and Simulcast Race Calendar Estimates.** This request would establish the live and simulcast race day estimates in each fiscal year of the biennium for the base appropriation authority to staff and regulate two greyhound racetracks conducting 419 performances of live racing and 728 days of simulcast racing, and five horse racetracks conducting 277 days of live racing and 1,600 days of simulcast racing in each fiscal year of the 2010-11 biennium.

## **VI. Supplemental Schedule - 10% Biennial Base Reduction Options**

Listed below is a summary of the biennial base reduction options. It is important to note that more than half of the Racing Commission's appropriation is statutorily dedicated pass-through revenue to the Texas-Bred Incentive Program administered by the state's breed registries. Of the Commission's remaining operating budget appropriation, over 80 percent is devoted to staff salaries. In order to comply with the reduction options requirement, the Commission proposes the following reductions to both the pass-through revenue and to agency staff:

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**1. Texas Bred Incentive Program.** The schedule reflects a \$1.26 million biennial reduction in appropriation authority for the Texas-Bred Incentive Program. The money for this strategy is generated by wagers at Texas racetracks and is passed through the Commission to the official breed registries, which in turn pay out awards to Texas owners and breeders of race animals.

**2. Wagering Compliance Inspections.** The schedule reflects an \$150,000 biennial reduction which is the entirety of a new Wagering System Security contract. The contract is for new and specialized audit services to ensure the security of the racing industry's wagering systems. Without the contract for the new system, the agency would continue to operate with its existing internal audit program to ensure the integrity of all wagering systems.

**3. Supervision of Live Races.** The schedule reflects a reduction of 3.8 FTEs and approximately \$238,400 in each year of the biennium. This reduction in staff is comprised of 1.85 State Steward positions located at horse racetracks and 1.95 State Judge positions located at greyhound racetracks. The reduction would require a statutory change that would transfer one-third of the state-employed stewards and judges to racetrack employment.

**4. Occupational Licensing Program.** The schedule reflects a reduction of 1 FTE and \$26,330 in each year of the biennium for one administrative technician position. This reduction in workforce would minimally affect the agency's customers and would affect the efficiency of the agency's internal operations.

## **VII. Changes to Exempt Positions**

In order to properly align the Executive Director's salary with the responsibilities of overseeing the compliance and regulation of a large and complex industry, the Commission respectfully requests the authority to reclassify the Executive Director position from a Group 2 to a Group 4 in the Schedule of Exempt Positions with a salary range of \$81,480 to \$125,880. This will give the Commission the authority to retain and reward excellent leadership.

## **VIII. Background Checks: Statutory Authority and Agency Rules and Procedures**

### **Statute and Rules:**

The Commission has statutory authority to conduct background checks from two sources:

- 1) Government Code, Sec. 411.96 – authorizes the Commission to obtain from DPS criminal history record information that pertains to persons appointed to the Commission, applicants for employment by the commission, and applicants for a license under the Texas Racing Act.
- 2) Texas Racing Act, Sec. 5.04 – authorizes the Commission to obtain any criminal history record information maintained by DPS or the FBI that relates to each applicant for employment by the Commission and to each applicant for a license issued. Authorizes the Commission to refuse to recommend an applicant who fails to provide a complete set of fingerprints.

The Texas Rules of Racing are codified in Title 16, Part 8 of the Texas Administrative Code and require background checks on both applicants for a racetrack license (Sec. 309.4) and

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applicants for an occupational license (Sec. 311.3). Both sections require that : 1) a licensure applicant must submit with the application documents a set of fingerprints on a form prescribed by DPS; 2) not later than 10 days after TxRC staff take the fingerprints they must be forwarded to DPS; and 3) TxRC must obtain a criminal history record from DPS for each individual who submits fingerprints.

### **Agency Process**

To obtain a license, each applicant must complete a basic application, submit fingerprints for a criminal history background check, and pay a licensing fee. The agency sends all fingerprint cards to DPS and the FBI for processing. The Commission is transitioning to the use of electronic fingerprinting which will shorten the amount of time it takes to receive criminal history information from DPS and the FBI.

Currently, Commission staff re-fingerprint each occupational licensee and obtain a new FBI background check at the five-year renewal mark. This is in the process of being changed to a three-year renewal process and will most likely be implemented by the end of 2008. Between renewal periods, TxRC investigators rely on updates from DPS which alert the Commission if a licensee is arrested in Texas.

### **IX. Method of Finance**

The Commission receives no general revenue; rather it is entirely funded by the regulated industry and dedicated portions of wagers. As a *self-leveling* agency – one that is permitted to generate only enough to operate the agency, the agency will exercise its authority to raise the funds necessary to cover the requested appropriations for FY2010-FY2011.

### **X. Summary**

The agency and the industry face many challenges. It is the Commission's job to regulate a form of entertainment and recreation that is also a very large and complex business. It is the agency's mission to ensure that pari-mutuel racing is safe, honest, and fair for all participants. Approval of the legislative appropriation request – baseline budget, rider authorization requests, and exceptional items, will allow the Commission to continue providing effective and efficient regulation of this industry.

# Texas Racing Commission

## Summary of 2010-11 Base Legislative Appropriations Request & 2009 Operating Budget Request

### Legislative Base Appropriations

Legislative Base Appropriations		Appropriated	Appropriated	Appropriated	Requested 2010	Requested 2011
		2007	2008	2009		
A.1.1.	License/Regulate Racetracks	250,735	268,587	265,593	252,046	253,188
A.2.1.	Texas Bred Incentive Program	5,418,494	5,389,159	5,389,159	5,000,000	5,000,000
A.3.1.	Supervise & Conduct Live Races	869,110	821,224	896,959	959,773	962,855
A.3.2.	Monitor Licensee Activities	420,077	446,617	394,231	386,485	387,645
A.4.1.	Inspect & Provide Emergency Care	428,602	433,536	378,376	395,766	396,106
A.4.2.	Administer Drug Test	329,543	340,135	347,779	396,382	397,102
B.1.1.	Occupational Licensing Program	534,175	541,062	530,767	433,440	429,360
B.1.2.	Texas OnLine <i>(Estimated)</i>	23,250	23,250	23,250	23,250	23,250
C.1.1.	Monitor Wagering & Audit	456,178	465,159	442,228	446,453	447,473
C.1.2.	Wagering Compliance Inspections	199,883	332,141	351,709	307,330	304,850
D.1.1.	Central Administration	804,772	769,350	788,722	789,117	789,917
D.1.2.	Information Resources	315,898	415,427	434,479	451,170	449,465
<b>Total Base Appropriations:</b>		<b>\$ 10,050,717</b>	<b>\$ 10,245,647</b>	<b>\$ 10,243,252</b>	<b>\$ 9,841,212</b>	<b>\$ 9,841,211</b>

### Legislative Rider Appropriations

New Horse Racetrack Operating Cost	\$ -	\$ -	\$ 269,015	\$ 269,015	\$ 269,015
New Horse Racetrack Texas Bred Incentive Program	\$ -	\$ -	\$ 332,037	\$ 332,037	\$ 332,037
<b>Total Rider Appropriations:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 601,052</b>	<b>\$ 601,052</b>	<b>\$ 601,052</b>

### Total Base Appropriations Authorized

\$ 10,050,717	\$ 10,245,647	\$ 10,844,304	\$ 10,442,264	\$ 10,442,263
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### Lapsed Base Appropriations

Lapsed Base Appropriations	\$ (324,030)	\$ (490,000)	\$ (450,000)		
Lapsed Rider Appropriations	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Lapsed Appropriations</b>	<b>\$ (324,030)</b>	<b>\$ (490,000)</b>	<b>\$ (450,000)</b>	<b>\$ -</b>	<b>\$ -</b>

### Total Base Appropriations Expended / Estimated

\$ 9,726,687	\$ 9,755,647	\$ 10,394,304	\$ 10,442,264	\$ 10,442,263
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### Object-of-Expense Informational Listings

#### Object-of-Expense for Appropriations Expended

	Expended 2007	Estimated 2008	Projected 2009	Requested 2010	Requested 2011
Salaries & Wages	3,496,092	3,793,297	3,696,109	3,653,448	3,653,448
Other Personnel Costs	185,614	142,540	181,418	159,962	160,944
Professional Fees & Services	79,194	186,241	194,221	204,720	204,720
Consumable Supplies	27,703	29,938	30,500	31,000	31,000
Utilities	24,056	22,900	24,500	26,500	26,500
Travel	218,277	228,878	276,650	301,550	301,550
Rent- Building	107,498	108,014	108,014	108,014	108,014
Rent- Machine & Other	12,612	16,500	15,900	14,500	14,500
Other Operating Expense	340,977	292,840	291,440	308,980	306,735
Grants	5,202,852	5,389,159	5,389,159	5,000,000	5,000,000
Capital Expenditures	31,812	35,340	35,340	32,538	33,800
<b>Total OOE for Base Appropriations:</b>	<b>\$ 9,726,687</b>	<b>\$ 10,245,647</b>	<b>\$ 10,243,251</b>	<b>\$ 9,841,212</b>	<b>\$ 9,841,211</b>

#### Object-of-Expense for Rider Appropriations

Salaries & Wages	-	-	201,615	201,615	201,615
Travel	-	-	42,400	42,400	42,400
Grants	-	-	332,037	332,037	332,037
Capital Expenditures	-	-	25,000	25,000	25,000
<b>Total OOE for Rider Appropriations:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 601,052</b>	<b>\$ 601,052</b>	<b>\$ 601,052</b>

#### Object-of-Expense Estimated Lapse

Lapsed Base Appropriations	n/a	\$ (490,000)	\$ (450,000)	\$ -	\$ -
Lapsed Rider Appropriations	n/a	n/a	\$ -	\$ -	\$ -
<b>Total OOE for Estimated Lapses:</b>	<b>\$ -</b>	<b>\$ (490,000)</b>	<b>\$ (450,000)</b>	<b>\$ -</b>	<b>\$ -</b>

### Total Object-of-Expense

\$ 9,726,687	\$ 9,755,647	\$ 10,394,303	\$ 10,442,264	\$ 10,442,263
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### Full-Time-Equivalent Positions Information

#### FTE Breakdown

	Actuals 2007	Estimated 2008	Projected 2009	Requested 2010	Requested 2011
Authorized by Base Appropriations	77.9	76.6	76.8	71.6	71.6
Authorized by Rider Appropriations			5.0	5.0	5.0
Lapsed/Estimated Lapse of FTEs	(6.9)	(4.5)	(4.5)	-	-
<b>Total FTE's Available</b>	<b>71.0</b>	<b>72.1</b>	<b>77.3</b>	<b>76.6</b>	<b>76.6</b>

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# Texas Racing Commission

## Summary of 2010-11 Legislative Appropriations For Exceptional Item Request & Rider Revisions

<u>Exceptional Item Appropriation By Strategy</u>		<u>Exceptional Item Request by Strategy</u>		<u>FTE's</u>	<u>Requested 2011</u>
A.1.1.	License/Regulate Racetracks	-	-	-	-
A.2.1.	Texas Bred Incentive Program	-	112,447	-	112,447
A.3.1.	Supervise & Conduct Live Races	1.2	71,887	1.2	71,887
A.3.2.	Monitor Licensee Activities	-	2,500	-	2,500
A.4.1.	Inspect & Provide Emergency Care	-	-	-	-
A.4.2.	Administer Drug Test	0.7	41,356	0.7	41,356
B.1.1.	Occupational Licensing Program	1.0	34,500	1.0	34,500
B.1.2.	Texas OnLine <i>(Estimated)</i>	-	-	-	-
C.1.1.	Monitor Wagering & Audit	1.0	44,500	1.0	44,500
C.1.2.	Wagering Compliance Inspections	-	-	-	-
D.1.1.	Central Administration	-	-	-	-
D.1.2.	Information Resources	-	-	-	-
<b>Total Exceptional Item Appropriations:</b>		<b>3.9</b>	<b>\$ 307,190</b>	<b>3.9</b>	<b>\$ 307,190</b>

### Rider Revisions

Revised - Rider # 8: New Horse Racetracks	-	34,585	-	34,585
Revised - Rider # 10: New Racetrack Application	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
<b>Total Rider Revisions Appropriations:</b>	<b>-</b>	<b>\$ 34,585</b>	<b>-</b>	<b>\$ 34,585</b>

<b>Total Appropriations Exceptional Items and Rider Revisions</b>	<b>3.90</b>	<b>\$ 341,775</b>	<b>3.90</b>	<b>\$ 341,775</b>
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### Object-of-Expense Informational Listings

<u>Object-of-Expense for Exceptional Item Request</u>	<u>Requested 2010</u>	<u>Requested 2011</u>
Salaries & Wages	180,843	180,843
Other Personnel Costs	-	-
Professional Fees & Services	-	-
Consumable Supplies	-	-
Utilities	-	-
Travel	13,900	13,900
Rent- Building	-	-
Rent- Machine & Other	-	-
Other Operating Expense	-	-
Grants	112,447	112,447
Capital Expenditures	-	-
<b>Total OOE for Base Appropriations:</b>	<b>\$ 307,190</b>	<b>\$ 307,190</b>

<u>Object-of-Expense for Rider Revisions</u>	<u>Requested 2010</u>	<u>Requested 2011</u>
Salaries & Wages	32,685	32,685
Travel	1,900	1,900
Grants	-	-
Capital Expenditures	-	-
<b>Total OOE for Rider Appropriations:</b>	<b>\$ 34,585</b>	<b>\$ 34,585</b>

<b>Total Object-of-Expense</b>	<b>\$ 341,775</b>	<b>\$ 341,775</b>
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### Full-Time-Equivalent Positions Information

<u>FTE Breakdown</u>	<u>Requested 2010</u>	<u>Requested 2011</u>
From Exceptional Item Request	3.9	3.9
From Rider Revision Request	-	-
<b>Total FTE's Available</b>	<b>3.9</b>	<b>3.9</b>

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# Texas Racing Commission

## Summary of 2010-11 Total Legislative Appropriations Request & 2009 Operating Budget Request

### Total Legislative Appropriations

<u>Legislative Appropriations By Strategy</u>	<u>Expended 2007</u>	<u>Estimated 2008</u>	<u>Projected 2009</u>	<u>Requested 2010</u>	<u>Requested 2011</u>
A.1.1. License/Regulate Racetracks	250,735	268,587	265,593	252,046	253,188
A.2.1. Texas Bred Incentive Program	5,418,494	5,389,159	5,389,159	5,112,447	5,112,447
A.3.1. Supervise & Conduct Live Races	869,110	821,224	896,959	1,031,660	1,034,742
A.3.2. Monitor Licensee Activities	420,077	446,617	394,231	388,985	390,145
A.4.1. Inspect & Provide Emergency Care	428,602	433,536	378,376	395,766	396,106
A.4.2. Administer Drug Test	329,543	340,135	347,779	437,738	438,458
B.1.1. Occupational Licensing Program	534,175	541,062	530,767	467,940	463,860
B.1.2. Texas Online <i>(Estimated)</i>	23,250	23,250	23,250	23,250	23,250
C.1.1. Monitor Wagering & Audit	456,178	465,159	442,228	490,953	491,973
C.1.2. Wagering Compliance Inspections	199,883	332,141	351,709	307,330	304,850
D.1.1. Central Administration	804,772	769,350	788,722	789,117	789,917
D.1.2. Information Resources	315,898	415,427	434,479	451,170	449,465
<b>Total Base Appropriations:</b>	<b>\$ 10,050,717</b>	<b>\$ 10,245,647</b>	<b>\$ 10,243,252</b>	<b>\$ 10,148,402</b>	<b>\$ 10,148,401</b>
<b>Legislative Rider Appropriations</b>					
New Horse Racetrack Operating Cost	-	-	269,015	303,600	303,600
New Horse Racetrack Texas Bred Incentive Prgm	-	-	332,037	332,037	332,037
<b>Total Rider Appropriations:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 601,052</b>	<b>\$ 635,637</b>	<b>\$ 635,637</b>
<b>Total Appropriations Authorized</b>	<b>\$ 10,050,717</b>	<b>\$ 10,245,647</b>	<b>\$ 10,844,304</b>	<b>\$ 10,784,039</b>	<b>\$ 10,784,038</b>
<b>Lapsed Appropriations</b>					
Lapsed Base Appropriations	\$ (324,030)	\$ (490,000)	\$ (450,000)	\$ -	\$ -
Lapsed Rider Appropriations	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Lapsed Appropriations</b>	<b>\$ (324,030)</b>	<b>\$ (490,000)</b>	<b>\$ (450,000)</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total Legislative Appropriations</b>	<b>\$ 10,050,717</b>	<b>\$ 10,245,647</b>	<b>\$ 10,844,304</b>	<b>\$ 10,784,039</b>	<b>\$ 10,784,038</b>

### Object-of-Expense Informational Listings

<u>Object-of-Expense for Total Appropriations</u>	<u>Expended 2007</u>	<u>Estimated 2008</u>	<u>Projected 2009</u>	<u>Requested 2010</u>	<u>Requested 2011</u>
Salaries & Wages	3,496,092	3,793,297	3,696,109	3,834,291	3,834,291
Other Personnel Costs	185,614	142,540	181,418	159,962	160,944
Professional Fees & Services	79,194	186,241	194,221	204,720	204,720
Consumable Supplies	27,703	29,938	30,500	31,000	31,000
Utilities	24,056	22,900	24,500	26,500	26,500
Travel	218,277	228,878	276,650	315,450	315,450
Rent- Building	107,498	108,014	108,014	108,014	108,014
Rent- Machine & Other	12,612	16,500	15,900	14,500	14,500
Other Operating Expense	340,977	292,840	291,440	308,980	306,735
Grants	5,202,852	5,389,159	5,389,159	5,112,447	5,112,447
Capital Expenditures	31,812	35,340	35,340	32,538	33,800
<b>Total OOE for Base Appropriations:</b>	<b>\$ 9,726,687</b>	<b>\$ 10,245,647</b>	<b>\$ 10,243,251</b>	<b>\$ 10,148,402</b>	<b>\$ 10,148,401</b>
<b>Object-of-Expense for Rider Appropriations</b>					
Salaries & Wages	-	-	201,615	234,300	234,300
Travel	-	-	42,400	44,300	44,300
Grants	-	-	332,037	332,037	332,037
Capital Expenditures	-	-	25,000	25,000	25,000
<b>Total OOE for Rider Appropriations:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 601,052</b>	<b>\$ 635,637</b>	<b>\$ 635,637</b>
<b>Object-of-Expense Estimated Lapse</b>					
Lapsed Base Appropriations	n/a	\$ (490,000)	\$ (450,000)	\$ -	\$ -
Lapsed Rider Appropriations	n/a	n/a	\$ -	\$ -	\$ -
<b>Total OOE for Estimated Lapses:</b>	<b>\$ -</b>	<b>\$ (490,000)</b>	<b>\$ (450,000)</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total Object-of-Expense for Appropriations</b>	<b>\$ 9,726,687</b>	<b>\$ 9,755,647</b>	<b>\$ 10,394,303</b>	<b>\$ 10,784,039</b>	<b>\$ 10,784,038</b>

### Full-Time-Equivalent Positions Information

<u>FTE Breakdown</u>	<u>Actuals 2007</u>	<u>Estimated 2008</u>	<u>Projected 2009</u>	<u>Requested 2010</u>	<u>Requested 2011</u>
Authorized by Total Appropriations	77.9	76.6	76.8	75.5	75.5
Authorized by Rider Appropriations	-	-	5.0	5.0	5.0
Lapsed/Estimated Lapse of FTEs	(6.9)	(4.5)	(4.5)	-	-
<b>Total FTE's Available</b>	<b>71.0</b>	<b>72.1</b>	<b>77.3</b>	<b>80.5</b>	<b>80.5</b>

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Texas Racing Commission Legislative Appropriations Request  
 Summary of Exceptional Items Request for FY 2010-2011  
 81<sup>st</sup> Regular Session

Priority	Item	FY 2010		FY 2011		Biennium Total
		Request	FTE's	Request	FTE's	
1	<b>Reactivate Inactive Greyhound Racetrack Rider and Texas Bred Program</b> <i>Justification:</i> This request would give the agency the appropriation authority and FTE's to staff and regulate the re-opening of an inactive greyhound racetrack, in the amount of \$194,743, that is estimated to offer no more than 90 performances of live racing and 364 days of simulcast racing during each fiscal year of the biennium. This request would also give the agency the appropriation authority in the amount of \$112,447, to remit Texas bred incentive program funds collected.	\$307,190	3.9	\$307,190	3.9	\$614,380
2	<b>New Horse Racetracks Rider Cost Adjustment</b> <i>Justification:</i> This request would increase appropriation authority in each fiscal year from \$269,015 to \$303,600 to adjust for the additional cost of travel and salaries that have increased since the original drafting of this rider (2004).	\$34,585	0.0	\$34,585	0.0	\$69,170
3	<b>Greyhound Live Performances Beyond Base Estimates Rider</b> <i>Justification:</i> This request would give the agency additional appropriation authority and FTE's to staff and regulate live greyhound performances granted, if any, beyond the estimated live performances included within the base appropriation authority and the inactive greyhound racetrack rider.	\$0.0	0.0	\$0.0	0.0	\$0.0
4	<b>Horse Live Race Days Beyond Base Estimates Rider</b> <i>Justification:</i> This request would give the agency additional appropriation authority and FTE's to staff and regulate live horse race days granted, if any, beyond the estimated live horse race days included within the base appropriation authority and the new horse racetracks rider.	\$0.0	0.0	\$0.0	0.0	\$0.0
5	<b>Live and Simulcast Race Calendar Estimates</b> <i>Justification:</i> This request would establish the live and simulcast race day estimates in each fiscal year of the biennium for which the base appropriation authority to staff and regulate two greyhound racetracks conducting 419 performances of live racing and 728 days of simulcast racing, and five horse racetracks conducting 277 days of live racing and 1,600 days of simulcast racing in each fiscal year of the 2010-2011 biennium.	\$0.0	0.0	\$0.0	0.0	\$0.0
	<b>Rider Revisions</b> <i>Rider # 10: New Racetrack Application.</i> Corrected language to clarify appropriations granted to agency for the processing of a new racetrack application.	\$0.0	0.0	\$0.0	0.0	\$0.0
<b>New Appropriation Request</b>		<b>\$341,775</b>	<b>3.9</b>	<b>\$341,775</b>	<b>3.9</b>	<b>\$683,550</b>

### 3.B. Rider Revisions and Additions Request

Agency Code:	Agency Name:	Prepared By:	Date:	Request Level:
476	Texas Racing Commission	Sammy Jackson	7/14/2008	Base
<b>Current Rider Number</b>	<b>Page Number in 2008-09 GAA</b>	<b>Proposed Rider Language</b>		
1	VIII-62 & VIII-63	<p><b>Performance Measure Targets.</b> The following is a listing of the key performance target levels for the Racing Commission. It is the intent of the Legislature that appropriations made by this ACT be utilized in the most efficient and effective manner possible to achieve the intended mission of the Racing Commission. In order to achieve the objectives and service standards established by this Act, the Racing Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.</p> <p><b>A Goal: Enforce Racing Regulation</b>  <b>Outcome (Results/Impact):</b>                      Percentage of Investigations (Individuals) Resulting in Disciplinary Action 95.0%                      Percentage of Licensees with No Recent Violations 95.0%                      Percentage of Race Animals Injured or Dismissed from the Racetrack 0.30%</p> <p><b>A.1.1. Strategy: LICENSE/REGULATE RACETRACKS</b>  <b>Output (Volume):</b>                      Number of Racetrack Inspections 96  <b>Efficiencies:</b>                      Average Regulatory Cost Per Racetrack \$26,067</p> <p><b>Explanatory:</b>                      Number of Horse Tracks Regulated 10                      Number of Greyhound Tracks Regulated 3</p> <p><b>A.2.1. Strategy: TEXAS BRED INCENTIVE PROGRAM</b>  <b>Output (Volume):</b>                      Number of Texas Bred Awards 16,655</p> <p><b>A.3.1. Strategy: SUPERVISE &amp; CONDUCT LIVE RACES</b>  <b>Output (Volume):</b>                      Number of Occupational Licenses Suspended or Revoked 121</p> <p><b>A.3.2. Strategy: Monitor LICENSEE ACTIVITIES</b>  <b>Output (Volume):</b>                      Number of Investigations Completed 192</p> <p><b>A.4.1. Strategy: INSPECT &amp; PROVIDE EMERGENCY CARE</b>  <b>Output (Volume):</b>                      Number of Race Animals Inspected Pre-race 64,329</p> <p><b>B Goal: Regulate Participation</b>  <b>Outcome (Results/Impact):</b>                      Average Time Required to Issue a New Occupational License (Minutes) 10</p>		

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**3.B. Rider Revisions and Additions Request  
(continued)**

<p><b>B.1.1. Strategy: OCCUPATIONAL LICENSING PROGRAM</b>  <b>Output (Volume):</b>          Number of New Occupational Licenses Issued          Number of Occupational Licenses Renewed  <b>Efficiencies:</b>          Average Regulatory Cost Per Licensee</p>	<p>4,600 7,250 \$45.12 95.0%</p>	<p>4,600 7,250 \$45.36 95.0%</p>	<p>\$436.30 \$3,866,239</p>
<p><b>C Goal: Regulate Pari-Mutuel Wagering</b>  <b>Outcome (Results/Impact):</b>          Percentage of Compliance Audits Passed  <b>C.1.1. Strategy: MONITOR WAGERING AND AUDIT</b>  <b>Explanatory:</b>          Total Pari-Mutuel Handle (In Millions)          Total Take to the State Treasury from Pari-Mutuel Wagering on</p>	<p>95.0%</p>	<p>\$436.30 \$3,866,239</p>	<p>\$436.30 \$3,866,239</p>
<p><b>Capital Budget.</b> None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriation specified in Rider 8, Contingent Appropriation: New Horse Racetracks and Accredited Texas <del>Bred Program</del>, available, the capital budget expenditure and transfer authority provided to the Racing Commission by Article IX, Section 14.03, Limitation on Expenditures – Capital Budget, of this act, only applies to \$32,538 in fiscal year 2010 and \$33,800 in fiscal year 2011. \$35,340 each fiscal year to purchase computer hardware and software. The amount shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase" or for other items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code §1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.          Out of the GR Dedicated - Texas Racing Commission Account</p>	<p>2010</p>	<p>2011</p>	<p>No. 597:          a. Acquisition of Information Resource Technologies              (1) Purchase Computer Hardware &amp; Software \$32,538              (2) Rider 8 Contingency – Purchase Computer Hardware and Software \$25,000          Total Acquisition of Information Resource Technologies \$57,538          Total, Capital Budget \$57,538  <u>\$35,340</u></p>

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**3.B. Rider Revisions and Additions Request  
(continued)**

3	VIII-64	<p><b>Limitation on Travel Reimbursement.</b> Out of the funds appropriated above, not more than \$1,500 per Commissioner may be expended on out-of-state travel and not more than \$6,000 per Commissioner may be expended on in-state travel in each year of the biennium.</p>
4	VIII-64	<p><b>Appropriation: Unexpended Balances.</b> Unexpended balances remaining in Racing Commission Receipts as of August 31, 2010, 2008, are hereby appropriated for the fiscal year beginning September 1, 2010, 2008.</p>
5	VIII-64	<p><b>Texas Bred Incentive Program Receipts.</b> Amounts set aside by the Texas Racing Act for the Texas Bred Incentive Program are appropriated above in Strategy A.2.1, Texas Bred Incentive Program.</p>
6	VIII-64	<p><b>Criminal History Checks and Background Checks.</b> Out of the funds appropriated above in Strategy B.1.1, Occupational Licensing Program, \$25,000 in fiscal year 2010 2008 and \$25,000 in fiscal year 2011 2009 are appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety for costs incurred in conducting criminal history checks on Racing Commission occupational license applicants and occupational license renewal applicants or background checks on individuals seeking to transfer ownership interest in an existing racetrack license. Any additional revenue received from occupational license fees to cover the costs of criminal history checks or background checks is hereby appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety.</p>
7	VIII-64	<p><b>Texas Bred Incentive Program Awards.</b> None of the funds appropriated above for Texas Bred Incentive Program Awards may be expended for payments to a member serving on the commission. The Racing Commission shall take all necessary steps to ensure compliance with this provision.</p>
8	VIII-64 & VIII-65	<p><b>Contingency Appropriation for New Horse Racetracks.</b></p> <p>a. In addition to the amounts appropriated above, the Texas Racing Commission shall be appropriated out of funds collected by the agency and deposited to GR Dedicated-Texas Racing Commission Account No. 597 during each fiscal year of the 2010-11 2008-09 biennium, the following amounts for each new horse racetrack that begins operation for the first time during the biennium (estimated to be one new horse racetrack operating 30 days of live racing and 364 days of simulcast racing) contingent upon the Texas Racing Commission assessing fees sufficient to generate, during the 2010-11 2008-09 biennium, \$303,600 \$326,052 for fiscal year 2010 2008 and \$303,600 \$326,052 for fiscal year 2011 2009 for each new horse racetrack during the 2010-2011 2008-2009 biennium in excess of \$ ? \$40,138,000 in fiscal year 2010 2008 and \$ ? \$9,954,000 in fiscal year 2011 2009 (object codes 3188, 3189, 3190, 3193, 3194 and 3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimates for fiscal years 2010 2008 and 2011 2009:</p> <ul style="list-style-type: none"> <li>(a) \$88,561 \$76,554 in Strategy A.3.1, Supervise and Conduct Live Races;</li> <li>(b) \$66,893 \$66,893 in Strategy A.3.2, Monitor Licensee Activities;</li> <li>(c) \$48,200 \$33,493 in Strategy A.4.1, Inspect and Provide Emergency Care;</li> <li>(d) \$27,946 \$24,946 in Strategy A.4.2, Administer Drug Tests;</li> <li>(e) \$34,000 \$29,132 in Strategy B.1.1, Occupational Licensing Program;</li> <li>(f) \$38,000 \$38,000 in Strategy C.1.1, Monitor Wagering and Audit.</li> </ul> <p>Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above shall be increased by 5.0 FTE's in each fiscal year for each new horse racetrack that begins operations for the first time during the biennium contingent upon the Texas Racing Commission generating the amount of revenue indicated above for each</p>

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**3.B. Rider Revisions and Additions Request  
(continued)**

	<p>new horse racetrack. The Texas Racing Commission upon completion of necessary actions to access or increase such additional revenue shall furnish copies of the Texas Racing Commissions' minutes and other information supporting the estimated revenues to be generated for the <u>2010-2011 2008-09</u> biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent-appropriation shall be made available for the intended purpose.</p> <p>Also, contingent upon the Texas Racing Commission assessing fees to cover the costs of the regulation of each new horse racetrack, the Texas Racing Commission's Capital Budget authority shall be increased for the following item and by the following amounts.</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><u>2010</u></td> <td style="text-align: center;"><u>2011</u></td> </tr> <tr> <td style="text-align: center;">\$25,000</td> <td style="text-align: center;">\$25,000</td> </tr> </table> <p>Acquisition of Information Resource Technologies (1) Purchase Computer Hardware &amp; Software</p>	<u>2010</u>	<u>2011</u>	\$25,000	\$25,000	
<u>2010</u>	<u>2011</u>					
\$25,000	\$25,000					
9	<p>VIII-65</p> <p>b. In addition to the amounts appropriated above in GR Dedicated Texas Racing Commission Account No. 597, the Texas Racing Commission shall be appropriated in Strategy A.2.1, Texas Bred Incentive Program, revenue set aside by the Texas Racing Act pursuant to VTCS, Article 179e, § 6.08 (j) for the Texas Bred Incentive Program that is collected by the agency from each new horse racetrack that begins operations for the first time during the <u>2010-11 2008-09</u> biennium in an amount not to exceed \$332,037 from GR Dedicated-Texas Racing Commission Account No. 597 each year. Any appropriations from revenue collected by the agency from new horse racetracks for the Texas Bred Incentive Program during the <u>2010-11 2008-09</u> biennium may be used only for that purpose and are not transferable to any other strategy.</p> <p><b>Contingency Appropriation: New Racetrack Application.</b> All fees collected to cover the cost of the racetrack application process, in excess of \$15,000 \$75,000 in each fiscal year from GR Dedicated- Texas Racing Commission Account No. 597 (Object Code 3191) in the Comptroller's Biennial Revenue Estimate (estimated to be \$0 each fiscal year), are hereby appropriated to Strategy A.1.1, License/Regulate Racetracks. Any appropriations from revenue collected by the agency from new racetrack applications shall be used only for the racetrack application review process for those racetracks that have a scheduled hearing before the State Office of Administrative Hearing or the Texas Racing Commission during the <u>2010-11 2008-09</u> biennium and are not transferable to any other strategy.</p>					
10 Exceptional Item: Priority # 1	<p><b>Contingency Appropriation: Reactivate Inactive Greyhound Racetracks and Texas Bred Program.</b></p> <p>a. In addition to the amounts appropriated above, the Texas Racing Commission shall be appropriated out of funds collected by the agency and deposited to GR Dedicated-Texas Racing Commission Account No. 597 during each fiscal year of the <u>2010-11</u> biennium, the following amounts for each inactive greyhound racetrack that begins operation again during the biennium (estimated to be one greyhound racetrack operating 90 performances of live racing and 364 days of simulcast racing) contingent upon the Texas Racing Commission assessing fees sufficient to generate, during the <u>2010-11</u> biennium, \$194,743 for fiscal year 2010 and \$194,743 for fiscal year 2011 for each inactive greyhound racetrack during the <u>2010-2011</u> biennium in excess of \$ ? in fiscal year 2010 and \$ ? in fiscal year 2011 (object codes 3188, 3189, 3190, 3193, 3194 and</p>					

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### 3.B. Rider Revisions and Additions Request (continued)

	<p>3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimates for fiscal years 2010 and 2011:</p> <ul style="list-style-type: none"> <li>(a) \$71,887 in Strategy A.3.1, Supervise and Conduct Live Races;</li> <li>(b) \$2,500 in Strategy A.3.2, Monitor Licensee Activities;</li> <li>(c) \$41,356 in Strategy A.4.1, Inspect and Provide Emergency Care;</li> <li>(d) \$34,500 in Strategy B.1.1, Occupational Licensing Program;</li> <li>(e) \$44,500 in Strategy C.1.1, Monitor Wagering and Audit.</li> </ul>	
	<p>Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above shall be increased by 3.9 FTE's in each fiscal year for each inactive greyhound racetrack that begins operations again during the biennium contingent upon the Texas Racing Commission generating the amount of revenue indicated above for each inactive greyhound racetrack. The Texas Racing Commission upon completion of necessary actions to access or increase such additional revenue shall furnish copies of the Texas Racing Commission's minutes and other information supporting the estimated revenues to be generated for the 2010-2011 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent-appropriation shall be made available for the intended purpose.</p>	
<p>11 Exceptional Item: Priority # 5</p>	<p><b>b. Contingency Appropriation: Reactivate Accredited Texas Bred Program Greyhound.</b> In addition to the amounts appropriated above in GR Dedicated Texas Racing Commission Account No. 597, the Texas Racing Commission shall be appropriated in Strategy A.2.1, Texas Bred Incentive Program, revenue set aside by the Texas Racing Act pursuant to VTCS, Article 179e, § 6.09 (d) and § 6.091 (a)(4) for the Texas Bred Incentive Program that is collected by the agency from each inactive greyhound racetrack that begins operations during the 2010-11 biennium in an amount not to exceed \$112,447 from GR Dedicated-Texas Racing Commission Account No. 597 each year. Any appropriations from revenue collected by the agency from the re-opening of any inactive greyhound racetracks for the Texas Bred Incentive Program during the 2010-11 biennium may be used only for that purpose and are not transferable to any other strategy.</p> <p><b>Appropriation: Live and Simulcast Race Calendar Estimates</b> The amounts appropriated above in GR Dedicated Texas Racing Commission Account No. 597 are estimated to support the Texas Racing Commissions regulatory programs and administration costs to cover two greyhound racetracks conducting 419 performances of live racing and 728 days of simulcast racing, and five horse racetracks conducting 277 days of live racing and 1,600 days of simulcast racing in each fiscal year of the 2010-2011 biennium.</p>	<p>Article VIII</p>
<p>12 Exceptional Item: Priority # 3</p>	<p><b>Contingency Appropriation: Granting of Greyhound Racetrack Live Performances Beyond Estimates.</b> In addition to the amounts appropriated above in GR Dedicated Texas Racing Commission Account No. 597, the Texas Racing Commission shall be appropriated in each fiscal year \$1,206 for each live greyhound performance, granted in accordance with the Texas Racing Act pursuant to VTCS, Article 179e, § 10.01, that exceeds the estimates of live greyhound performances provided for in rider 10 and rider 11 (estimated to be 0 each fiscal year) contingent upon the Texas Racing Commission assessing fees sufficient to generate, during the 2010-11 biennium, \$1,206 for each additional live greyhound performance granted that exceeds the estimates of live greyhound performances provided for in rider 10 and rider 11 in excess of \$ ? in fiscal</p>	<p>Article VIII</p>

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### 3.B. Rider Revisions and Additions Request (continued)

<p>year 2010 and \$ ? in fiscal year 2011 (object codes 3188, 3189, 3190, 3193, 3194 and 3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimates for fiscal years 2010 and 2011:</p> <ul style="list-style-type: none"> <li>(a) \$740, per additional live performance granted, in Strategy A.3.1, Supervise and Conduct Live Races;</li> <li>(b) \$18, per additional live performance granted, in Strategy A.3.2, Monitor Licensee Activities;</li> <li>(c) \$127, per additional live performance granted, in Strategy A.4.1, Inspect &amp; Provide Emergency Care;</li> <li>(d) \$169, per additional live performance granted, in Strategy A.4.2, Administer Drug Test; and</li> <li>(e) \$152, per additional live performance granted, in Strategy B.1.1, Occupational Licensing Program.</li> </ul> <p>Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above shall be increased by 0.02 FTE's for each live greyhound performance, granted in accordance with the Texas Racing Act pursuant to VTCS, Article 179e, § 10.01, that exceeds the estimates of live greyhound performances provided for in rider 10 and rider 11 in each fiscal year during the biennium contingent upon the Texas Racing Commission generating the amount of revenue indicated above for each additional live greyhound performance. The Texas Racing Commission upon completion of necessary actions to access or increase such additional revenue shall furnish copies of the Texas Racing Commission's minutes and other information supporting the estimated revenues to be generated for the 2010-2011 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent-appropriation shall be made available for the intended purpose.</p>	<p><b>Contingency Appropriation: Granting of Horse Racetrack Live Race Days Beyond Estimates.</b> In addition to the amounts appropriated above in GR Dedicated Texas Racing Commission Account No. 597, the Texas Racing Commission shall be appropriated in each fiscal year \$4,384 for each live horse race day, granted in accordance with the Texas Racing Act pursuant to VTCS, Article 179e, § 8.01, that exceeds the estimates of live horse race days provided for in rider 8 and rider 13 (estimated to be 0 each fiscal year) contingent upon the Texas Racing Commission assessing fees sufficient to generate, during the 2010-11 biennium, \$4,384 for each additional live horse race day granted that exceeds the estimates of live horse race days provided for in rider 8 and rider 13 in excess of \$ ? in fiscal year 2010 and \$ ? in fiscal year 2011 (object codes 3188, 3189, 3190, 3193, 3194 and 3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimates for fiscal years 2010 and 2011:</p> <ul style="list-style-type: none"> <li>(a) \$2,055, per additional live race day granted, in Strategy A.3.1, Supervise and Conduct Live Races;</li> <li>(b) \$69, per additional live race day granted, in Strategy A.3.2, Monitor Licensee Activities;</li> <li>(c) \$796, per additional live race day granted, in Strategy A.4.1, Inspect &amp; Provide Emergency Care;</li> <li>(d) \$983, per additional live race day granted, in Strategy A.4.2, Administer Drug Test; and</li> <li>(e) \$481, per additional live race day granted, in Strategy B.1.1, Occupational Licensing Program.</li> </ul> <p>Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above shall be increased by 0.07 FTE's for each live horse race day, granted in accordance with the Texas Racing Act pursuant to VTCS, Article 179e, § 8.01, that exceeds the estimates of live horse race days provided for in rider 8 and rider 11 in each fiscal year during the biennium contingent upon the Texas Racing Commission generating the amount of revenue indicated above for each additional live horse race day. The Texas Racing Commission upon completion of necessary actions to access or increase such additional revenue shall furnish copies of the Texas Racing</p>
<p>13 Exceptional Item: Priority # 4</p>	<p>Article VIII</p>

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**3.B. Rider Revisions and Additions Request  
(continued)**

<p><u>Commission's minutes and other information supporting the estimated revenues to be generated for the 2010-2011 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent-appropriation shall be made available for the intended purpose.</u></p>	
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## 6.I. 10 Percent Biennial Base Reduction Options Schedule

Approved Reduction Amount

**\$1,941,354**

Agency Code: 476		Agency Name: Texas Racing Commission												
Rank	Reduction Item	Biennial Application of 10% Percent Reduction												
		GR	GR-Dedicated	Federal	Other	All Funds	FTE Reductions (FY 2010-11 Base Request Compared to Budgeted 2009)		Revenue Impact? Y/N	Cumulative GR-related reduction as a % of Approved Base				
	<b>Strat Name</b>													
1	A.2.1. Texas Bred Incentive Program		1,261,880			\$ 1,261,880					0.0	0.0	N	6.5%
2	C.1.2. Wagering Compliance Inspections		150,000			\$ 150,000					0.0	0.0	N	7.3%
3	A.3.1. Supervise & Conduct Live Races		476,814			\$ 476,814					3.8	3.8	N	9.7%
4	B.1.1. Occupational Licensing Program		52,660			\$ 52,660					1.0	1.0	N	10.0%
5						\$ -								10.0%
6						\$ -								10.0%
7						\$ -								10.0%
8						\$ -								10.0%
9						\$ -								10.0%
10						\$ -								10.0%
11						\$ -								10.0%
12						\$ -								10.0%
	<b>Agency Biennial Total</b>					\$ -	\$ 1,941,354	\$ -	\$ -	\$ 1,941,354		4.8		4.8
	<b>Agency Biennial Total (GR + GR-D)</b>					\$ -	\$ 1,941,354	\$ -	\$ -	\$ 1,941,354				

Rank / Name

Explanation of Impact to Programs and Revenue Collections

- 1 **Texas Bred Incentive Program**  
Of the total GR Dedicated reduction of \$1,941,354, \$1,261,880 or 65% consists of grants to the Texas Bred Incentive Program for encouraging the breeding and racing of animals in Texas. Of these funds, 2.0% is allocated for Equine Research at Texas A&M University, 9.8% is allocated for administration of the Texas Bred Incentive Program to the various Breed Registries recognized by the Texas Racing Act and 88.2% is allocated for awards to be issued to owners of Accredited Texas Bred greyhounds and horses.
- 2 **Wagering Compliance Inspections**  
Of the total GR Dedicated reduction of \$1,941,354, \$150,000 or 8% consists of the funding for the Wagering System Security contract. This contract is for specialized audit services to ensure adequate integrity and security of the racing industry's wagering systems.
- 3 **Supervise & Conduct Live Races**  
Of the total GR Dedicated reduction of \$1,941,354, \$476,814 or 24% consist of salaries and other personnel costs that supports 3.8 FTE's in strategy A.3.1. Supervise & Conduct Live Races. This reduction in staff is composed of 1.85 State Steward positions located at the horse race tracks and 1.95 State Judge positions located at the greyhound race tracks. This reduction in workforce would require a legislative change.
- 4 **Occupational Licensing Program**  
Of the total GR Dedicated reduction of \$1,941,354, \$52,660 or 3% consist of one administrative technician position. This reduction in workforce will not effect the agency's service population, however it will effect the agency abilities to operate efficiently and effectively.

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**Request by Sam Houston Race Park for  
Approval of Totalisator Contract with  
Scientific Games Racing, LLC.**



July 11, 2008

Sammy Jackson  
Texas Racing Commission  
Deputy Director of Finance & Regulatory Control  
8505 Cross Park Dr. Suite #110  
Austin, TX 78754

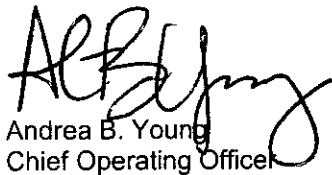
Via E-mail: [sammy.jackson@txrc.state.tx.us](mailto:sammy.jackson@txrc.state.tx.us)

Dear Mr. Jackson:

Enclosed please find a copy of the service agreement between Scientific Games Racing LLC and Sam Houston Race Park for the Commission's consideration.

Please let me know if you have any questions or concerns.

Sincerely,

  
Andrea B. Young  
Chief Operating Officer

Enclosure

**Request by Valle de los Tesoros, Ltd,  
for Approval of Change of Ownership**





**TEXAS RACING COMMISSION**  
P. O. BOX 12080  
AUSTIN, TEXAS 78711-2080  
(512) 833-6699  
FAX (512) 833-6907

July 29, 2008

To: Charla Ann King  
Executive Director

From: *MS* Michael Gougler  
Director of Investigations

RE: Ownership Changes: Valle De Los Tesoros, Ltd.

On July 11, 2008, the commission received a written request from Valle De Los Tesoros, Ltd. to approve the following changes in ownership. The first change related to a transfer of 4.000% from Hidalgo Muy Buena Suerte, Ltd. to Phillip Adams. The second change related to a transfer of all of Douglas Vair's interest (0.0477% ) to Tyler Graham. Neither Mr. Adams nor Mr. Graham had a prior ownership interest in Valle De Los Tesoros, Ltd. Background information forms for both applicants were forwarded to the Department of Public Safety Bureau of Information Analysis (DPS/BIA) for investigation. The Commission has received a report from DPS/BIA advising that there was no disqualifying information revealed in their investigation.

It is recommended that the request for approval for ownership transfers, as indicated above and as described in Attachment 1 of the requestor's letter, be approved.

MOLTZ | MORTON | O'TOOLE  
LLP

William J. Moltz  
(512) 439-2171  
wmoltz@mmotlaw.com

The Littlefield Building  
106 East 6<sup>th</sup> Street, Suite 700  
Austin, TX 78701  
(512) 439-2170  
Facsimile (512) 439-2165

July 11, 2008

Charla Ann King, Executive Secretary  
Texas Racing Commission  
8505 Cross Park Dr., Suite #110  
Austin, Texas 78754

Via Hand Delivery

RE: Approval of Ownership Changes for licensee Valle De Los Tesoros, Ltd.

Dear Ms. King:

Valle De Los Tesoros, Ltd. ("VDLT") submits the attached updated ownership information related to its Class 2 horse racetrack license for Hidalgo County, Texas. VDLT requests the approval of the Texas Racing Commission ("TRC") pursuant to TRC Rule 309.151 (change in ownership) of the Valle De Los Tesoros, Ltd. ownership changes as shown on Attachment 1. This request supersedes and replaces the similar request which was submitted by letter dated May 22, 2008.

As the TRC is well aware, the percentage ownerships in Valle De Los Tesoros, Ltd. need to be periodically adjusted as fluctuations occur due to capital calls and other ownership changes contemplated in the association's Partnership Agreement. The changes for which approval is hereby requested are fully indicated within Attachment 1. Because Valle De Los Tesoros, Ltd. is a limited partnership made up of a number of limited partners and a single limited liability company (LLC) acting as the general partner and owned by those same partners, each partner's total beneficial interest is determined by adding that partner's direct interest as a limited partner to that partner's indirect ownership interest due to his partial ownership of the general partner (the LLC).

In order to indicate each Partner's interest in Valle De Los Tesoros, Ltd., Attachment 1 is divided into four columns as follows: (1) the currently TRC approved ownership percentages of the limited partners and the general partner in Valle De Los Tesoros, Ltd.; (2) the currently TRC approved total ownership percentages (direct and indirect) of the Valle De Los Tesoros, Ltd. partners, (3) the ownership percentages of the limited partners and the general partner of Valle De Los Tesoros, Ltd. for which we are seeking TRC approval, and (4) the total ownership percentages (direct and indirect) of the Valle De Los Tesoros, Ltd. partners for which we are seeking TRC approval.

July 11, 2008

Page 2

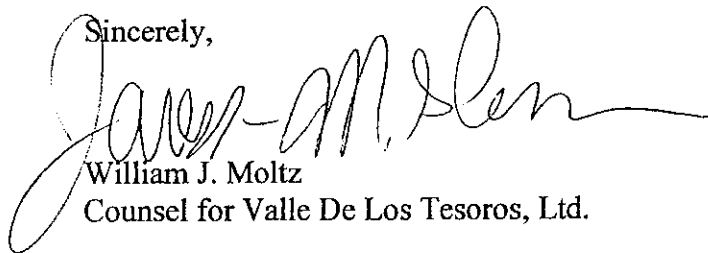
For your convenience, the change can be summarized as follows: First, Mr. Douglas Vair will no longer have an ownership interest in Valle De Los Tesoros, Ltd. The interests of Mr. Vair were acquired by Mr. Tyler Graham (a 0.0477% total interest). Mr. Tyler Graham was recently approved to hold an interest in a racetrack (LRP Group, Ltd.) at the August 2007 meeting of the Texas Racing Commission. Second, Mr. Phillip Adams has acquired a 4.0000% interest (total) in the track. His interest was purchased from Hidalgo Muy Buena Suerte, Ltd. which continues to hold a slightly over fifty five percent interest in the track. I have also enclosed, in a separate sealed envelope, the appropriate executed TxDPS background information forms and a fingerprint card for Mr. Adams. You will note that no partner's interest has increased from less than five percent to greater than five percent.

Attachment 2 is a chart listing each partner, along with their respective current address. VDLT is aware that the TRC already has in its files the identifying information required by TRC Rule 309.151(b)(2) for each transferee. If the TRC would like for VDLT to submit this information again, please contact the undersigned and we will be happy to provide this information again.

Contained within Attachment 3 are the documents which effected the changes in ownership of the interests previously held by Mr. Vair and Hidalgo Muy Buena Suerte, Ltd. and the new ownership interest of Mr. Adams.

If we can be of further assistance, please feel free to contact me.

Sincerely,



William J. Moltz  
Counsel for Valle De Los Tesoros, Ltd.

WJM/pjp

Attachments

cc: Mark Fenner (w/attachments)  
Rhonda Fritsche (w/attachments)

**ATTACHMENT 1**

**VALLE DE LOS TESOROS, LTD.  
Summary of Limited Partners**

PARTNER NAME	PREV	PREV	NEW	NEW
	VDLT, LTD. Percentage 6/26/07	TOTAL Percentage 6/26/07	VDLT, LTD. Percentage 04/04/08	TOTAL Percentage 04/04/08
Hidalgo Muy Buena Suerte, Ltd.	59.0657%	59.6623%	59.0657%	55.6623%
Charles W. Graham, DVM	2.5497%	2.5755%	2.5498%	2.5755%
Tyler Graham	0.0000%	0.0000%	0.0472%	0.0477%
Douglas Vair	0.0472%	0.0477%	0.0000%	0.0000%
George A. Wolff	1.4975%	1.5126%	1.4975%	1.5126%
Phillip Adams	0.0000%	0.0000%	3.9600%	4.0000%
Nick Serafy Jr.	16.6359%	16.8039%	16.6358%	16.8039%
Silver Creek Racing, Ltd.	2.4823%	2.5074%	2.4823%	2.5074%
Straus 2003 Irrevocable Trust	0.2304%	0.2327%	0.2304%	0.2327%
Robert Johnson	3.3255%	3.3591%	3.3255%	3.3591%
Gordon R. Johnson	3.3255%	3.3591%	3.3255%	3.3591%
Valle de los Tesoros, LLC	1.0000%	0.0000%	1.0000%	0.0000%
Christopher J. Hall	0.0776%	0.0784%	0.0777%	0.0784%
Thomas R. Johnson	0.0325%	0.0328%	0.0324%	0.0328%
Bryan P. Brown	0.0282%	0.0285%	0.0282%	0.0285%
Paul W. Bryant, Jr.	4.8510%	4.9000%	4.8510%	4.9000%
Sam M. Phelps	4.8510%	4.9000%	4.8510%	4.9000%
<b>Totals</b>	<b>100.0000%</b>	<b>100.0000%</b>	<b>100.0000%</b>	<b>100.0000%</b>

**Request by LRP Group, Ltd., for  
Approval of Change of Ownership**



**TEXAS RACING COMMISSION**  
P. O. BOX 12080  
AUSTIN, TEXAS 78711-2080  
(512) 833-6699  
FAX (512) 833-6907

July 29, 2008

To: Charla Ann King  
Executive Director

From: *MS* Michael Gougler  
Director of Investigations

RE: Ownership Changes: LRP Group, Ltd.

On July 15, 2008, the commission received a written request from LRP Group, Ltd. to approve the following changes in ownership.

The first change related to a transfer of a 4.000% ownership interest from Hidalgo Muy Buena Suerte, Ltd. to Phillip Adams. Mr. Adams had no prior ownership interest in LRP Group, Ltd. Background information forms for Mr. Adams were forwarded to the Department of Public Safety Bureau of Information Analysis (DPS/BIA) for investigation. The Commission has received a report from DPS/BIA advising that there was no disqualifying information revealed in their investigation.

The second change related to a transfer of all their ownership interests from the following owners to Tyler Graham, who already has an ownership interest in the association: Douglas B. Vair, Larry A. Craft, Larry J. Christopher, and Steven M. Ross.

The third change related to the transfer of all of James E. Helzer's interests to the following persons, each of whom already has an ownership interest in the association: Tyler Graham, Silver Creek Racing, Nick Serafy, Jr., and Muy Buena Suerte, Ltd.

It is recommended that the request for approval of ownership transfers, as indicated above and as described in Attachment 1 of the requestor's letter, be approved.

MOLTZ | MORTON | O'TOOLE  
LLP

2008 JUL 15 AM 10:58

William J. Moltz  
(512) 439-2171  
wmoltz@mmotlaw.com

The Littlefield Building  
106 East 6<sup>th</sup> Street, Suite 700  
Austin, TX 78701  
(512) 439-2170  
Facsimile (512) 439-2165

July 15, 2008

Charla Ann King, Executive Secretary  
Texas Racing Commission  
8505 Cross Park Dr., Suite #110  
Austin, Texas 78754

Via Hand Delivery

RE: Approval of Ownership Changes for licensee LRP Group, Ltd.

Dear Ms. King:

LRP Group, Ltd. submits the attached updated ownership information related to its Class 2 horse racetrack license for Webb County, Texas. LRP requests the approval of the Texas Racing Commission ("TRC") pursuant to TRC Rule 309.151 (change in ownership) of the LRP Group, Ltd. ownership changes as shown on Attachment 1. This request will supersede and replace the similar request dated May 22, 2008 which I submitted on behalf of LRP Group, Ltd.

As the TRC is well aware, the percentage ownerships in LRP Group, Ltd. need to be periodically adjusted as fluctuations occur due to capital calls and other ownership changes contemplated in the association's Partnership Agreement. The changes for which approval is hereby requested are fully indicated within Attachment 1. Because LRP Group, Ltd is a limited partnership made up of a number of limited partners and a single limited liability company (LLC) acting as the general partner and owned by those same partners, each partner's total beneficial interest is determined by adding that partner's direct interest as a limited partner to that partner's indirect ownership interest due to his partial ownership of the general partner (the LLC).

In order to indicate each Partner's interest in LRP Group, Ltd, Attachment 1 is divided into four columns as follows: (1) the currently TRC approved ownership percentages of the limited partners and the general partner in LRP Group, Ltd.; (2) the currently TRC approved total ownership percentages (direct and indirect) of the LRP Group, Ltd. partners, (3) the ownership percentages of the limited partners and the general partner of LRP Group, Ltd for which we are seeking TRC approval, and (4) the total ownership percentages (direct and indirect) of the LRP Group, Ltd. partners for which we are seeking TRC approval.

For your convenience, the changes can be summarized as follows: First, there were several capital calls that affected the ownership interests in LRP Group, Ltd. Second, Mr. Vair, Mr. Craft, Mr. Christopher, and Mr. Ross will no longer have an ownership interest in LRP Group, Ltd. Each of their interests was acquired by Mr. Tyler Graham. Third, Mr. Helzer will no longer have an ownership interest in LRP. His ownership interest was acquired by Mr. Tyler

MOLTZ | MORTON | O'TOOLE  
LLP

Charla Ann King, Executive Secretary  
July 15, 2008  
Page 2

Graham, Silver Creek Racing, Mr. Serafy, and Muy Buena Suerte, Ltd. Mr. Phillip Adams has purchased a 4.0000% interest (total) from Muy Buena Suerte, Ltd. Since Mr. Adams is a new limited partner to LRP Group, Ltd., I have enclosed in a separate sealed envelope the confidential background information for Mr. Adams on the appropriate Texas Department of Public Safety forms, including a fingerprint card.

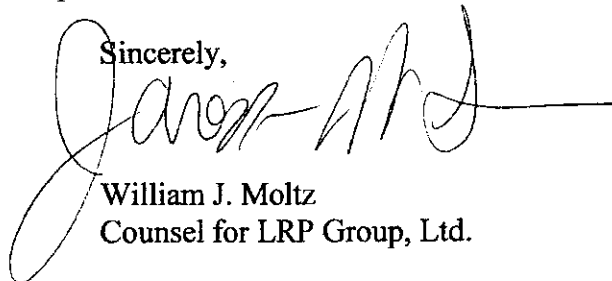
You will also note that the ownership percentages of Mr. Nick Serafy and Silver Creek Racing, Ltd. went from just slightly under five percent to just slightly over five percent. With respect to Mr. Serafy, he was recently approved by the Texas Racing Commission to hold slightly over sixteen percent of the Valle de los Tesoros track in Hidalgo County. We assume that recent prior approval and the previously submitted supporting information is sufficient for approval of the small increase in his ownership interest (to slightly great than five percent interest) in LRP Group, Ltd. requested here. Similarly, the background of Silver Creek Racing, Ltd. was previously reviewed and approved with respect to the Longhorn Downs/Austin Jockey Club track as well as the original issuance of the LRP Group, Ltd. license. I trust you will not need any additional background information relating to Silver Creek Racing, Ltd. for purposes of this request. If, however, additional information is need, please contact me.

Attachment 2 is a chart listing each partner, along with their respective current address. LRP Group is aware that the TRC already has in its files the identifying information required by TRC Rule 309.151(b)(2) for each transferee. If the TRC would like for LRP to submit this information again, please contact the undersigned and we will be happy to provide this information again.

Contained within Attachment 3 are the documents which effected the changes in ownership of the interests previously held by Mr. Vair, Mr. Craft, Mr. Christopher, Mr. Ross and Mr. Helzer and Muy Buena Suerte, Ltd. and the new limited partner, Mr. Phillip Adams.

If we can be of further assistance, please feel free to contact me.

Sincerely,



William J. Moltz  
Counsel for LRP Group, Ltd.

WJM/jmg

Attachments

cc: Mark Fenner (w/attachments)  
Rhonda Fritsche (w/attachments)



**ATTACHMENT 1**

<b>LRP GROUP, LTD</b>				
<b>Summary of Limited Partners</b>				
<b>PARTNER NAME</b>	<b>PREV</b>	<b>PREV</b>	<b>NEW</b>	<b>NEW</b>
	<b>LRP GROUP, LTD Percentage 6/26/07</b>	<b>TOTAL Percentage 6/26/07</b>	<b>LRP GROUP, LTD Percentage 05/01/08</b>	<b>TOTAL Percentage 05/01/08</b>
Bryan P. Brown	1.1481%	1.1597%	1.0141%	1.0244%
Charles W. Graham, DVM	4.9005%	4.9500%	4.9005%	4.9500%
Tyler Graham	0.1550%	0.1566%	2.0973%	2.1184%
Christopher J. Hall	3.6974%	3.7347%	3.2659%	3.2989%
Douglas B. Vair	0.5917%	0.5977%	0.0000%	0.0000%
Gary Wolff	0.2879%	0.2908%	0.2879%	0.2908%
George A. Wolff	3.2114%	3.2438%	3.0641%	3.0951%
Gordon R. Johnson	3.2626%	3.2956%	3.2627%	3.2956%
James E. Helzer	0.6760%	0.6828%	0.0000%	0.0000%
Larry A. Craft	0.0689%	0.0696%	0.0000%	0.0000%
Larry J. Christopher	1.0119%	1.0221%	0.0000%	0.0000%
Phillip Adams	0.0000%	0.0000%	3.9600%	4.0000%
Lisa L. Medrano	0.1165%	0.1177%	0.1029%	0.1039%
LRP GP, LLC	1.0000%	N/A	1.0000%	N/A
Muy Buena Suerte, Ltd.	44.1946%	44.6410%	41.5400%	41.9597%
Paul W. Bryant, Jr.	4.8510%	4.9000%	4.8510%	4.9000%
Robert Johnson	3.2626%	3.2956%	3.2627%	3.2956%
Robert W. Pollock	0.1180%	0.1192%	0.1042%	0.1053%
Sam M. Phelps	4.8510%	4.9000%	4.8510%	4.9000%
Silver Creek Racing, Ltd.	4.9005%	4.9500%	5.0538%	5.1048%
Steven M. Ross	0.1165%	0.1177%	0.0000%	0.0000%
Straus 2003 Irrevocable Trust	9.7347%	9.8330%	9.7346%	9.8330%
Ted G. Abrams	1.8264%	1.8448%	1.6132%	1.6295%
Thomas R. Johnson	1.1658%	1.1776%	1.0298%	1.0402%
William M. Allen	0.0000%	0.0000%	0.0000%	0.0000%
Nick Serafy, Jr.	4.8510%	4.9000%	5.0043%	5.0548%
<b>Totals</b>	<b>100.0000%</b>	<b>100.0000%</b>	<b>100.0000%</b>	<b>100.0000%</b>

**Allocation of Live Race Dates for  
Greyhound Racetracks under  
Commission Rule 303.41**

# CORPUS CHRISTI GREYHOUND RACE TRACK

P.O. Box 9087 • Corpus Christi, Texas 78469 • (512) 289-9333 WATTS/1-800-580-RACE

FILE COPY

June 30, 2008

Texas Racing Commission  
Attn: Mr. John Ferrara  
Po Box 12080  
Austin, TX 78711-2080

Mr. Ferrara,

Enclosed please find the completed forms for race dates for 2009 and live race dates for the 2010 calendar year pursuant to Texas Racing Commission Rule 303.41 Also enclosed are copies of our charters and 100 letters.

We have also sent copies via USPS as prescribed by Rule 303.41 to:

Gulf Greyhound Park  
C/O Sally Briggs, General Manager  
1000 FM 12004  
La Marque, Texas 77568-0488

Valley Greyhound Park  
C/O Mike Vitek, General Manager  
2601 South Ed Carey Drive  
Harlingen, Texas 78552

Sincerely yours,



Ricardo Pimentel  
General Manager

RP/lsh

2008 JUN 30 11:26

1V-10

**TEXAS RACING COMMISSION  
REQUEST FOR LIVE RACE DATES  
GREYHOUND RACETRACKS - 2009**

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

**I. Schedule Requested**

Name of Racetrack: Corpus Christi Greyhound Race Track

Opening Day: 04 / 01 / 2009 Closing Day: 12 / 31 / 2009

Number of Performances per week scheduled for five or more races 0

Projected Number of Races per Performance \_\_\_\_\_

Number of Performances per week scheduled for fewer than five races 0

Projected Number of Races per Performance \_\_\_\_\_

**TOTAL NUMBER OF PERFORMANCES REQUESTED** 0

**II. Charity Days**

Indicate which days are designated as charity days:

*DESIGNATED BY RULE*

(1) A charity that directly benefits the persons who work on the backside:

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

**For each charity listed, attach the following information:**

- 1. A brief description of the activities or purposes of the charity**
- 2. The name and address of each individual who serves as an officer or director**
- 3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes**

### III. Dates Requested

Indicate on the attached calendar each live race performance requested with a

"M" denoting a Matinee performance with five or more races;

"AM" denoting an Abbreviated Matinee with fewer than five races;

"E" denoting an Evening performance with five or more races; or

"AE" denoting an Abbreviated Evening performance with fewer than five races.

"S" denoting a Simulcast performance

Include standard post time for each performance in space provided on calendar. Any exceptions, such as on holidays, should be noted.

### IV. Certificate of Service

I hereby certify that on June 30, 2008, a true and correct copy of this request was sent to the persons listed below by:

Certified Mail R.R.R.     Regular Mail     Facsimile     Hand Delivery

  
\_\_\_\_\_  
Signature

General Manager  
\_\_\_\_\_  
Title

Corpus Christi Greyhound Race Track  
c/o Rick Pimentel  
General Manager  
5302 Leopard Street  
Corpus Christi, TX 78408

Gulf Greyhound Park  
c/o Sally Briggs, General Manager  
1000 FM 2004  
La Marque, TX 77568-0488

Valley Race Park  
c/o Bob Bork, General Manager  
2601 South Ed Carey Drive  
Harlingen, TX 78552

**Corpus Christi Greyhound Race Track**

(Name of Racetrack)

**Requested Live Race Dates for 2009**

<b>JANUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Martin Luther King	20	21	22	23	24
25	26	27	28	29	30	31

<b>FEBRUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Super Bowl Sunday	2	3	4	5		7
8	9	10	11	12	13	14
15	16 Presidents' Day	17	18	19	20	21
22	23	24	25	26	27	28

<b>MARCH</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8 Day-Light Savings Begins	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**Corpus Christi Greyhound Race Track**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

<b>APRIL</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 S Opening Day	2 S	3 S	4 S
5 S	6	7	8 S	9 S	10 S	11 S
12 Dark Easter	13	14	15 S	16 S	17 S	18 S
19 S	20	21	22 S	23 S	24 S	25 S
26 S	27	28	29 S	30 S		

<b>MAY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 S	2 S Kentucky Derby
3 S	4	5	6 S	7 S	8 S	9 S
10 S	11	12	13 S	14 S	15 S	16 S Preakness
17 S	18	19	20 S	21 S	22 S	23 S
24 S	25 S Memorial Day	26	27 S	28 S	29 S	30 S
31 S						

<b>JUNE</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 S	4 S	5 S	6 S Belmont
7 S	8	9	10 S	11 S	12 S	13 S
14 S	15	16	17 S	18 S	19 S	20 S
21 S	22	23	24 S	25 S	26 S	27 S
28 S	29	30				

**Corpus Christi Greyhound Race Track**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 S	2 S	3 S	4 S Independence Day
5 S	6	7	8 S	9 S	10 S	11 S
12 S	13	14	15 S	16 S	17 S	18 S
19 S	20	21	22 S	23 S	24 S	25 S
26 S	27	28	29 S	30 S	31 S	

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 S
2 S	3	4	5 S	6 S	7 S	8 S
9 S	10	11	12 S	13 S	14 S	15 S
16 S	17	18	19 S	20 S	21 S	22 S
23 S	24	25	26 S	27 S	28 S	29 S
30 S	31					

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 S	3 S	4 S	5 S
6 S	7 S Labor Day	8	9 S	10 S	11 S	12 S
13 S	14	15	16 S	17 S	18 S	19 S Rosh Hashanah
20 S	21	22	23 S	24 S	25 S	26 S
27 S	28 Yom Kipper	29	30 S			



**Corpus Christi Greyhound Race Track**

(Name of Racetrack)

**Requested Live Race Dates for 2009**

<b>OCTOBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 S	2 S	3 S
4 S	5	6	7 S	8 S	9 S	10 S
11 S	12 S Columbus Day	13	14 S	15 S	16 S	17 S
18 S	19	20	21 S	22 S	23 S	24 S
25 S	26	27	28 S	29 S	30 S	31 S

<b>NOVEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 S Day-Light Savings Ends	2	3	4 S	5 S	6 S Breeders Cup	7 S Breeders Cup
8 S	9	10	11 S Veterans Day	12 S	13 S	14 S
15 S	16	17	18 S	19 S	20 S	21 S
22 S	23	24	25 S	26 DARK Thanksgiving	27 S	28 S
29 S	30					

<b>DECEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 S	3 S	4 S	5 S
6 S	7	8	9 S	10 S	11 S	12 S Hanukkah
13 S	14	15	16 S	17 S	18 S	19 S
20 S	21	22	23 S	24 DARK Christmas Eve	25 DARK Christmas	26 S
27 S	28	29	30 S	31 S New Years Eve		

**TEXAS RACING COMMISSION  
REQUEST FOR LIVE RACE DATES  
GREYHOUND RACETRACKS - 2010**

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

**I. Schedule Requested**

Name of Racetrack: Corpus Christi Greyhound Race Track

Opening Day: 07 / 02 / 2010 Closing Day: 08 / 31 / 2010

Number of Performances per week scheduled for five or more races 5

Projected Number of Races per Performance 13

Number of Performances per week scheduled for fewer than five races \_\_\_\_\_

Projected Number of Races per Performance \_\_\_\_\_

**TOTAL NUMBER OF PERFORMANCES REQUESTED** 43

**II. Charity Days**

Indicate which days are designated as charity days:

*DESIGNATED BY RULE*

(1) A charity that directly benefits the persons who work on the backside:

07 / 02 / 2010 for Texas Greyhound Association  
(Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

07 / 16 / 2010 for Texas A & M Veterinarian College  
(Name of Charity)

07 / 30 / 2010 for Women's Shelter of Corpus Christi, Texas  
(Name of Charity)

08 / 13 / 2010 for The Ark - Catholic Charity for Abused Children  
(Name of Charity)

08 / 27 / 2010 for Family Outreach of Corpus Christi, Texas  
(Name of Charity)

**For each charity listed, attach the following information:**

- 1. A brief description of the activities or purposes of the charity**
- 2. The name and address of each individual who serves as an officer or director**
- 3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes**

**III. Dates Requested**

Indicate on the attached calendar each live race performance requested with a

- "M" denoting a Matinee performance with five or more races;
- "AM" denoting an Abbreviated Matinee with fewer than five races;
- "E" denoting an Evening performance with five or more races; or
- "AE" denoting an Abbreviated Evening performance with fewer than five races.
- "S" denoting a Simulcast performance

Include standard post time for each performance in space provided on calendar. Any exceptions, such as on holidays, should be noted.

**IV. Certificate of Service**

I hereby certify that on June 30, 2008, a true and correct copy of this request was sent to the persons listed below by:

- Certified Mail R.R.R.  Regular Mail  Facsimile  Hand Delivery

 General Manager  
 Signature Title

Corpus Christi Greyhound Race Track  
 c/o Rick Pimentel  
 General Manager  
 5302 Leopard Street  
 Corpus Christi, TX 78408

Gulf Greyhound Park  
 c/o Sally Briggs, General Manager  
 1000 FM 2004  
 La Marque, TX 77568-0488

Valley Race Park  
 c/o Bob Bork, General Manager  
 2601 South Ed Carey Drive  
 Harlingen, TX 78552

**Corpus Christi Greyhound Race Track**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2010**

<b>JANUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 New Year's Day S	2 S
3 S	4	5	6 S	7 S	8 S	9 S
10 S	11	12	13 S	14 S	15 S	16 S
17 S	18 S Martin Luther King	19	20 S	21 S	22 S	23 S
24 S	25	26	27 S	28 S	29 S	30 S
31 S						

<b>FEBRUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 S	4 S	5 S	6 S
7 S	8	9	10 S	11 S	12 S	13 S
14 S	15 S Presidents' Day	16	17 S	18 S	19 S	20 S
21 S	22	23	24 S	25 S	26 S	27 S
28 S						

<b>MARCH</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 S	4 S	5 S	6 S
7 S Day-Light Savings Begins	8	9	10 S	11 S	12 S	13 S
14 S Day-Light Savings Begins	15	16	17 S	18 S	19 S	20 S
21 S	22	23	24 S	25 S	26 S	27 S
28 S	29	30	31 S			

**Corpus Christi Greyhound Race Track**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2010**

<b>APRIL</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 S	2 S	3 S
4 Easter (Dark)	5	6	7 S	8 S	9 S	10 S
11 S	12	13	14 S	15 S	16 S	17 S
18 S	19	20	21 S	22 S	23 S	24 S
25 S	26	27	28 S	29 S	30 S	

<b>MAY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 S Kentucky Derby
2 S	3	4	5 S	6 S	7 S	8 S
9 S	10	11	12 S	13 S	14 S	15 S Preakness
16 S	17	18	19 S	20 S	21 S	22 S
23 S	24	25	26 S	27 S	28 S	29 S
30 S	31 S Memorial Day					

<b>JUNE</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 S	3 S	4 S	5 S Belmont
6 S	7	8	9 S	10 S	11 S	12 S
13 S	14	15	16 S	17 S	18 S	19 S
20 S	21	22	23 S	24 S	25 S	26 S
27 S	28	29	30 S			

**Corpus Christi Greyhound Race Track**

(Name of Racetrack)

**Requested Live Race Dates for 2010**

<b>JULY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 E S <i>Opening Day</i>	2 E S	3 E S
4 M S <i>Independence Day</i>	5	6	7 E S	8 E S	9 E S	10 E S
11 M S	12	13	14 E S	15 E S	16 E S	17 E S
18 M S	19	20	21 E S	22 E S	23 E S	24 E S
25 M S	26	27	28 E S	29 E S	30 E S	31 E S

<b>AUGUST</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 M S	2	3	4 E S	5 E S	6 E S	7 E S
8 M S	9	10	11 E S	12 E S	13 E S	14 E S
15 M S	16	17	18 E S	19 E S	20 E S	21 E S
22 M S	23	24	25 E S	26 E S	27 E S	28 E S <i>Closing Day</i>
29 S	30	31				

Internal Revenue Service

Department of the Treasury

P. O. Box 2508  
Cincinnati, OH 45201

Date: December 13, 1999

Person to Contact:  
Vicki Adams 31-04011  
Customer Service Representative  
Telephone Number:  
877-829-5500  
Fax Number:  
513-283-3756  
Federal Identification Number:  
74-2245072

Texas A&M Foundation  
401 George Bush Dr.  
College Station, TX 77840-2811

Dear Sir or Madam:

This letter is in response to your request for a copy of your organization's determination letter. This letter will take the place of the copy you requested.

Our records indicate that a determination letter issued in January 1983 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in section 509(a)(1) and 170(b)(1)(A)(iv).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2101, and 2522 of the Code.

1V-22

Texas A&M Foundation  
74-2245072

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

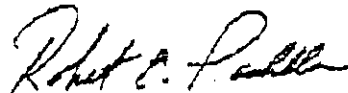
The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. You are also required to make available for public inspection a copy of your organization's exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

This letter affirms your organization's exempt status.

Sincerely,



Robert C. Padilla  
Manager, Customer Service





**FAX MEMORANDUM**

To: Linda Beatty  
Corpus Christi Greyhound Racetrack  
5302 Leopard Street  
Corpus Christi, TX 78408

Fax: (361) 299-1970

From: Juan Cárdenas *Juan Cárdenas*  
Administrative Assistant/Director of Development

Date: June 27, 2008

Total pages: 2, including this one

Message: The following page was obtained from the Internet on April 9, 2008 (the date appears on the bottom of the page) from the office of the Texas Comptroller of Public Accounts. Please let me know if this does not suit your needs. Under the Certification of Account Status for our nonprofit 501(c)(3) organization appear the words: **"IN GOOD STANDING - EXEMPT CORPORATION"**.

On behalf of the abused and neglected children and youth ages 0 through 17 housed at The Ark Assessment Center and Emergency Shelter for Youth, thank you very much for your continued interest in our facility.

1V-24

INTERNAL REVENUE SERVICE  
District Director

DEPARTMENT OF THE TREASURY  
1100 Commerce St., Dallas, TX 75242

Person to Contact:  
CUSTOMER SERVICE DIVISION

Telephone Number:  
(800) 829-1040

Refer Reply to:  
Mail Code 4940 DAL

Date:  
April 30, 1998

EDN:  
74-2049746

Family Outreach Corpus Christi, Inc.  
% S. Bluff Methodist Church  
1329 - 7th, Suite B  
Corpus Christi, TX 78404-2033

Dear Sir or Madam:

Our records show that Family Outreach, Corpus Christi, Inc. is exempt from Federal Income Tax under section 501(c)(3) of the Internal Revenue Code. This exemption was granted in August 1979 and remains in full force and effect. Contributions to your organization are deductible in the manner and to the extent provided by section 170 of the Code.

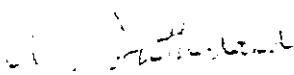
We have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code. Your organization is described in section 170(b)(1)(A)(vi) of the Code.

If gross receipts for your organization reach \$25,000 or more, in any one year, the organization will be required to file Form 990, Return of Organization Exempt from Income Tax.

This letter may be used to verify your tax-exempt status.

If we may be of further assistance, please call the telephone number listed above or write to us at the address in the letterhead, Mail Code 4940 DAL.

Sincerely,

  
A. Sutherland  
Chief, Quality Review

IV-25

Internal Revenue Service

Department of the Treasury

P. O. Box 2508  
Cincinnati, OH 45201

Date: June 26, 2003

Person to Contact:  
Jocie Bradshaw #31 001 17  
Customer Service Representative  
Toll Free Telephone Number  
8:00 a.m. to 8:00 p.m. EST  
877-829-5500

Women's Shelter Of South Texas  
P. O. Box 3268  
Corpus Christi, TX 78463-3268

Fax Number:  
513-263-3758  
Federal Identification Number  
74 1943398

Dear Sir or Madam:

This is in response to the amendment to your organization's Articles of Incorporation filed with the state on April 4, 2003. We have updated our records to reflect the name change as indicated above.

Our records indicate that a determination letter issued in April 1978, granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)1 and 170(b)(1)(a)(vi).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

1V-26

Women's Shelter Of South Texas  
#74-1943398

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

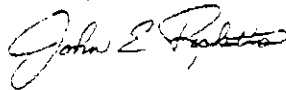
Section 6104 of the Internal Revenue Code requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. The law also requires organizations that received recognition of exemption on July 15, 1987, or later, to make available for public inspection a copy of the exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. Organizations that received recognition of exemption before July 15, 1987, and had a copy of their exemption application on July 15, 1987, are also required to make available for public inspection a copy of the exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. For additional information on disclosure requirements, please refer to Internal Revenue Bulletin 1999-17.

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

This letter affirms your organization's exempt status.

Sincerely,



John E. Ricketts, Director, TE/GE  
Customer Account Services



FILE COPY

July 1, 2008

Mr. John Ferrara  
Director of Racing  
Texas Racing Commission  
P. O. Box 12080  
Austin, TX 78711-2080

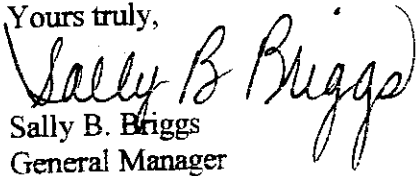
Dear Mr. Ferrara:

Enclosed please find the requested 2009 live race dates for Gulf Greyhound Park. Other than holidays and/or special performances, our 2009 calendar is basically the same as 2008. We make this request based upon our analysis of our expected costs and revenue.

For your purposes in planning and if fees are increased, we anticipate that a 10% increase in fees would result in a 10% reduction in live race days. A more substantial increase in fees will cause a correspondingly greater reduction in race days. There is one other item that could adversely impact our planned race days: a shortage of available greyhounds. Subject to the race day's fees, we intend to offer the maximum amount of performances for which greyhounds are available.

If you have questions, please do not hesitate to contact me.

Yours truly,

  
Sally B. Briggs  
General Manager

C: Mr. Eric L. Wilson  
Ms. Diane Whiteley, TGA  
Mr. Rick Pimentel, Corpus Christi Race Track  
Mr. Bob Bork, Valley Race Park

**TEXAS RACING COMMISSION  
REQUEST FOR LIVE RACE DATES  
GREYHOUND RACETRACKS - 2009**

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

**I. Schedule Requested**

Name of Racetrack: GULFGREYHOUND PARK

Opening Day: 01 / 01 / 2009 Closing Day: 12 / 31 / 2009

Number of Performances per week scheduled for five or more races 6

Projected Number of Races per Performance 13

Number of Performances per week scheduled for fewer than five races 1 on  
7/4/2009

Projected Number of Races per Performance 5

TOTAL NUMBER OF PERFORMANCES REQUESTED 314

**II. Charity Days**

Indicate which days are designated as charity days:

*DESIGNATED BY RULE*

(1) A charity that directly benefits the persons who work on the backside:

01/02/2009 for Texas A&M University Scholarship Fund 50%; Texas Greyhound Association 50%

(2) A charity that primarily benefits research into the health or safety of race animals:

2/11/2009 for Texas A&M Scholarship Fund

7/9//2009 for Texas City-La Marque Chamber of Commerce

9/16/2009 for Galveston County Ronald McDonald House

10/23/2009 for Communities In Schools – Bay Area, Inc.

**For each charity listed, attach the following information:**

- 1. A brief description of the activities or purposes of the charity**
- 2. The name and address of each individual who serves as an officer or director**
- 3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes**

### III. Dates Requested

Indicate on the attached calendar each live race performance requested with a

- "M" denoting a Matinee performance with five or more races;
- "AM" denoting an Abbreviated Matinee with fewer than five races;
- "E" denoting an Evening performance with five or more races; or
- "AE" denoting an Abbreviated Evening performance with fewer than five races.

Include standard post time for each performance in space provided on calendar. Any exceptions, such as on holidays, should be noted.

### IV. Certificate of Service

I hereby certify that on July 1, 2008, a true and correct copy of this request was sent to the persons listed below by:

- Certified Mail R.R.R.     Regular Mail     Facsimile     Hand Delivery

---

*Signature*

*Title*

Corpus Christi Greyhound Race Track  
c/o Rick Pimentel  
General Manager  
5302 Leopard Street  
Corpus Christi, TX 78408

Gulf Greyhound Park  
c/o Sally Briggs, General Manager  
1000 FM 2004  
La Marque, TX 77568-0488

Valley Race Park  
c/o Bob Bork, General Manager  
2601 South Ed Carey Drive  
Harlingen, TX 78552

# GULF GREYHOUND PARK

(Name of Racetrack)

## Requested Live Race Dates for 2009

\*Denotes 13 races; all others 12 races

<b>JANUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day E* 6PM	2 E* 7 PM	3 M 1:30 PM E* 7 PM
4 M* 1:30 PM	5	6	7 M 12 PM	8 E* 7 PM	9 E* 7 PM	10 M 1:30 PM E* 7 PM
11 M* 1:30 PM	12	13	14 M 12 PM	15 E* 7 PM	16 E* 7 PM	17 M 1:30 PM E* 7 PM
18 M* 1:30 PM	19 Martin Luther King	20	21 M 12 PM	22 E* 7 PM	23 E* 7 PM	24 M 1:30 PM E* 7 PM
25 M* 1:30 PM	26	27	28 M 12 PM	29 E* 7 PM	30 E* 7 PM	31 M 1:30 PM E* 7 PM

<b>FEBRUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 M* 1:30 PM Super Bowl Sunday	2	3	4 M 12 PM	5 E* 7 PM	6 E* 7 PM	7 M 1:30 PM E* 7 PM
8 M* 1:30 PM	9	10	11 M 12 PM	12 E* 7 PM	13 E* 7 PM	14 M 1:30 PM E* 7 PM
15 M* 1:30 PM	16 Presidents' Day	17	18 M 12 PM	19 E* 7 PM	20 E* 7 PM	21 M 1:30 PM E* 7 PM
22 M* 1:30 PM	23	24	25 M 12 PM	26 E* 7 PM	27 E* 7 PM	28 M 1:30 PM E* 7 PM

<b>MARCH</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 M* 1:30 PM	2	3	4 M 12 PM	5 E* 7 PM	6 E* 7 PM	7 M 1:30 PM E* 7 PM
8 M* 1:30 PM Day-Light Savings Begins	9	10	11 M 12 PM	12 E* 7 PM	13 E* 7 PM	14 M 1:30 PM E* 7 PM
15 M* 1:30 PM	16	17	18 M 12 PM	19 E* 7 PM	20 E* 7 PM	21 M 1:30 PM E* 7 PM
22 M* 1:30 PM	23	24	25 M 12 PM	26 E* 7 PM	27 E* 7 PM	28 M 1:30 PM E* 7 PM
29 M* 1:30 PM	30	31				



# GULFGREYHOUND PARK

(Name of Racetrack)

## Requested Live Race Dates for 2009

<b>APRIL</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 M 12 PM	2 E* 7 PM	3 E* 7 PM	4 M 1:30 PM E* 7 PM
5 M* 1:30 PM	6	7	8 M 12 PM	9 E* 7 PM	10 E* 7 PM	11 M 1:30 PM E* 7 PM
12 Easter	13	14	15 M 12 PM	16 E* 7 PM	17 E* 7 PM	18 M 1:30 PM E* 7 PM
19 M* 1:30 PM	20	21	22 M 12 PM	23 E* 7 PM	24 E* 7 PM	25 M 1:30 PM E* 7 PM
26 M* 1:30 PM	27	28	29 M 12 PM	30 E* 7 PM		

<b>MAY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 E* 7 PM	2 M* 1:30 PM E* 7 PM <b>Kentucky Derby</b>
3 M* 1:30 PM	4	5	6 M 12 PM	7 E* 7 PM	8 E* 7 PM	9 M 1:30 PM E* 7 PM
10 M* 1:30 PM	11	12	13 M 12 PM	14 E* 7 PM	15 E* 7 PM	16 M* 1:30 PM E* 7 PM <b>Preakness</b>
17 M* 1:30 PM	18	19	20 M 12 PM	21 E* 7 PM	22 E* 7 PM	23 M 1:30 PM E* 7 PM
24 M* 1:30 PM	25 M* 1:30 PM <b>Memorial Day</b>	26	27 M 12 PM	28 E* 7 PM	29 E* 7 PM	30 M 1:30 PM E* 7 PM
31 M* 1:30 PM						

<b>JUNE</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 M 12 PM	4 E* 7 PM	5 E* 7 PM	6 M* 1:30 PM E* 7 PM <b>Belmont</b>
7 M* 1:30 PM	8	9	10 M 12 PM	11 E* 7 PM	12 E* 7 PM	13 M 1:30 PM E* 7 PM
14 M* 1:30 PM	15	16	17 M 12 PM	18 E* 7 PM	19 E* 7 PM	20 M* 1:30 PM E* 7 PM
21 M* 1:30 PM	22	23	24 M 12 PM	25 E* 7 PM	26 E* 7 PM	27 M 1:30 PM E* 7 PM
28 M* 1:30 PM	29	30				

# GULF GREYHOUND PARK

(Name of Racetrack)

## Requested Live Race Dates for 2009

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 M 12 PM	2 E* 7 PM	3 E* 7 PM	4 M* 1:30 PM AM**4:30 PM Independence Day
5 M* 1:30 PM	6	7	8 M 12 PM	9 E* 7 PM	10 E* 7 PM	11 M 1:30 PM E* 7 PM
12 M* 1:30 PM	13	14	15 M 12 PM	16 E* 7 PM	17 E* 7 PM	18 M 1:30 PM E* 7 PM
19 M* 1:30 PM	20	21	22 M 12 PM	23 E* 7 PM	24 E* 7 PM	25 M 1:30 PM E* 7 PM
26 M* 1:30 PM	27	28	29 M 12 PM	30 E* 7 PM	31 E* 7 PM	

\*\* AM 5 Races

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 M 1:30 PM E* 7 PM
2 M* 1:30 PM	3	4	5 M 12 PM	6 E* 7 PM	7 E* 7 PM	8 M 1:30 PM E* 7 PM
9 M* 1:30 PM	10	11	12 M 12 PM	13 E* 7 PM	14 E* 7 PM	15 M 1:30 PM E* 7 PM
16 M* 1:30 PM	17	18	19 M 12 PM	20 E* 7 PM	21 E* 7 PM	22 M 1:30 PM E* 7 PM
23 M* 1:30 PM	24	25	26 M 12 PM	27 E* 7 PM	28 E* 7 PM	29 M 1:30 PM E* 7 PM
30 M* 1:30 PM	31					

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 M 12 PM	3 E* 7 PM	4 E* 7 PM	5 M 1:30 PM E* 7 PM
6 M* 1:30 PM	7 M* 1:30 PM Labor Day	8	9 M 12 PM	10 E* 7 PM	11 E* 7 PM	12 M 1:30 PM E* 7 PM
13 M* 1:30 PM	14	15	16 M 12 PM	17 E* 7 PM	18 E* 7 PM	19 M 1:30 PM E* 7 PM RoshHash.
20 M* 1:30 PM	21	22	23 M 12 PM	24 E* 7 PM	25 E* 7 PM	26 M 1:30 PM E* 7 PM
27 M* 1:30 PM	28 Yom Kipper	29	30 M 12 PM			

# GULF GREYHOUND PARK

(Name of Racetrack)

## Requested Live Race Dates for 2009

<b>OCTOBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 E* 7 PM	2 E* 7 PM	3 M 1:30 PM E* 7 PM
4 M* 1:30 PM	5	6	7 M 12 PM	8 E* 7 PM	9 E* 7 PM	10 M 1:30 PM E* 7 PM
11 M* 1:30 PM	12 <b>Columbus Day</b>	13	14 M 12 PM	15 E* 7 PM	16 E* 7 PM	17 M 1:30 PM E* 7 PM
18 M* 1:30 PM	19	20	21 M 12 PM	22 E* 7 PM	23 E* 7 PM	24 M 1:30 PM E* 7 PM
25 M* 1:30 PM	26	27	28 M 12 PM	29 E* 7 PM	30 E* 7 PM	31 M 1:30 PM E* 7 PM

<b>NOVEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 M* 1:30 PM Day-Light Savings Ends	2	3	4 M 12 PM	5 E* 7 PM	6 E* 7 PM Breeders Cup	7 M* 1:30 PM E* 7 PM Breeders Cup
8 M* 1:30 PM	9	10	11 M 12 PM Veterans Day	12 E* 7 PM	13 E* 7 PM	14 M 1:30 PM E* 7 PM
15 M* 1:30 PM	16	17	18 M 12 PM	19 E* 7 PM	20 E* 7 PM	21 M 1:30 PM E* 7 PM
22 M* 1:30 PM	23	24	25 M 12 PM	26 E* 7 PM Thanksgiving	27 E* 7 PM	28 M 1:30 PM E* 7 PM
29 M* 1:30 PM	30					

<b>DECEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 M 12 PM	3 E* 7 PM	4 E* 7 PM	5 M 1:30 PM E* 7 PM
6 M* 1:30 PM	7	8	9 M 12 PM	10 E* 7 PM	11 E* 7 PM	12 M 1:30 PM E* 7 PM Hanukkah
13 M* 1:30 PM	14	15	16 M 12 PM	17 E* 7 PM	18 E* 7 PM	19 M 1:30 PM E* 7 PM
20 M* 1:30 PM	21	22	23 M 12 PM E* 7 PM	24	25 Christmas	26 M 1:30 PM E* 7 PM
27 M* 1:30 PM	28 E* 7 PM	29	30 M 12 PM	31 E* 6 PM New Years Eve		



Feb. 29, 2008

Ms. Sally Briggs, General Manager

Gulf Greyhound Park

P.O. Box 488

La Marque, TX 77568-0488

Dear Ms. Briggs:

With this letter, Communities In Schools-Bay Area (CIS-Bay Area) is applying to be one of the benefactors of a Gulf Greyhound Park Charity Day during the 2009 Racing Season.

For more than 17 years, CIS-Bay Area has provided an on-campus dropout prevention program for Clear Creek Independent School District and Dickinson Independent School District. We currently serve 15 campuses with tutoring, mentoring, counseling, food, clothes, rent, vision problems and dental exams.

Of our case-managed students, 96% remained in school and 98% graduated or received their GEDs. Last year we served 1,300 students directly on a one-to-one basis and 4,000 services were provided. The dropout prevention program is not able to serve an additional 2,200 students labeled as at-risk. Funds from a GGP Charity Day would be used to continue these programs and expand our service to additional campuses and students within the districts.

As you can see from the attached letters, we have the support of State Representatives Larry Taylor and John Davis. They share in our belief that Gulf Greyhound Park would serve the Bay Area community by choosing CIS-Bay Area for a 2009 Charity Day.

Please let me know if you need additional information. My e-mail address is [fradigil@aol.com](mailto:fradigil@aol.com) and my home phone is 281-339-0625. Looking forward to your favorable response, I remain

Diane Gillebaard

Board of Directors

Cc: Mr. Peter Wuenschel, Executive Director

Communities In Schools-Bay Area

**2008  
OFFICERS****Sandy Johnson**

*CIS-Bay Area Board President*  
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**Diane Gillebaard**

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Kemah, TX 77565  
281-339-0625  
e-mail: fradigil@aol.com

**Dee Scott**

*CIS-Bay Area Board Treasurer*  
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e-mail: descott@wt.net

**Blanche Stastny**

*CIS-Bay Area Board Financial Secretary*  
*Past Board President ('93)*  
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e-mail: Blanches1@verizon.net

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*Past Board President ('07)*  
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**DIRECTORS****Ron Ahlhorn**

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1629 Old Orchard  
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**Shawn Bailey**

President  
AMOCO Federal Credit Union  
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**Norm Gookins**

Director of Human Resources  
United Space Alliance  
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**Cindy Kennedy-Hebert**

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Trustmark National Bank  
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Houston, TX 77062  
281-226-1207 FAX: 281-226-1260  
e-mail: ckhebert@trustmark.com

**MISSION STATEMENT**

"To champion the connection of needed community resources with schools to help young people stay in school, successfully learn, and prepare for life."

6/08 **W-36**

**Suzanne Milby**  
2321 Menard Ave.  
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**Tom Mooney**  
DISD Representative  
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281-534-6959 FAX: 281-534-5815  
e-mail: tmooney@dickinsonisd.org

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**Dr. Melissa Sommers**  
*CIS-BA Past Board President ('03), ('04)*  
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Nasa Vision Center  
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281-332-0698 FAX: 281-332-6689  
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**Jim Sweeney**  
*CIS-Bay Area Board Treasurer*  
*Past Board President ('00), ('01), ('02)*  
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**Roy Montalbano**  
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*Past Board President ('05), ('06)*  
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e-mail: rkscott@comcast.net

**Scott Steel**  
President Owner  
My Flooring America  
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Webster, TX 77598  
281-338-1345  
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**Ron Swofford**  
Retired  
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**Peter Wuenschel, PhD**  
Executive Director  
Communities In Schools-Bay Area  
PO Box 580096  
Houston, TX 77258-0096  
281-486-6696 FAX: 281-486-0405  
e-mail: peterw@cisba.org

**Internal Revenue Service**

**Department of the Treasury**

**P. O. Box 2508  
Cincinnati, OH 45201**

**Date:** June 4, 2003

**Person to Contact:**

Cassandra E. Jackson 31-07417  
Customer Service Representative

Communities in Schools Bay Area, Inc.  
P.O. Box 580096  
Houston, TX 77258-0096

**Toll Free Telephone Number:**

8:00 a.m. to 6:30 p.m. EST  
877-829-5500

**Fax Number:**

513-263-3756

**Federal Identification Number:**

76-0231008

Dear Sir or Madam:

This is in response to your request of June 4, 2003 regarding your organization's tax exempt status.

Our records indicate that a determination letter issued in June 1988 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)(1) and 170(b)(1)(A)(ii).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

1V-38

# TEXAS HOUSE OF REPRESENTATIVES

CAPITOL OFFICE:  
ROOM E2.816  
P.O. Box 2910  
AUSTIN, TEXAS 78768-2910  
512-463-0729  
FAX: 512-474-2398



DISTRICT OFFICE:  
174 CALDER ROAD, SUITE 116  
LEAGUE CITY, TEXAS 77573  
281-338-0924  
FAX: 281-554-9240

## LARRY TAYLOR

February 4, 2008

Ms. Sallie Briggs  
General Manager  
Gulf Greyhound Park  
PO Box 488  
La Marque, TX 77568-0488

Dear Ms. Briggs,

Communities in Schools - Bay Area is a local non-profit program that focuses on school drop-out prevention in Dickinson and Clear Creek ISDs. As it is a worthy, local entity, I request your consideration of CIS-BA as a benefactor of a 2009 Gulf Greyhound Park charity day, as required under the Texas Racing Act.

By making CIS-BA a benefactor of a charity day, Gulf Greyhound Park will show support of a worthy organization serving at-risk students in this area. You will also be keeping the money within the local community, supporting local education and drop-out prevention. Gulf Greyhound Park has the opportunity to help students gain a healthy foundation for a bright future.

Thank you for your careful consideration of this recommendation. Should you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Larry Taylor".

Larry Taylor  
State Representative  
District 24



LARRY.TAYLOR@HOUSE.STATE.TX.US

IV-391



# TEXAS HOUSE OF REPRESENTATIVES

CAPITOL OFFICE: ROOM E2.610  
P.O. Box 2910  
AUSTIN, TEXAS 78768-2910  
(512) 463-0734  
(512) 479-6955 FAX



DISTRICT OFFICE  
1350 NASA RD. 1, SUITE 212  
HOUSTON, TEXAS 77058  
(281) 333-1350  
FAX: (281) 335-9101

**JOHN E. DAVIS**

STATE REPRESENTATIVE  
DISTRICT 129

February 25, 2008

Ms. Sallie Briggs  
General Manager  
Gulf Greyhound Park  
P.O. Box 488  
La Marque, TX 77568-0488

Dear Ms. Briggs:

Communities in Schools - Bay Area is an organization helping young people stay in school and prepare for life. Working with at-risk students, the philosophies utilized significantly reduce the drop out rates among students in the both Clear Creek and Dickinson Independent School Districts. As a result of the success of this organization and the contributions that are being made to the youth of this area, I request your consideration of Communities in Schools - Bay Area as a benefactor of a 2009 Gulf Greyhound Park Charity Day, as required under the Texas Racing Act.

By allocating this day to Communities in Schools - Bay Area, the Gulf Greyhound Park will be sending a message of support to an organization that serves a student population that with a small amount of encouragement and mentoring provides the chance for these young men and women to become a contributing, productive member of society. Economically the funds generated will be kept in the local area, while simultaneously sending a message of support for education.

Thank you for your consideration on this matter. If you are in need of any further information please do not hesitate to contact me at 281-333-1350.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Davis". The signature is fluid and cursive.

John E. Davis  
State Representative, District 129



COMMITTEES: APPROPRIATIONS · STATE AFFAIRS; CHAIRMAN, BUDGET & OVERSIGHT

EMAIL: [JOHN.DAVIS@HOUSE.STATE.TX.US](mailto:JOHN.DAVIS@HOUSE.STATE.TX.US)

[HTTP://WWW.HOUSE.STATE.TX.US](http://www.house.state.tx.us)

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**TEXAS CITY-LA MARQUE CHAMBER OF COMMERCE  
2008 BOARD OF DIRECTORS**

**Rick Adams (2007-2009)**

**Oiltanking**  
P. O. Box 29  
Texas City, TX 77592-0029  
(409) 797-1700  
[Rick.adams@oxbow.com](mailto:Rick.adams@oxbow.com)

**Shawn Bailey (2008-2010)**

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(409) 948-8541 X-8612  
[Sbailey@amocofcu.org](mailto:Sbailey@amocofcu.org)

**Koyode Balogun (2008-2010)**

**Wal-Mart**  
6410 Interstate 45  
La Marque, TX 77568  
(409) 986-6000

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P. O. Box 2141  
Texas City, TX 77592-2141  
(409) 942-1806  
[jbizarro@ispcorp.com](mailto:jbizarro@ispcorp.com)

**Connie Bradley (2006-2008)**

**Marathon Petroleum**  
502 10<sup>th</sup> Street S  
Texas City, TX 77590  
(409) 945-2331  
[CMBradley@Marathonpetroleum.com](mailto:CMBradley@Marathonpetroleum.com)

**Sally Briggs (2008-2010)**

**Gulf Greyhound Park**  
P. O. Box 488  
La Marque, TX 77568  
(409) 986-9500  
[sbriggs@gulfgreyhound.com](mailto:sbriggs@gulfgreyhound.com)

**Ecomet Burley (2008-2010)**

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**Jay Carnes (2007-2009)**

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**Chris DeVries (2008-2010)**

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**Stacy Dienst (2007-2009)**

**Dienst Distributing**  
3001 IH 45 S  
La Marque, TX 77568  
(409) 933-9507

**Richard Ettredge**

**Texas City ISD**  
P. O. Box 1150  
Texas City, TX 77592-1150  
(409) 942-2602  
[rettredge@texascity.isd.tenet.edu](mailto:rettredge@texascity.isd.tenet.edu)

**Neil Geary (2006-2008)**

**BP**  
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**Tennille**  
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**Dr. Homer "Butch" Hayes (2007-2009)**  
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[John.Hernandez@Cinergy.com](mailto:John.Hernandez@Cinergy.com)

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**Charles Jackson (2008-2010)**  
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**Roy Jones (2006-2008)**  
**Mainland Tool**  
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702 36<sup>th</sup> Street N  
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**David Moss (2005-2008)**  
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306 22<sup>nd</sup> Street  
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**Mike Nelson (2007-2009)**  
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(409) 986-9411  
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**Fred Newhouse (2005-2008)**  
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**Kitty Potter (2007-2009)**  
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**\*Bob Randecker (2008-2010)**  
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**Phil Roberts (2008-2010)**  
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**Christy Stepchinski (2006-2008)**  
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cstep@houston.rr.com

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(409) 948-5162

Melinda.stephenson@hcahealthcare.com

**Sonny Tholcken (2007-2009)**

**Trey Industries**

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(409) 948-8891

st@treyindustries.com

**R. C. Williams (2007-2009)**

**Robco Services**

502 Texas Avenue

Texas City, TX 77590

(409) 986-7528

Rcwilliams rcwilliams@yahoo.com

1V-43

Address any reply to: 300 E. 8th St., Austin, Tex. 78701

**Department of the Treasury**

**District Director  
Internal Revenue Service**

Date: June 22, 1970 In reply refer to: A:EO:OSS  
AUS:EO:70-589



▷ **Greater Texas City - La Marque  
Chamber of Commerce  
625 8th Avenue North  
Texas City, Texas 77509**

Gentlemen:

I. R. Code: Section 501(c): ( 6 )  
Address Inquiries and File Returns with District  
Director of Internal Revenue: **Austin, Texas**  
Accounting Period Ending: **December 31**

On the basis of your stated purposes and the understanding that your operations will continue as evidenced to date or will conform to those proposed in your ruling application, we have concluded that you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above. Any changes in operations from those described, or in your character or purposes, must be reported immediately to your District Director for consideration of their effect upon your exempt status. You must also report any change in your name or address.

You are not required to file Federal income tax returns so long as you retain an exempt status, unless you are subject to the tax on unrelated business income imposed by section 511 of the Code, in which event you are required to file Form 990-T. You are required to file an information return, Form 990, annually on or before the 15th day of the fifth month after the close of your annual accounting period indicated above.

You are liable for the taxes imposed under the Federal Insurance Contributions Act (social security taxes); and for the tax imposed under the Federal Unemployment Tax Act if you have four or more individuals in your employ.

Any questions concerning excise, employment or other Federal taxes should be submitted to this office.

This is a determination letter.

Sincerely yours,

*R. L. Phinney*  
R. L. Phinney  
District Director



2008 JUN 19 11:19

**FILE COPY**

June 30, 2008

Charla Ann King  
Executive Director  
Texas Racing Commission  
P O Box 12080  
Austin TX 78711

Dear Charla Ann,

~~Enclosed please find our 2009 dates request. It is basically the same as our previous dates. However, we~~  
are hopeful that once we can confirm the availability of kennels and sufficient greyhounds we will be able  
to add additional performances.

Sincerely,

Robert Bork  
General Manager

VALLEY RACE PARK INC.  
2401 SOUTH ET COPER DRIVE, HARLINGEN, TEXAS 78551  
PSE 412-7223 • (956) 426-0163 FAX  
www.valleyracepark.com

IV-45







**VALLEY RACE PARK**  
 (Name of Racetrack)  
 Requested Live Race Dates for 2009

JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day E	2 EAE	3 EAE
4 MAM	5	6	7 M	8 E	9 EAE	10 EAE
11 MAM	12	13	14 M	15 E	16 EAE	17 EAE
18 MAM	19 MLK Day M	20	21 M	22 E	23 EAE	24 EAE
25 MAM	26	27	28 M	29 E	30 EAE	31 EAE

FEBRUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Super Bowl	2	3	4 M	5 E	6 EAE	7 EAE
8 MAM	9	10	11 M	12 E	13 EAE	14 EAE
15 MAM	16 Presidents' Day M	17	18 M	19 E	20 EAE	21 EAE
22 MAM	23	24	25 M	26 E	27 EAE	28 EAE

MARCH						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 MAM	2	3	4 M	5 E	6 EAE	7 EAE
8 Daylight Saving's Time MAM	9	10	11 M	12 E	13 EAE	14 EAE
15 MAM	16	17	18 M	19 E	20 EAE	21 EAE
22 MAM	23	24	25 M	26 E	27 EAE	28 EAE
29 MAM	30	31				

**VALLEY RACE PARK**  
 (Name of Racetrack)  
 Requested Live Race Dates for 2009

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 M	2 E	3 EAE	4 EAE
5 MAM	6	7	8	9	10	11
12 Easter	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2 Kentucky Derby
3	4	5	6	7	8	9
10	11	12	13	14	15	16 Preakness
17	18	19	20	21	22	23
24	25 Memorial Day	26	27	28	29	30
31						

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6 Belmont
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**VALLEY RACE PARK**  
 (Name of Racetrack)  
 Requested Live Race Dates for 2009

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 Independence Day
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 Labor Day	8	9	10	11	12
13	14	15	16	17	18	19 Rosh Hashanah
20	21	22	23	24	25	26
27	28 Yom Kippur	29	30			

**VALLEY RACE PARK**  
 (Name of Racetrack)  
 Requested Live Race Dates for 2009

**OCTOBER**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12 Columbus Day	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**NOVEMBER**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Day Light Savings Ends	2	3	4	5	6 Breeders Cup	7 Breeders Cup
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 Thanksgiving	27 EAE	28 EAE
29 MAM	30					

**DECEMBER**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 M	3 E	4 EAE	5 EAE
6 MAM	7	8	9 M	10 E	11 EAE	12 Hanukkah EAE
13 MAM	14	15	16 M	17 E	18 EAE	19 EAE
20 MAM	21	22	23 M	24	25 Christmas	26 EAE
27 MAM	28	29	30 M	31 New Year's Eve EAE		

IV-51

Allocation of Live Race Dates for Horse  
Racetracks under Commission Rule  
303.41



**LONE STAR PARK**  
*at Grand Prairie*  
 A MAGNA ENTERTAINMENT VENUE  
 Our Mission:  
 Create Winning Experiences.

June 27, 2007

Mr. John Ferrara  
 Director of Racing  
 Texas Racing Commission  
 P. O. Box 12080  
 Austin, TX 78711-2080

Dear John:

Enclosed you will find Lone Star Park's completed 2009 race date application for the Commission's review and consideration. In summary we respectfully request the following dates:

- April 9 – July 26                      Spring Thoroughbred Meet (65 days)
- September 25 – November 28      Fall Quarter Horse Meet (31 days)

Additionally, we submit the following dates for consideration for the period of January through August 2010:

- April 8 – July 25                      Spring Thoroughbred Meet (65 days)

Please feel free to contact me if you have any questions or need additional information.

Sincerely,

Drew M. Shubeck  
 President and General Manager

DMS/sa

Enclosures

HOST SITE OF THE  
 2004 BREEDERS' CUP  
 WORLD THOROUGHBRED CHAMPIONSHIPS

1000 Lone Star Parkway  
 Grand Prairie, Texas 75050  
 (972) 263-7223  
 lonestarpark.com

LSP EXECUTIVE

07/01/2008 11:16 FAX 9722625622

1V-53

P. 0.

97%

9722625622

JUL-01-2008 11:11

# TEXAS RACING COMMISSION

## REQUEST FOR LIVE RACE DATES

### HORSE RACETRACKS - 2010

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

**I. Schedule Requested**

Name of Racetrack: Lone Star Park at Grand Prairie

First Meet

Opening Day: 04/08/2010     Thoroughbred - # of races per day 9-11

Closing Day: 07/25/2010     Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: 65

Second Meet (if applicable)

Opening Day: \_\_\_/\_\_\_/\_\_\_     Thoroughbred - # of races per day \_\_\_\_\_

Closing Day: \_\_\_/\_\_\_/\_\_\_     Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: \_\_\_\_\_

Third Meet (if applicable)

Opening Day: \_\_\_/\_\_\_/\_\_\_     Thoroughbred - # of races per day \_\_\_\_\_

Closing Day: \_\_\_/\_\_\_/\_\_\_     Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: \_\_\_\_\_

**II. Negotiation with Breed Registries**

Specify how the total races scheduled for 2010 will be allocated among the various breeds:

Appaloosa	_____%	Arabian	_____%	Paint	_____%
Quarter Horse	_____%	Thoroughbred	<u>100%</u>		

Check all that apply:

Attached are letters from the affected breed registries that have agreed to this allocation.

The \_\_\_\_\_ breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:

Participants in Negotiations

       /        /        **Various conversations with the Texas Thoroughbred Association and Texas Horsemen's Partnership**

       /        / \_\_\_\_\_

       /        / \_\_\_\_\_

       /        / \_\_\_\_\_

       /        / \_\_\_\_\_

III. Dates Requested

Indicate on the attached calendar each live race date requested with a "T" (Thoroughbred), "QH" (Quarter Horse), or "M" (Mixed). Include standard post time in space provided on calendar. Any exceptions, such as holidays, should be noted.

IV. Charity Days

Indicate which days are designated as charity days:

DESIGNATED BY RULE

(1) A charity that directly benefits the persons who work on the backside:

\_\_\_/\_\_\_/2010 for \_\_\_\_\_ (Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

\_\_\_/\_\_\_/2010 for \_\_\_\_\_ (Name of Charity)

OPTIONAL

\_\_\_/\_\_\_/2010 for \_\_\_\_\_ (Name of Charity)

\_\_\_/\_\_\_/2010 for \_\_\_\_\_ (Name of Charity)

\_\_\_/\_\_\_/2010 for \_\_\_\_\_ (Name of Charity)

For each charity listed, attach the following information:

- 1. A brief description of the activities or purposes of the charity
2. The name and address of each individual who serves as an officer or director
3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes

V. Certificate of Service

I hereby certify that on 7-1-2008, a true and correct copy of this request was sent to the persons listed below by:

- Certified Mail R.R.R. Regular Mail Facsimile Hand Delivery

Signature Title

X Austin Jockey Club
c/o Bryan Brown, Vice President
P. O. Box 47535
San Antonio, TX 78265

X Gillespie County Fair & Festivals Assn.
c/o Lee DeLong, General Manager
P. O. Box 526
Fredericksburg, Texas 78624

X Saddle Brook Park, Inc.
c/o Drew Alexander, President
P. O. Box 50597
Amarillo, TX 79159

X Manor Downs
c/o Howard Phillips, CEO
P. O. Box 141309
Austin, Texas 78714

X Lone Star Park at Grand Prairie
c/o Drew Shubeck, General Manager
1000 Lone Star Parkway
Grand Prairie, TX 75050

X Retama Park
c/o Bryan Brown, CEO
P. O. Box 47535
San Antonio, TX 78265

X Sam Houston Race Park
c/o Bob Bork, Senior Vice President & General Manager
7575 N Sam Houston Parkway West
Houston, Texas 77064



**Lone Star Park at Grand Prairie**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2010**

JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 New Year's Day	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18 Martin Luther King	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15 Presidents' Day	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7 Day-Light Savings Begins	8	9	10	11	12	13
14 Day-Light Savings Begins	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**Lone Star Park at Grand Prairie**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2010**

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4 Easter	5	6	7	8 T	9 T	10 T
11 T	12	13	14	15 T	16 T	17 T
18 T	19	20	21	22 T	23 T	24 T
25 T	26	27	28	29 T	30 T	

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 Ky Derby T
2 T	3	4	5	6 T	7 T	8 T
9 T	10	11	12	13 T	14 T	15 Preakness T
16 T	17	18	19	20 T	21 T	22 T
23 T	24	25	26	27 T	28 T	29 T
30 T	31 Memorial T					

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 T	4 T	5 Belmont T
6 T	7	8	9	10 T	11 T	12 T
13 T	14	15	16	17 T	18 T	19 T
20 T	21	22	23	24 T	25 T	26 T
27 T	28	29	30			

**Lone Star Park at Grand Prairie**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2010**

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 T	2 T	3 T
4 Indep Day T	5	6	7	8 T	9 T	10 T
11 T	12	13	14	15 T	16 T	17 T
18 T	19	20	21	22 T	23 T	24 T
25 T	26	27	28	29	30	31

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

# TEXAS RACING COMMISSION

## REQUEST FOR LIVE RACE DATES

### HORSE RACETRACKS - 2009

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

**I. Schedule Requested**

Name of Racetrack: Lone Star Park at Grand Prairie

First Meet

Opening Day: 04/09/2009     Thoroughbred - # of races per day 9-11

Closing Day: 07/26/2009     Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: 65

Second Meet (if applicable)

Opening Day: 09/25/2009     Thoroughbred - # of races per day \_\_\_\_\_

Closing Day: 11/28/2009     Quarter Horse - # of races per day 9-11

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: 31

Third Meet (if applicable)

Opening Day: \_\_\_/\_\_\_/\_\_\_     Thoroughbred - # of races per day \_\_\_\_\_

Closing Day: \_\_\_/\_\_\_/\_\_\_     Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: \_\_\_\_\_

**II. Negotiation with Breed Registries**

Specify how the total races scheduled for 2009 will be allocated among the various breeds:

Appaloosa	_____ %	Arabian	_____ %	Paint	_____ %
Quarter Horse	<u>32%</u>	Thoroughbred	<u>68%</u>		

Check all that apply:

- Attached are letters from the affected breed registries that have agreed to this allocation.
- The \_\_\_\_\_ breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:

Participants in Negotiations

\_\_\_/\_\_\_/\_\_\_ Various conversations with the Texas Thoroughbred Association and Texas Horsemen's Partnership

\_\_\_/\_\_\_/\_\_\_ \_\_\_\_\_

\_\_\_/\_\_\_/\_\_\_ \_\_\_\_\_

\_\_\_/\_\_\_/\_\_\_ \_\_\_\_\_

\_\_\_/\_\_\_/\_\_\_ \_\_\_\_\_



### Lone Star Park at Grand Prairie

(Name of Racetrack)

## Requested Live Race Dates for 2009

JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Martin Luther King	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Super Bowl Sunday	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16 Presidents' Day	17	18	19	20	21
22	23	24	25	26	27	28

MARCH						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8 Day-Light Savings Begins	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**Lone Star Park at Grand Prairie**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9 T	10 T	11 T
12 Easter T	13	14	15	16 T	17 T	18 T
19 T	20	21	22	23 T	24 T	25 T
26 T	27	28	29	30 T		

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 T	2 Ky Derby T
3 T	4	5	6	7 T	8 T	9 T
10 T	11	12	13	14 T	15 T	16 Preakness T
17 T	18	19	20	21 T	22 T	23 T
24 T	25 Mem Day T	26	27	28 T	29 T	30 T
31 T						

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4 T	5 T	6 Beimont T
7 T	8	9	10	11 T	12 T	13 T
14 T	15	16	17	18 T	19 T	20 T
21 T	22	23	24	25 T	26 T	27 T
28 T	29	30				

**Lone Star Park at Grand Prairie**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 T	3 T	4 Indep Day T
5 T	6	7	8	9 T	10 T	11 T
12 T	13	14	15	16 T	17 T	18 T
19 T	20	21	22	23 T	24 T	25 T
26 T	27	28	29	30	31	

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 Labor Day	8	9	10	11	12
13	14	15	16	17	18	19 Rosh Hashanah
20	21	22	23	24	25 Q	26 Q
27	28 Yom Kipper	29	30			



**Lone Star Park at Grand Prairie**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

<b>OCTOBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 Q	2 Q	3 Q
4	5	6	7	8 Q	9 Q	10 Q
11	12 Columbus Day	13	14	15 Q	16 Q	17 Q
18	19	20	21	22 Q	23 Q	24 Q
25	26	27	28	29 Q	30 Q	31 Q

<b>NOVEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Day-Light Savings Ends	2	3	4 Q	5 Q	6 BC Day Q	7 BC Day Q
8	9	10	11 Veterans Q	12 Q	13 Q	14 Q
15	16	17	18 Q	19 Q	20 Q	21 Q
22	23	24	25	26 Thanksgiving	27 Q	28 Q
29	30					

<b>DECEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12 Hanukkah
13	14	15	16	17	18	19
20	21	22	23	24	25 Christmas	26
27	28	29	30	31 New Years Eve		



July 2, 2008

Mr. John Ferrara  
Director of Racing  
Texas Racing Commission  
P.O. Box 12080  
Austin, TX 78711-2080

Dear John:

Enclosed please find Sam Houston Race Park's 2009 race date application for the Commission's consideration. In summary, we are pleased to request the following dates:

- January 1 – April 4 Winter Thoroughbred Meet (47 days)
- May 1 – August 22 American Quarter Horse Meet (52 days)
- November 27 – December 31 Fall Thoroughbred Meet (18 days)

Accompanying this request is a letter outlining our intent to enter into a one year agreement with Retama Park to conduct their American Quarter Horse meet during 2009. Those dates are reflected in our application.

If you have any questions or should require any further information, please feel free to contact me.

Sincerely,

Andrea B. Young  
Chief Operating Officer

Enclosures

SAM HOUSTON RACE PARK LTD.  
7575 North Sam Houston Parkway West, Houston, TX, 77064 • 281.807.8700 • shrp.com

July 2, 2008

Mr. John Ferrara  
Director of Racing  
Texas Racing Commission  
P.O. Box 12080  
Austin, Texas 78711-2080

Dear John,

As we have discussed, Sam Houston Race Park is requesting to run a 52-day Quarter Horse meet in 2009. The meet would begin on Friday, May 1 and conclude on Saturday, August 22, 2009. This will include a three day a week racing schedule as well as racing on the Memorial Day holiday.

As you are aware, these early dates are typically the time frame during which Retama Park runs their annual Quarter Horse meet. As such, Retama Park has agreed to transfer its race dates along with the accrued purse monies from June 23, 2008 thru June 22, 2009 to Sam Houston Race Park in exchange for running these additional dates in Houston.

Furthermore, Sam Houston Race Park has offered to keep the stable area open until Friday, September 4, 2009 with a limited training schedule. This is one week longer than contractually required.

It is Sam Houston Race Park's belief that the opportunity to move its dates to earlier in the year will allow it to take better advantage of the weather and local entertainment dollar. These opportunities when coupled with the significant marketing efforts already under way at Sam Houston have the potential to result in a positive business opportunity for both the associations and the horsemen.

Please feel free to contact either of us should you have any questions.

Sincerely,



Bryan Brown  
Retama Park

  
Andrea Young  
Sam Houston Race Park

# TEXAS RACING COMMISSION REQUEST FOR LIVE RACE DATES HORSE RACETRACKS - 2009

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

## I. Schedule Requested

Name of Racetrack: Sam Houston Race Park

### First Meet

Opening Day: 01/01/2009 X Thoroughbred - # of races per day 9  
Closing Day: 04/04/2009  Quarter Horse - # of races per day \_\_\_\_\_  
 Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: 47

### Second Meet (if applicable)

Opening Day: 05/01/2009  Thoroughbred - # of races per day \_\_\_\_\_  
Closing Day: 08/22/2009 X Quarter Horse - # of races per day 10  
 Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: 52

### Third Meet (if applicable)

Opening Day: 11/27/2009 X Thoroughbred - # of races per day 9  
Closing Day: 12/31/2009  Quarter Horse - # of races per day \_\_\_\_\_  
 Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: 18

## II. Negotiation with Breed Registries

Specify how the total races scheduled for 2009 will be allocated among the various breeds:

Appaloosa	<u>    </u> %	Arabian	<u>    </u> %	Paint	<u>    </u> %
Quarter Horse	<u>44</u> %	Thoroughbred	<u>56</u> %		

Check all that apply:

- Attached are letters from the affected breed registries that have agreed to this allocation.
- X The \_\_\_\_\_ breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:  
Participants in Negotiations

### Various

Texas Thoroughbred Association - Dave Hooper, Mark Cornett, John Adger  
Texas Quarterhorse Association - Rob Werstler  
Texas Horsemens Partnership - Tommy Azopardi, various others

**III. Dates Requested**

Indicate on the attached calendar each live race date requested with a "T" (Thoroughbred), "QH" (Quarter Horse), or "M" (Mixed). Include standard post time in space provided on calendar. Any exceptions, such as holidays, should be noted.

**IV. Charity Days**

Indicate which days are designated as charity days:

*DESIGNATED BY RULE*

(1) A charity that directly benefits the persons who work on the backside:

06/18/2009 for Race Track Chaplaincy of Texas

(Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

08/13/2009 for Lonestar Outreach to Place Ex-Racers (LOPE)

(Name of Charity)

*OPTIONAL*

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

    /     / 2009 for \_\_\_\_\_  
(Name of Charity)

For each charity listed, attach the following information:

1. A brief description of the activities or purposes of the charity
2. The name and address of each individual who serves as an officer or director
3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes

**V. Certificate of Service**

I hereby certify that on JULY 2, 2008, a true and correct copy of this request was sent to the persons listed below by:

- Certified Mail R.R.R.     Regular Mail     Facsimile     Hand Delivery

Al B. Young  
Signature

COO  
Title

- |   |   |
|---|---|
| <p><input checked="" type="checkbox"/> Austin Jockey Club<br/>c/o Bryan Brown, Vice President<br/>P. O. Box 47535<br/>San Antonio, TX 78265</p> <p><input checked="" type="checkbox"/> Saddle Brook Park, Inc.<br/>c/o Drew Alexander, President<br/>P. O. Box 50597<br/>Amarillo, TX 79159</p> <p><input checked="" type="checkbox"/> Lone Star Park at Grand Prairie<br/>c/o Drew Shubeck, General Manager<br/>1000 Lone Star Parkway<br/>Grand Prairie, TX 75050</p> <p><input checked="" type="checkbox"/> Sam Houston Race Park<br/>c/o Bob Bork, Senior Vice President &amp; General Manager<br/>7575 N Sam Houston Parkway West<br/>Houston, Texas 77064</p> | <p><input checked="" type="checkbox"/> Gillespie County Fair &amp; Festivals Assn.<br/>c/o Lee DeLong, General Manager<br/>P. O. Box 526<br/>Fredericksburg, Texas 78624</p> <p><input checked="" type="checkbox"/> Manor Downs<br/>c/o Howard Phillips, CEO<br/>P. O. Box 141309<br/>Austin, Texas 78714</p> <p><input checked="" type="checkbox"/> Retama Park<br/>c/o Bryan Brown, CEO<br/>P. O. Box 47535<br/>San Antonio, TX 78265</p> |
|---|---|

1V-68

Sam Houston Race Park

(Name of Racetrack)

Requested Live Race Dates for 2009

JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day T 1	2 T 2	3 T 3
4 T 4	5	6	7	8	9 T 5	10 T 6
11 T 7	12	13	14	15	16 T 8	17 T 9
18 T 10	19 Martin Luther King	20	21	22	23 T 11	24 T 12
25 T 13	26	27	28	29	30 T 14	31 T 15

FEBRUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 T 16 Superbowl	2	3	4	5 T 17	6 T 18	7 T 19
8 T 20	9	10	11	12 T 21	13 T 22	14 T 23
15 T 24	16 Presidents' Day	17	18	19 T 25	20 T 26	21 T 27
22 T 28	23	24	25	26 T 29	27 T 30	28 T 31

MARCH						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 T 32	2	3	4	5	6 T 33	7 T 34
8 T 35 Day-Light Savings Begins	9	10	11	12	13 T 36	14 T 37
15 T 38	16	17	18	19	20 T 39	21 T 40
22 T 41	23	24	25	26	27 T 42	28 T 43
29 T 44	30	31				

**Sam Houston Race Park**

(Name of Racetrack)

**Requested Live Race Dates for 2009**

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 T 45	3 T 46	4 T 47
5	6	7	8	9	10	11
12 Easter	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 Q1	2 Q2 Kentucky Derby
3 Q3	4	5	6	7	8 Q4	9 Q5
10 Q6	11	12	13	14	15 Q7	16 Q8 Preakness
17 Q9	18	19	20	21	22 Q10	23 Q11
24 Q12	25 Q13 Memorial Day	26	27	28	29 Q14	30 Q15
31 Q16						

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4 Q17	5 Q18	6 Q18 Belmont
7	8	9	10	11 Q20	12 Q21	13 Q22
14	15	16	17	18 Q23	19 Q24	20 Q25
21	22	23	24	25 Q26	26 Q27	27 Q28
28	29	30				

**Sam Houston Race Park**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 Q29	3 Q30	4 Q31 Independence Day
5	6	7	8	9 Q32	10 Q33	11 Q34
12	13	14	15	16 Q35	17 Q36	18 Q37
19	20	21	22	23 Q38	24 Q39	25 Q40
26	27	28	29	30 Q41	31 Q42	

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 Q43
2	3	4	5	6 Q44	7 Q45	8 Q46
9	10	11	12	13 Q47	14 Q48	15 Q49
16	17	18	19	20 Q50	21 Q51	22 Q52
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 Labor Day	8	9	10	11	12
13	14	15	16	17	18	19 Rosh Hashanah
20	21	22	23	24	25	26
27	28 Yom Kipper	29	30			



**Sam Houston Race Park**

(Name of Racetrack)

**Requested Live Race Dates for 2009**

OCTOBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12 Columbus Day	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Day-Light Savings Ends	2	3	4	5	6 Breeders Cup	7 Breeders Cup
8	9	10	11 Veterans Day	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 Thanksgiving	27 T 1	28 T 2
29 T 3	30					

DECEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 T 4	4 T 5	5 T 6
6 T 7	7	8	9	10 T 8	11 T 9	12 Hanukkah T 10
13 T 11	14	15	16	17 T 12	18 T 13	19 T 14
20 T 15	21	22	23	24	25 Christmas	26 T 16
27 T 17	28	29	30	31 T 18 New Years Eve		

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

**MAR 20 2008**

LONESTAR OUTREACH TO PLACE  
EX-RACERS  
1551 HWY 21 W  
CEDAR CREEK, TX 78612

Employer Identification Number:  
73-1721579  
EIN:  
17053054712088  
Contact Person:  
SHAWNDEA KREBS ID# 31072  
Contact Telephone Number:  
(877) 829-5500  
Public Charity Status:  
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated December 2004, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

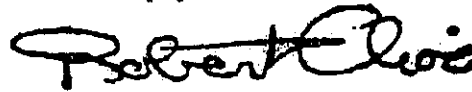
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at [www.irs.gov](http://www.irs.gov).

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements

Letter 1050 (DO/CG)

1V-73



# Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14  
R 01/02

85 R013061730C-4 Certificate Number	03/18/2004 Effective Date	03/31/2009 Expiration Date	501(C)(3) ORGANIZATION Exemption Category
--	------------------------------	-------------------------------	--

This certifies that

RAIL TRACK CHAPLAINCY OF AMERICA INC  
250 S PRAIRIE AVE  
NO. WOOD CA 90301-8170

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



## Important Information for Exempt Organizations

DR-14  
R 01/02

- 1. You must provide all vendors and suppliers with an exemption certificate before making tax exempt purchases. See Rule 12A-1.039, Florida Administrative Code (FAC).
- 2. Your Consumer's Certificate of Exemption is to be used solely by your organization for your organization's business or nonprofit activities.
- 3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
- 4. This exemption applies only to purchases your organization makes. The sale or lease to others by your organization of tangible personal property, sleeping accommodations or other real property is taxable. Your organization must register and collect and remit sales and use tax on such taxable transactions. Churches are exempt from this requirement except when they are the lessor of real property (see 12A-1.039, FAC).
- 5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. In other circumstances, should this certificate be used for the personal benefit of any individual, penalties will be levied for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to revocation of a third degree felony. Any violation will necessitate the revocation of this certificate.
- 6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Florida Department of Revenue at 850-487-4170. The mailing address is 5050 West Tennessee Street, Tallahassee, FL 32311-0100.

1V-74



# Facsimile

**Sam Houston Race Park**  
**Andrea Young**  
7575 N. Sam Houston Pkwy W  
Houston, TX 77064  
281-807-8747  
Fax 281-807-8777

**To:** John Ferrara  
Fax number: 512-833-6907

**Date:** 7/3/2008

**Regarding:** Texas Racing Commission, Request for Live Race Dates Horse Race Tracks 2009

**Comments:** 10 pages to follow

1V-75



FILE COPY

July 1, 2008

Mr. John Ferrara  
Director of Racing  
Texas Racing Commission  
8505 Cross Park Drive  
Suite 110  
Austin, Texas 78754

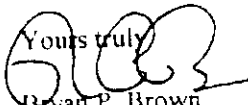
Dear John:  
Retama Park would like to request for the 2009 Thoroughbred meet a total of 32 days starting August 28 thru November 7.

To summarize, the schedule of racing on Thursday, Friday, and Saturday with 6:45 P.M. post times except for Breeders Cup weekend which will feature a 5:30 P.M. post time.

Week 1	August 28, 29
Week 2	September 3, 4, 5
Week 3	September 10, 11, 12
Week 4	September 17, 18, 19
Week 5	September 24, 25, 26
Week 6	October 1, 2, 3
Week 7	October 8, 9, 10
Week 8	October 15, 16, 17
Week 9	October 22, 23, 24
Week 10	October 29, 30, 31
Week 11	November 5, 6, 7

By separate letter, Retama Park has agreed to transfer its Quarter Horse dates to Sam Houston Race Park.

Please let me know if you have any questions.

Yours truly  
  
Bryan P. Brown  
CEO

cc: Drew Alexander	Howard Phillips
Tommy Azopardi	Scott Sherwood
Terry Blanton	Drew Shubeck
Bob Bork	Karen Utecht
Ronnie Ersch	Rob Werstler
Dave Hooper	Ed Wilson
Tooter Jordan	Andrea Young

P.O. Box 47535 • SAN ANTONIO, TEXAS 78265-7535 • 210-651-7000 • FAX 210-651-7097

# TEXAS RACING COMMISSION REQUEST FOR LIVE RACE DATES HORSE RACETRACKS - 2009

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

**I. Schedule Requested**

Name of Racetrack: **Retama Park**

First Meet

Opening Day: **08/28/2009**

Closing Day: **11/07/2009**

- Thoroughbred - # of races per day - 9
  - Quarter Horse - # of races per day \_\_\_\_\_
  - Mixed - # of races per day: T \_\_\_\_\_ QH \_\_\_\_\_ Minor \*\*
- \*\* Minor - Two races per week until Lone Star Park begins.

Total number of days: 32

Second Meet (if applicable)

Opening Day: \_\_\_/\_\_\_/\_\_\_

Closing Day: \_\_\_/\_\_\_/\_\_\_

- Thoroughbred - # of races per day \_\_\_\_\_
- Quarter Horse - # of races per day \_\_\_\_\_
- Mixed - # of races per day: T \_\_\_\_\_ QH \_\_\_\_\_ Minor \_\_\_\_\_

Total number of days: \_\_\_\_\_

Third Meet (if applicable)

Opening Day: \_\_\_/\_\_\_/\_\_\_

Closing Day: \_\_\_/\_\_\_/\_\_\_

- Thoroughbred - # of races per day \_\_\_\_\_
- Quarter Horse - # of races per day \_\_\_\_\_
- Mixed - # of races per day: T \_\_\_\_\_ QH \_\_\_\_\_ Minor \_\_\_\_\_

Total number of days: \_\_\_\_\_

**II. Negotiation with Breed Registries**

Specify how the total races scheduled for 2009 will be allocated among the various breeds:

Appaloosa	_____%	Arabian	1%	Paint	_____%
Quarter Horse	_____%	Thoroughbred	<u>99%</u>		

Check all that apply:

- Attached are letters from the affected breed registries that have agreed to this allocation.
- The \_\_\_\_\_ breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:  
Participants in Negotiations

Various Dates

Texas Thoroughbred Association – Dave Hooper

Texas Quarter Horse Association – Rob Werstler

Texas Horsemen's Partnership – Tommy Azopardi

**III. Dates Requested**

Indicate on the attached calendar each live race date requested with a "T" (Thoroughbred), "QH" (Quarter Horse), or "M" (Mixed). Include standard post time in space provided on calendar. Any exceptions, such as holidays, should be noted.

**IV. Charity Days**

Indicate which days are designated as charity days:

*DESIGNATED BY RULE*

(1) A charity that directly benefits the persons who work on the backside:

9/3/2009 for RTCA - South Texas Chapter.  
(Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

9/17/2009 for Texas A&M University Equine Research  
(Name of Charity)

*OPTIONAL*

\_\_\_/\_\_\_/2009 for \_\_\_\_\_  
(Name of Charity)

\_\_\_/\_\_\_/2009 for \_\_\_\_\_  
(Name of Charity)

\_\_\_/\_\_\_/2009 for \_\_\_\_\_  
(Name of Charity)

For each charity listed, attach the following information:

1. A brief description of the activities or purposes of the charity
2. The name and address of each individual who serves as an officer or director
3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes

**V. Certificate of Service**

I hereby certify that on July 2, 2008, a true and correct copy of this request was sent to the persons listed below by:

- Certified Mail R.R.R.  
  Regular Mail  
  Facsimile  
  Hand Delivery

Robert W. Pollock  
Signature

Robert W. Pollock, G.M.  
Title

Austin Jockey Club  
c/o Bryan Brown, Vice President  
P. O. Box 47535  
San Antonio, TX 78265

Saddle Brook Park, Inc.  
c/o Drew Alexander, President  
P. O. Box 50597  
Amarillo, TX 79159

Lone Star Park at Grand Prairie  
c/o Drew Shubeck, General Manager  
1000 Lone Star Parkway  
Grand Prairie, TX 75050

Sam Houston Race Park  
c/o Bob Bork, Senior Vice President & General Manager  
7575 N Sam Houston Parkway West  
Houston, Texas 77064

Gillespie County Fair & Festivals Assn.  
c/o Lee DeLong, General Manager  
P. O. Box 526  
Fredericksburg, Texas 78624

Manor Downs  
c/o Howard Phillips, CEO  
P. O. Box 141309  
Austin, Texas 78714

Retama Park  
c/o Bryan Brown, CEO  
P. O. Box 47535  
San Antonio, TX 78265

## Retama Park Requested Live Race Dates for 2009

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 Independence Day
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28 T - 6:45 P.M.	29 T - 6:45 P.M.
30	31					

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 T - 6:45 P.M.	4 T - 6:45 P.M.	5 T - 6:45 P.M.
6	7 Labor Day	8	9	10 T - 6:45 P.M.	11 T - 6:45 P.M.	12 T - 6:45 P.M.
13	14	15	16	17 T - 6:45 P.M.	18 T - 6:45 P.M.	19 T - 6:45 P.M.
20	21	22	23	24 T - 6:45 P.M.	25 T - 6:45 P.M.	26 T - 6:45 P.M.
27	28 Yom Kipper	29	30			



**Retama Park**  
**Requested Live Race Dates for 2009**

<b>OCTOBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 T - 6:45 P.M.	2 T - 6:45 P.M.	3 T - 6:45 P.M.
4	5	6	7	8 T - 6:45 P.M.	9 T - 6:45 P.M.	10 T - 6:45 P.M.
11	12 Columbus Day	13	14	15 T - 6:45 P.M.	16 T - 6:45 P.M.	17 T - 6:45 P.M.
18	19	20	21	22 T - 6:45 P.M.	23 T - 6:45 P.M.	24 T - 6:45 P.M.
25	26	27	28	29 T - 6:45 P.M.	30 T - 6:45 P.M.	31 T - 6:45 P.M.

<b>NOVEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Day-Light Savings Ends	2	3	4	5 T - 6:45 P.M.	6 Breeders Cup T - 5:30 P.M.	7 Breeders Cup T - 5:30 P.M.
8	9	10	11 Veterans Day	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 Thanksgiving	27	28
29	30					

<b>DECEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12 Hanukkah
13	14	15	16	17	18	19
20	21	22	23	24	25 Christmas	26
27	28	29	30	31 New Years Eve		



**FILE COPY**

P.O. Box 141309

Austin, Texas 78714

512/272-5581

July 3, 2008

John Ferrara  
Director of Racing  
Texas Racing Commission  
P O Box 12080  
Austin, TX 78711-2080

Dear John:

Enclosed is Manor Downs Live Race Date Request for 2009.

We are pleased to submit this request which will be our 6<sup>th</sup> year of running a nine week mixed meet format with over 220 races while maintaining our horse purse levels. The first day of the meet is Saturday, February 28<sup>th</sup>.

Thank you for your consideration.

Respectfully,

Howard Phillips  
President

# TEXAS RACING COMMISSION

## REQUEST FOR LIVE RACE DATES

### HORSE RACETRACKS - 2009

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

#### I. Schedule Requested

Name of Racetrack: Manor Downs

##### First Meet

Opening Day: 02/28/2009

Closing Day: 04/26/2009

Thoroughbred - # of races per day \_\_\_\_\_

Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T 2.5 QH 9.0 Minor .5

Total number of days: 18

##### Second Meet (if applicable)

Opening Day: \_\_\_/\_\_\_/\_\_\_

Closing Day: \_\_\_/\_\_\_/\_\_\_

Thoroughbred - # of races per day \_\_\_\_\_

Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: \_\_\_\_\_

##### Third Meet (if applicable)

Opening Day: \_\_\_/\_\_\_/\_\_\_

Closing Day: \_\_\_/\_\_\_/\_\_\_

Thoroughbred - # of races per day \_\_\_\_\_

Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_ QH \_\_\_ Minor \_\_\_

Total number of days: \_\_\_\_\_

#### II. Negotiation with Breed Registries

Specify how the total races scheduled for 2009 will be allocated among the various breeds:

Appaloosa	.5%	Arabian	____%	Paint	1.0%
Quarter Horse	72.89%	Thoroughbred		25.61%	

Check all that apply:

Attached are letters from the affected breed registries that have agreed to this allocation.

The \_\_\_\_\_ breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:

Participants in Negotiations

06/19/2008 Tooter Jordan – Texas Horsemen's Partnership

06/23/2009 Rob Werstler – Texas Quarter Horse Assn.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



Manor Downs  
(Name of Racetrack)  
Requested Live Race Dates for 2009

<b>JANUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Martin Luther King	20	21	22	23	24
25	26	27	28	29	30	31

<b>FEBRUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Super Bowl Sunday	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16 Presidents' Day	17	18	19	20	21
22	23	24	25	26	27	28 M 1:30

<b>MARCH</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 M 1:30	2	3	4	5	6	7 M 1:30
8 M 1:30 Day-Light Savings Begins	9	10	11	12	13	14 M 1:30
15 M 1:30	16	17	18	19	20	21 M 1:30
22 M 1:30	23	24	25	26	27	28 M 1:30
29 M 1:30	30	31				

1V-84

**Manor Downs**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

<b>APRIL</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 M 1:30
5 M 1:30	6	7	8	9	10	11 M 1:30
12 M 1:30 Easter	13	14	15	16	17	18 M 1:30
19 M 1:30	20	21	22	23	24	25 M 1:30
26 M 1:30	27	28	29	30		

<b>MAY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2 Kentucky Derby
3	4	5	6	7	8	9
10	11	12	13	14	15	16 Preakness
17	18	19	20	21	22	23
24	25 Memorial Day	26	27	28	29	30
31						

<b>JUNE</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6 Belmont
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

# TEXAS RACING COMMISSION

## REQUEST FOR LIVE RACE DATES

# FILE COPY

### HORSE RACETRACKS - 2009

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

#### I. Schedule Requested

Name of Racetrack: Gillespie County Fair & Festivals Assn.

**First Meet**  
 Opening Day: 07/04/09     Thoroughbred - # of races per day \_\_\_\_\_  
 Closing Day: 08/23/09     Quarter Horse - # of races per day \_\_\_\_\_  
 xx Mixed - # of races per day: T 4 QH 7 Minor 1

Total number of days: 8

**Second Meet (if applicable)**  
 Opening Day:     /    /         Thoroughbred - # of races per day \_\_\_\_\_  
 Closing Day:     /    /         Quarter Horse - # of races per day \_\_\_\_\_  
 Mixed - # of races per day: T      QH      Minor     

Total number of days: \_\_\_\_\_

**Third Meet (if applicable)**  
 Opening Day:     /    /         Thoroughbred - # of races per day \_\_\_\_\_  
 Closing Day:     /    /         Quarter Horse - # of races per day \_\_\_\_\_  
 Mixed - # of races per day: T      QH      Minor     

Total number of days: \_\_\_\_\_

#### II. Negotiation with Breed Registries

Specify how the total races scheduled for 2009 will be allocated among the various breeds:

Appaloosa	____%	Arabian	____%	Paint	____%
Quarter Horse	80%	Thoroughbred	20%		

Check all that apply:

Attached are letters from the affected breed registries that have agreed to this allocation.

xx The (See attached correspondence) \_\_\_\_\_ breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:

Participants in Negotiations

<u>06/27/08</u>	<u>    </u>	<u>Texas Thoroughbred Association</u>
<u>06/27/08</u>	<u>    </u>	<u>Texas Quarter Horse Association</u>
<u>    /    /    </u>	<u>    </u>	<u>    </u>
<u>    /    /    </u>	<u>    </u>	<u>    </u>
<u>    /    /    </u>	<u>    </u>	<u>    </u>

III. Dates Requested

Indicate on the attached calendar each live race date requested with a "T" (Thoroughbred), "QH" (Quarter Horse), or "M" (Mixed). Include standard post time in space provided on calendar. Any exceptions, such as holidays, should be noted.

IV. Charity Days

Indicate which days are designated as charity days:

DESIGNATED BY RULE

(1) A charity that directly benefits the persons who work on the backside:

\_\_\_/\_\_\_/2009 for N/A (Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

\_\_\_/\_\_\_/2009 for (Name of Charity) OPTIONAL

\_\_\_/\_\_\_/2009 for (Name of Charity)

\_\_\_/\_\_\_/2009 for (Name of Charity)

\_\_\_/\_\_\_/2009 for (Name of Charity)

For each charity listed, attach the following information:

- 1. A brief description of the activities or purposes of the charity
2. The name and address of each individual who serves as an officer or director
3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes

V. Certificate of Service

I hereby certify that on 07/03/2008, a true and correct copy of this request was sent to the persons listed below by:

Certified Mail R.R.R. XX Regular Mail Facsimile Hand Delivery

Signature

General Manager Title

Austin Jockey Club
c/o Bryan Brown, Vice President
P.O. Box 47535
San Antonio, TX 78265

Gillespie County Fair & Festivals Assn.
c/o Lee DeLong, General Manager
P.O Box 526
Fredericksburg, Texas 78624

Saddle Brook Park, Inc.
c/o Drew Alexander, President
P.O. Box 50597
Amarillo, TX 79159

Manor Downs
c/o Howard Phillips, CEO
P.O. Box 141309
Austin, Texas 78714

Lone Star Park at Grand Prairie
c/o Drew Shubeck, General Manager
1000 Lone Star Parkway
Grand Prairie, TX 75050

Retama Park
c/o Bryan Brown, CEO
P.O. Box 47535
San Antonio, Texas 78265

Sam Houston Race Park
c/o Bob Bork, Sr. Vice President & General Manager
7575 N Sam Houston Parkway West
Houston, Texas 77064



**Gillespie County Fair & Festivals Assn. -**

(Name of Racetrack)

**Requested Live Race Dates for 2009**

JULY - 2009						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 Independence Day M - 1 p.m.
5 M - 1 p.m.	6	7	8	9	10	11
12	13	14	15	16	17	18 M - 1 p.m.
19 M - 1 p.m.	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST - 2009						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8 M - 1 PM
9 M - 1 PM	10	11	12	13	14	15
16	17	18	19	20	21	22
23 M - 1 PM	24	25	26	27	28	29 M - 1 PM
30	31					

# TEXAS RACING COMMISSION

## REQUEST FOR LIVE RACE DATES

### HORSE RACETRACKS - 20010

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

#### I. Schedule Requested

Name of Racetrack: Gillespie County Fair & Festivals Assn.

**First Meet**

Opening Day: 07/03/10     Thoroughbred - # of races per day \_\_\_\_\_  
 Closing Day: 08/29/10     Quarter Horse - # of races per day \_\_\_\_\_  
 xx Mixed - # of races per day: T 4 QH 7 Minor 1

Total number of days: 8

**Second Meet (if applicable)**

Opening Day:     /    /         Thoroughbred - # of races per day \_\_\_\_\_  
 Closing Day:     /    /         Quarter Horse - # of races per day \_\_\_\_\_  
 Mixed - # of races per day: T      QH      Minor     

Total number of days: \_\_\_\_\_

**Third Meet (if applicable)**

Opening Day:     /    /         Thoroughbred - # of races per day \_\_\_\_\_  
 Closing Day:     /    /         Quarter Horse - # of races per day \_\_\_\_\_  
 Mixed - # of races per day: T      QH      Minor     

Total number of days: \_\_\_\_\_

#### II. Negotiation with Breed Registries

Specify how the total races scheduled for 2010 will be allocated among the various breeds:

Appaloosa	<u>    </u> %	Arabian	<u>    </u> %	Paint	<u>    </u> %
Quarter Horse	<u>80</u> %	Thoroughbred	<u>20</u> %		

Check all that apply:

Attached are letters from the affected breed registries that have agreed to this allocation.

xx The (See attached correspondence)      breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:

Participants in Negotiations

06/27/08    Texas Thoroughbred Association  
06/27/08    Texas Quarter Horse Association  
 / / / \_\_\_\_\_  
 / / / \_\_\_\_\_  
 / / / \_\_\_\_\_

III. Dates Requested

Indicate on the attached calendar each live race date requested with a "T" (Thoroughbred), "QH" (Quarter Horse), or "M" (Mixed). Include standard post time in space provided on calendar. Any exceptions, such as holidays, should be noted.

IV. Charity Days

Indicate which days are designated as charity days:

DESIGNATED BY RULE

(1) A charity that directly benefits the persons who work on the backside:

\_\_\_/\_\_\_/2010 for N/A (Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

\_\_\_/\_\_\_/2010 for (Name of Charity) OPTIONAL

\_\_\_/\_\_\_/2010 for (Name of Charity)

\_\_\_/\_\_\_/2010 for (Name of Charity)

\_\_\_/\_\_\_/2010 for (Name of Charity)

For each charity listed, attach the following information:

- 1. A brief description of the activities or purposes of the charity
2. The name and address of each individual who serves as an officer or director
3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes

V. Certificate of Service

I hereby certify that on 07/03/2008, a true and correct copy of this request was sent to the persons listed below by:

Certified Mail R.R.R. XX Regular Mail Facsimile Hand Delivery

Signature (handwritten)

General Manager Title

Austin Jockey Club
c/o Bryan Brown, Vice President
P.O. Box 47535
San Antonio, TX 78265

Gillespie County Fair & Festivals Assn.
c/o Lee DeLong, General Manager
P.O. Box 526
Fredericksburg, Texas 78624

Saddle Brook Park, Inc.
c/o Drew Alexander, President
P.O. Box 50597
Amarillo, TX 79159

Manor Downs
c/o Howard Phillips, CEO
P.O. Box 141309
Austin, Texas 78714

Lone Star Park at Grand Prairie
c/o Drew Shubeck, General Manager
1000 Lone Star Parkway
Grand Prairie, TX 75050

Retama Park
c/o Bryan Brown, CEO
P.O. Box 47535
San Antonio, Texas 78265

Sam Houston Race Park
c/o Bob Bork, Sr. Vice President & General Manager
7575 N Sam Houston Parkway West
Houston, Texas 77064

**Gillespie County Fair & Festivals Assn. -**  
 (Name of Racetrack)  
**Requested Live Race Dates for 2010**

JULY - 2010						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3 M - 1 p.m.
4 Independence Day M - 1 p.m.	5	6	7	8	9	10
11	12	13	14	15	16	17 M - 1 p.m.
18 M - 1 p.m.	19	20	21	22	23	24
25	26	27	28	29	30	

AUGUST - 2010						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14 M - 1 PM
15 M - 1 PM	16	17	18	19	20	21
22	23	24	25	26	27	28 M - 1 PM
29 M - 1 PM	30	31				



June 30, 2008

Jacqueline Rich, D.V.M., President  
Texas Thoroughbred Association  
6633 U.S. Highway 290 East, Suite 101  
Austin, Texas 78723

Dear Dr. Rich:

The Gillespie County Fair & Festival Association would like to thank you and the breed association for all of the support shown to our association this year and in past years. We are in the process of filing our application for race dates for 2009 and 2010 and would appreciate your approval of our participation in Texas pari-mutuel racing for the upcoming season. We again will prepare a condition book with a mixed meet consisting of approximately forty percent Thoroughbreds.

Our application requests the following 2009 dates: July 4 & 5; July 18 & 19; August 8 & 9; August 22 & 23, 2009.

This year we have also been asked to submit 2010 dates. They are: July 3 & 4; July 17 & 18; August 14 & 15; August 28 & 29, 2010.

We thank you in advance and would appreciate your favorable participation in our application. If you have any questions, please call the Association at 830/997-2359.

Sincerely,

Lee DeLong  
General Manager  
Gillespie Fair & Festivals Association

**Gillespie County Fair & Festivals Association, Inc.**

530 Fair Drive - State Highway 16 South ♦ P.O. Box 526 ♦ Fredericksburg, Texas 78624  
Phone: 830 997 2359 ♦ Fax: 830 997 4923 ♦ [www.gillespiefair.com](http://www.gillespiefair.com) ♦ [gcffa@ctesc.net](mailto:gcffa@ctesc.net)

1V-92



June 30, 2008

Dan Sowers, President  
Texas Quarter Horse Association  
P.O. Box 9449  
Austin, TX 78766

Dear Mr. Sowers:

The Gillespie County Fair & Festival Association would like to thank you and the Texas Quarter Horse Association for all of the support shown to our association this year and in past years. We are in the process of filing our application for race dates for 2009 and 2010 and would appreciate your approval of our participation in Texas pari-mutuel racing for the upcoming season. We again will prepare a condition book with a mixed meet consisting of approximately sixty percent Quarter Horses, but feel our races will fill with approximately 80% as in the past.

Our application requests the following 2009 dates: July 4 & 5; July 18 & 19; August 8 & 9; August 22 & 23, 2009.

This year we have also been asked to submit 2010 dates. They are: July 3 & 4; July 17 & 18; August 14 & 15; August 28 & 29, 2010.

We thank you in advance and would appreciate your favorable participation in our application. If you have any questions, please call the association at 830/997-2359.

Sincerely,

Lee DeLong  
General Manager  
Gillespie Fair & Festivals Association

**Gillespie County Fair & Festivals Association, Inc.**

530 Fair Drive - State Highway 16 South ♦ P.O. Box 526 ♦ Fredericksburg, Texas 78624  
Phone: 830 997 2359 ♦ Fax: 830 997 4923 ♦ [www.gillespiefair.com](http://www.gillespiefair.com) ♦ [gcffa@ctesc.net](mailto:gcffa@ctesc.net)

1V-93



Indicate on the attached calendar each live race date requested with a "T" (Thoroughbred), "QH" (Quarter Horse), or "M" (Mixed). Include standard post time in space provided on calendar. Any exceptions, such as holidays, should be noted.

**IV. Charity Days**

Indicate which days are designated as charity days:

*DESIGNATED BY RULE*

(1) A charity that directly benefits the persons who work on the backside:

\_\_\_/\_\_\_/2010 for TBD  
(Name of Charity)

(2) A charity that primarily benefits research into the health or safety of race animals:

\_\_\_/\_\_\_/2010 for TBD  
(Name of Charity)

*OPTIONAL*

\_\_\_/\_\_\_/2010 for TBD  
(Name of Charity)

\_\_\_/\_\_\_/2010 for TBD  
(Name of Charity)

\_\_\_/\_\_\_/2010 for TBD  
(Name of Charity)

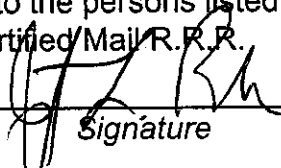
**For each charity listed, attach the following information:**

1. A brief description of the activities or purposes of the charity
2. The name and address of each individual who serves as an officer or director
3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes

**V. Certificate of Service**

I hereby certify that on July 3, 2008, a true and correct copy of this request was sent to the persons listed below by:

- Certified Mail R.R.R.     Regular Mail     Facsimile     Hand Delivery

  
Signature

President  
Title

Austin Jockey Club  
c/o Bryan Brown, Vice President  
P. O. Box 47535  
San Antonio, TX 78265

Gillespie County Fair & Festivals Assn.  
c/o Lee DeLong, General Manager  
P. O. Box 526  
Fredericksburg, Texas 78624

Saddle Brook Park, Inc.  
c/o Drew Alexander, President  
P. O. Box 50597  
Amarillo, TX 79159

Manor Downs  
c/o Howard Phillips, CEO  
P. O. Box 141309  
Austin, Texas 78714

Lone Star Park at Grand Prairie  
c/o Drew Shubeck, General Manager  
1000 Lone Star Parkway  
Grand Prairie, TX 75050

Retama Park  
c/o Bryan Brown, CEO  
P. O. Box 47535  
San Antonio, TX 78265

Sam Houston Race Park  
c/o Bob Bork, Senior Vice President & General Manager  
7575 N Sam Houston Parkway West  
Houston, Texas 77064



# Requested Live Race Dates for 2010

JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 New Year's Day	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18 Martin Luther King	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15 Presidents' Day	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7 Day-Light Savings Begins	8	9	10	11	12	13
14 Day-Light Savings Begins	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

(Name of Racetrack)

## Requested Live Race Dates for 2010

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4 Easter	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 Kentucky Derby
2	3	4	5	6	7	8
9	10	11	12	13	14	15 Preakness
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31 Memorial Day					

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5 Belmont
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

(Name of Racetrack)

# Requested Live Race Dates for 2010

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4 Independence Day	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28 M
29 M	30	31				

July 3, 2008

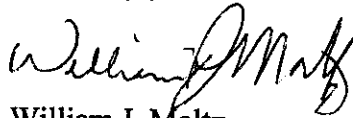
Page 2

approved by the HCRMA. Instead, it is part of the overall study which the HCRMA indicates in their correspondence will be "reviewed and accepted in late 2008 or early 2009".

With the above-described issue of the Hidalgo Loop still pending, it would not be prudent for VDLT to begin any on-site construction of the Class 2 racetrack facilities. While VDLT is proceeding with its planning and is working on resolving other outstanding issues such as extension of utilities to the site, it appears doubtful that the roadway issue will be resolved in time for VDLT to hold live races in 2009. Nevertheless, we are requesting the race dates shown on the attached TRC form per the Security Order and in compliance with the Commissioner's request.

If you have any questions, please feel free to contact me or Mr. Greg LaMantia of VDLT.

Very truly yours,



William J. Moltz

Attorney for Valle de los Tesoros, Ltd.

cc: Mr. Mark Fenner





Valle de los Tesoros

(Name of Racetrack)

Requested Live Race Dates for 2009

JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Martin Luther King	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Super Bowl Sunday	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16 Presidents' Day	17	18	19	20	21
22	23	24	25	26	27	28

MARCH						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8 Day-Light Savings Begins	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Valle de los Teoros

(Name of Racetrack)

Requested Live Race Dates for 2009

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12 Easter	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2 Kentucky Derby
3	4	5	6	7	8	9
10	11	12	13	14	15	16 Preakness
17	18	19	20	21	22	23
24	25 Memorial Day	26	27	28	29	30
31						

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6 Belmont
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				



\_\_\_\_ Valle de los Tesoros \_\_\_\_  
 (Name of Racetrack)

**Requested Live Race Dates for 2009**

<b>JULY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 Independence Day
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

<b>AUGUST</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

<b>SEPTEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 Labor Day	8	9	10	11	12
13	14	15	16	17	18	19 Rosh Hashanah
20	21	22	23	24	25	26
27	28 Yom Kipper	29	30			

\_Valle de los Tesoros\_ \_\_\_\_\_  
 (Name of Racetrack)  
 Requested Live Race Dates for 2009

<b>OCTOBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12 Columbus Day	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

<b>NOVEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Day-Light Savings Ends	2	3	4	5	6 Breeders Cup	7 Breeders Cup
8	9	10	11 Veterans Day	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 Thanksgiving	27	28
29	30					

<b>DECEMBER</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12 Hanukkah
13	14	15	16	17	18 QH 12:30 p.m.	19 QH 12:30 p.m.
20 QH 12:30 p.m.	21	22	23	24	25 Christmas	26 QH 12:30 p.m.
27 QH 12:30 p.m.	28 QH 12:30 p.m.	29	30	31 New Years Eve		

P001/CB4

May 27 2:08 7:28

L&F D ST McALLEN

# HCRMA

## HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

510 South Pleasantview Drive, Weslaco, Texas 78396  
956-969-5822  
956-969-5821 fax

Dennis Burleson,  
Chairman

May 12, 2008

Rick Perez  
Vice-Chairman

Mr. Greg LaMantia  
L&F Distributors, LLC  
3900 N. McColl Rd  
McAllen, TX 78501

Ramiro E. Salazar  
Secretary/Treasurer

**RE: Alignment of the Hidalgo Loop Project**

Joe Olivarez  
Board Member

Dear Mr. LaMantia:

Ramon Garcia  
Board Member

As you are well aware, the Hidalgo County Regional Mobility Authority (HCRMA) has announced its intent to develop the Hidalgo Loop Project, an 84-mile tolled facility around Hidalgo County. The Project is currently in the advanced planning stage. Alignments are being considered, environmental constraints are being identified and financial feasibility studies are ongoing. While HCRMA is enthusiastic about the development of this Project, it will not make the final decision to move forward with the construction until the public input process is complete and the financial feasibility studies have been reviewed and accepted in late 2008 or early 2009.

Ruben Secos  
Board Member

HCRMA has been working through its developer, Hidalgo County Roadbuilders (HCRB), to develop alignment options for the various sections of the Project. As a part of the public input process, HCRB has met with major stakeholders, such as you, to determine what impact the various alignments currently being studied have on proposed development.

Ricardo Perez  
Board Member

HCRB developed several alignment options for the southern corridor. These alignments were chosen to avoid known environmental constraints and were laid out to serve existing development. After receiving input from you about your future development in the McAllen area, HCRB is considering an option to shift the proposed alignment to your north property line to accommodate the development of a race track facility. This new alignment option should provide better access to the proposed facility, an important economic development project for both the County and the city of McAllen. I have attached a location map that identifies the original options considered by HCRB as well as the new option shifting the alignment to the north. As HCRMA continues to receive public input,

Administrative Agent: Lower Rio Grande Valley Development Council, Kenneth N. Jones, Jr., Executive Director  
311 North 15<sup>th</sup> Street - McAllen, Texas 78501-4705 - Telephone: (956) 682-3461 Fax: (956) 631-4670

IV-108

P002/002

May 27 2008 7:29

L&F DIST MCALLEN

Mr. Greg LaMantle

May 12, 2008

Page Two

we will work to refine the alignment to have as minimal of impact as possible to all property owners. At this time, we do not anticipate that any environmental constraints would prevent this alignment shift. However, final environmental clearance will ultimately dictate whether the alignment can remain in this location.

HCRMA looks forward to working with you as the Project develops and I encourage you to attend one of the upcoming open workshop meetings planned by HCRMA to receive further public input. I have attached a schedule for your reference.

Sincerely,



Dennis Burleson  
Chairman

Attachments

**Notice of Open House/Public Meeting  
Hidalgo County Outer Loop Highway Project**

The Hidalgo County Regional Mobility Authority (HCRMA) will be conducting a series of Open House/Public Meetings in May 2008 in Hidalgo County to provide information and gather comments regarding the proposed Hidalgo County Outer Loop highway construction project. The Outer Loop would be developed in four sections. An Open House/Public Meeting will be held for each section, along with one county-wide open house meeting.

Preliminary maps of potential routes can be viewed by appointment in the offices of the Agent of the HCRMA, Hidalgo County Road Builders at 901 W. Nolana, Box 205, McAllen, Texas 78504, (956) 213-7288.

The purpose of the Open House/Public Meetings are to provide opportunities for early public input on environmental considerations, potential route alignments, and right-of-way. Written comments will be collected and project staff will be available to answer questions. Highway staff will be present to assist citizens. Information delivered to the public will include project maps and handouts. The dates, times, and locations for the Open House Public Meetings are as follows:

**Wednesday, May 14 at 6:30 p.m. - 7:30 p.m. (North Loop Section)**  
Edinburg North High School Library  
8101 N. Chesser  
Edinburg, TX 78541

**Thursday, May 15 at 6:30 p.m. - 7:30 p.m. (East Loop Section)**  
Dumas High School Cafeteria  
14 Mile East Wood Avenue  
Dumas, TX 78587

**Tuesday, May 20 at 6:30 p.m. - 7:30 p.m. (Southern Loop Section)**  
Valley View High School Cafeteria  
600 N. Jackson Rd. (Corner of Hillus Rd. and North Jackson Rd.)  
Hidalgo, TX 78557

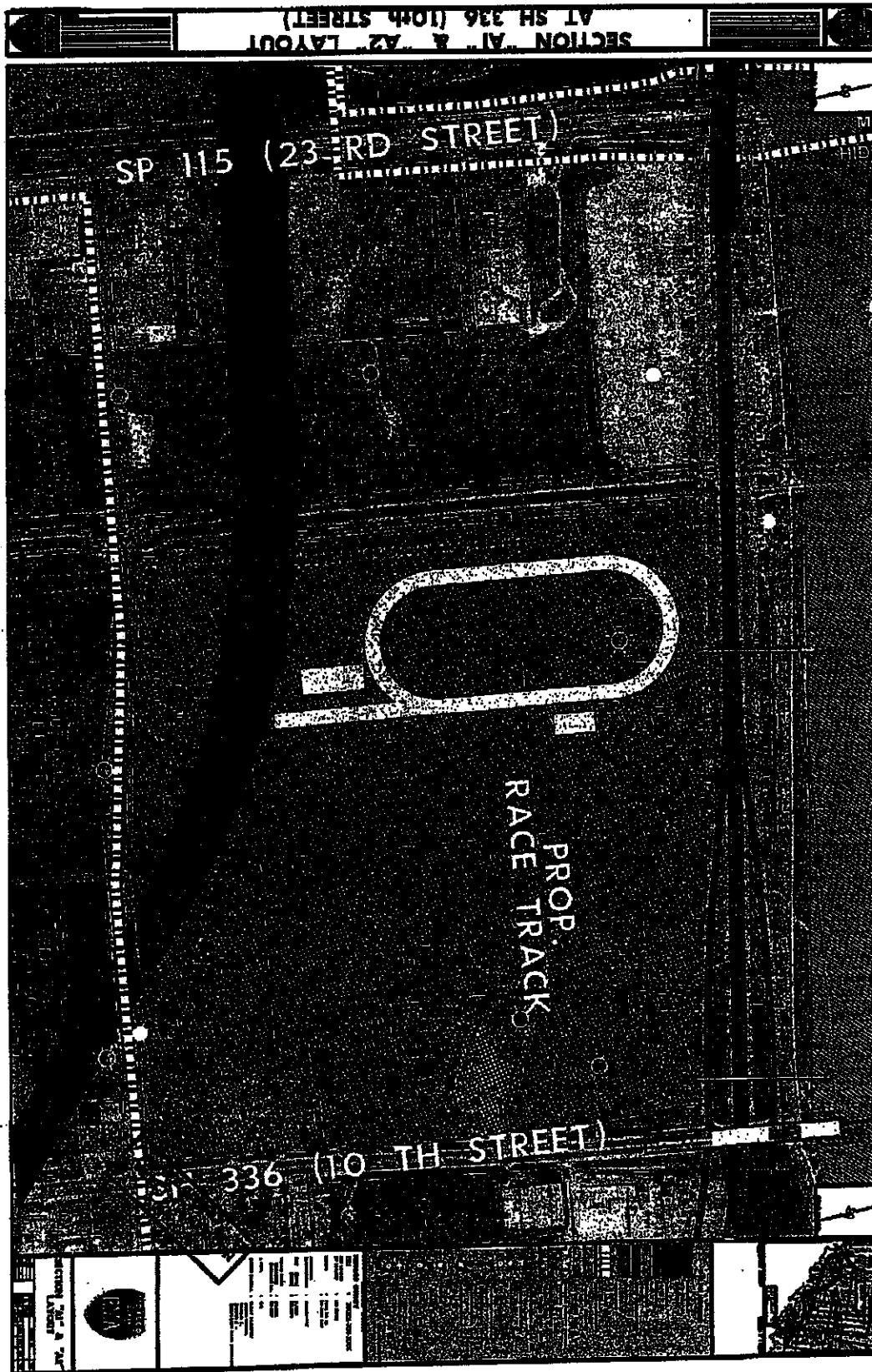
**Wednesday, May 21 at 6:30 p.m. - 7:30 p.m. (Western Loop Section)**  
John E. Harasty Elementary School Cafeteria  
1801 Diamond Ave.  
Paukert, TX 78576

**Thursday, May 22 at 6:30 p.m. - 7:30 p.m. (Complete Loop Section)**  
McAllen City Hall  
City Commission Chambers, 3rd Floor  
1200 Houston St.  
McAllen, TX 78501

Francis Dennis Burdison  
Chairman  
Hidalgo County Regional Mobility Authority  
<http://www.hcrma.com/HCRMA/>

All interested citizens are invited to attend this public meeting. Written comments relative to the proposed project may be presented at the meeting or submitted to the Hidalgo Loop Project Manager, GMA Bridge Point Parkway, Suite 200, Austin, TX 78780 at any time on or before May 22, 2008.

Persons interested in attending this meeting who have special accommodation needs are encouraged to contact Hidalgo County Road Builders at (956) 213-7288 at least two working days prior to the meeting. Every reasonable effort will be made to accommodate these needs.



JUL 3 2008 3:30

MOLTZ | MORTON | O'TOOLE  
LLP

William J. Moltz  
(512) 439-2171  
wmoltz@mmotlaw.com

The Littlefield Building  
106 East 6<sup>th</sup> Street, Suite 700  
Austin, TX 78701  
(512) 439-2170  
Facsimile (512) 439-2165

July 3, 2008

Charla Ann King, Executive Secretary  
Texas Racing Commission  
8505 Cross Park Dr., Suite #110  
Austin, Texas 78754

Via Hand Delivery

RE: 2009 Race Dates – LRP Group, Ltd.

Dear Ms. King:

LRP Group, Ltd. ("LRP") is aware that race dates for 2009 are generally to be requested by July 3, 2008 as specified by the TRC Commissioners at the June 3, 2008 Commission meeting. They are also cognizant of the fact that, by Commission Order dated May 17, 2007 (the "Security Order"), LRP is required to, among other things, request 2009 race dates for its track, Laredo Downs, by July 1, 2008. The purpose of this letter is to fully disclose and discuss the status of Laredo Downs and to request race dates for 2009. Although such dates are hereby requested, LRP would like to emphasize at the outset that actually holding those live races at the currently authorized location in Webb County is not what LRP will ultimately be proposing.

LRP's proposed Class 2 racetrack, Laredo Downs, was originally licensed by the TRC for a location in Laredo, Webb County, Texas along with another Class 2 track, Laredo Racepark, after a rather lengthy proceeding. After discussions with the principals of Laredo Racepark as well as with various horsemen and others in the industry, LRP has made the determination that the best course of action is to relocate Laredo Downs. As of this date, a site has been chosen in northwest Tarrant County, an option to purchase the site has been acquired, and LRP Group, Ltd. is preparing and compiling the materials needed to request authorization from the TRC for the relocation. Since the material required to support the request is somewhat voluminous and basically equivalent to an initial application, it has taken some time to prepare the documentation. LRP anticipates filing the request, however, in the near future and, in fact, is hopeful that its relocation request will be able to be considered by the full Commission during its August meeting. With this upcoming proposal in mind, LRP is submitting the enclosed race date request as required but does not anticipate those races will be held.

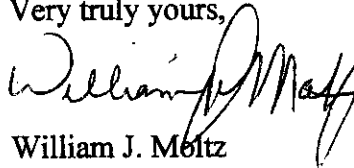
July 3, 2008

Page 2

LRP representatives are available to further discuss this matter with you and/or your staff and expect to be filing a relocation request in the near future.

If you have any questions, please feel free to contact me or Mr. Greg LaMantia of LRP.

Very truly yours,



William J. Moltz  
Attorney for LRP Group, Ltd.

cc: Mr. Mark Fenner



# TEXAS RACING COMMISSION

## REQUEST FOR LIVE RACE DATES

### HORSE RACETRACKS - 2009

**INSTRUCTIONS:** Print or type the information requested in each section and attach all required documents and additional sheets if necessary. The Commission will not consider an incomplete request. The request must be filed at the Commission's Austin office no later than 5:00 p.m. on Thursday, July 3, 2008.

#### I. Schedule Requested

Name of Racetrack: Laredo Downs

##### First Meet

Opening Day: 12/04/09  Thoroughbred - # of races per day \_\_\_\_\_

Closing Day: 12/13/09  Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_\_\_ QH \_\_\_\_\_ Minor \_\_\_\_\_

Total number of days: 6 (December 4 – 6 and 11 – 13, 2009)

##### Second Meet (if applicable)

Opening Day:     /    /      Thoroughbred - # of races per day \_\_\_\_\_

Closing Day:     /    /      Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_\_\_ QH \_\_\_\_\_ Minor \_\_\_\_\_

Total number of days: \_\_\_\_\_

##### Third Meet (if applicable)

Opening Day:     /    /      Thoroughbred - # of races per day \_\_\_\_\_

Closing Day:     /    /      Quarter Horse - # of races per day \_\_\_\_\_

Mixed - # of races per day: T \_\_\_\_\_ QH \_\_\_\_\_ Minor \_\_\_\_\_

Total number of days: \_\_\_\_\_

#### II. Negotiation with Breed Registries

Specify how the total races scheduled for 2009 will be allocated among the various breeds:

Appaloosa	_____%	Arabian	_____%	Paint	_____%
Quarter Horse	<u>100</u> %	Thoroughbred	_____%		

Check all that apply:

Attached are letters from the affected breed registries that have agreed to this allocation.

The \_\_\_\_\_ breed registry(ies) has not agreed to this allocation, but negotiations with the breed registry(ies) occurred as described below:

Participants in Negotiations

    /    /     \_\_\_\_\_ No negotiations have taken place. \_\_\_\_\_

    /    /     \_\_\_\_\_

    /    /     \_\_\_\_\_

    /    /     \_\_\_\_\_

    /    /     \_\_\_\_\_

**III. Dates Requested**

Indicate on the attached calendar each live race date requested with a "T" (Thoroughbred), "QH" (Quarter Horse), or "M" (Mixed). Include standard post time in space provided on calendar. Any exceptions, such as holidays, should be noted.

**IV. Charity Days**

Indicate which days are designated as charity days:

*DESIGNATED BY RULE*

- (1) A charity that directly benefits the persons who work on the backside:  
 \_12/04/2009 for \_Race Track Chaplaincy of Texas\_\_\_\_\_  
(Name of Charity)
- (2) A charity that primarily benefits research into the health or safety of race animals:  
 \_12/11/2009 for \_\_Texas A&M Equine Research Fund\_\_\_\_\_  
(Name of Charity)

*OPTIONAL*

- \_ / \_ /2009 for \_\_\_\_\_  
(Name of Charity)
- \_ / \_ /2009 for \_\_\_\_\_  
(Name of Charity)
- \_ / \_ /2009 for \_\_\_\_\_  
(Name of Charity)

**For each charity listed, attach the following information:** (Will be provided if needed.)

1. A brief description of the activities or purposes of the charity
2. The name and address of each individual who serves as an officer or director
3. A copy of an I.R.S. letter of determination that qualifies the charity as an exempt organization for federal income tax purposes

**V. Certificate of Service**

I hereby certify that on July 3, 2008, a true and correct copy of this request was sent to the persons listed below by:

- Certified Mail R.R.R.
- Regular Mail
- Facsimile
- Hand Delivery

*William J. Maff* \_\_\_\_\_ Attorney for LRP Group, Ltd. \_\_\_\_\_  
Signature Title

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Austin Jockey Club<br/>c/o Bryan Brown, Vice President<br/>P. O. Box 47535<br/>San Antonio, TX 78265</li> <li><input type="checkbox"/> Saddle Brook Park, Inc.<br/>c/o Drew Alexander, President<br/>P. O. Box 50597<br/>Amarillo, TX 79159</li> <li><input type="checkbox"/> Lone Star Park at Grand Prairie<br/>c/o Drew Shubeck, General Manager<br/>1000 Lone Star Parkway<br/>Grand Prairie, TX 75050</li> <li><input type="checkbox"/> Sam Houston Race Park<br/>c/o Bob Bork, Senior Vice President<br/>&amp; General Manager<br/>7575 N Sam Houston Parkway West<br/>Houston, Texas 77064</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Gillespie County Fair &amp; Festivals Assn.<br/>c/o Lee DeLong, General Manager<br/>P. O. Box 526<br/>Fredericksburg, Texas 78624</li> <li><input type="checkbox"/> Manor Downs<br/>c/o Howard Phillips, CEO<br/>P. O. Box 141309<br/>Austin, Texas 78714</li> <li><input type="checkbox"/> Retama Park<br/>c/o Bryan Brown, CEO<br/>P. O. Box 47535<br/>San Antonio, TX 78265</li> <li><input type="checkbox"/> Laredo Downs, Steve LaMantia</li> <li><input type="checkbox"/> Laredo Race Park, LLP, Bob Bork</li> <li><input type="checkbox"/> Valle de los Tesoros, Greg LaMantia</li> </ul> |
|--|--|

\_\_\_\_\_ Laredo Downs \_\_\_\_\_  
 (Name of Racetrack)  
**Requested Live Race Dates for 2009**

<b>JANUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 New Year's Day	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Martin Luther King	20	21	22	23	24
25	26	27	28	29	30	31

<b>FEBRUARY</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Super Bowl Sunday	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16 Presidents' Day	17	18	19	20	21
22	23	24	25	26	27	28

<b>MARCH</b>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8 Day-Light Savings Begins	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Laredo Downs

(Name of Racetrack)

Requested Live Race Dates for 2009

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12 Easter	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2 Kentucky Derby
3	4	5	6	7	8	9
10	11	12	13	14	15	16 Preakness
17	18	19	20	21	22	23
24	25 Memorial Day	26	27	28	29	30
31						

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6 Belmont
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Laredo Downs

(Name of Racetrack)

Requested Live Race Dates for 2009

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 Independence Day
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 Labor Day	8	9	10	11	12
13	14	15	16	17	18	19 Rosh Hashanah
20	21	22	23	24	25	26
27	28 Yom Kipper	29	30			

Laredo Downs

(Name of Racetrack)

Requested Live Race Dates for 2009

OCTOBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12 Columbus Day	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Day-Light Savings Ends	2	3	4	5	6 Breeders Cup	7 Breeders Cup
8	9	10	11 Veterans Day	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 Thanksgiving	27	28
29	30					

DECEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4 QH 12:30 p.m.	5 QH 12:30 p.m.
6 QH 12:30 p.m.	7	8	9	10	11 QH 12:30 p.m.	12 QH 12:30 p.m. Hanukkah
13 QH 12:30 p.m.	14	15	16	17	18	19
20	21	22	23	24	25 Christmas	26
27	28	29	30	31 New Years Eve		

## **Rule Proposals**

Proposal to Amend § 309.3,  
Racetrack License Application  
Procedure

Texas Racing Commission  
Title 16, Part VIII  
Chapter 309. Racetrack Licenses and Operations  
Subchapter A. Racetrack Licenses

1 **309.3. Racetrack License Application Procedure.**

2 (a) (No change.)

3  
4 (b) Application process.

5 (1) From time to time, the Commission shall designate  
6 an application period not to exceed 60 days, during which  
7 the Commission shall accept application documents.

8 (2) The Commission shall specify the class and general  
9 geographic area of the racetrack for which it will consider  
10 applications.

11 (3) The Commission may open an application period that  
12 is limited to applications for a license to conduct racing  
13 at a racetrack facility that conducted live pari-mutuel  
14 racing within the prior two calendar years. In the case of  
15 an application period opened under this paragraph, the  
16 Commission shall specify the class of license and the  
17 specific racetrack facility for which it is accepting  
18 applications. The Commission may place any conditions on  
19 the applications that facilitate the expeditious resumption  
20 of live racing while remaining consistent with the Act, the  
21 Rules, and the Commission's duty to ensure the integrity of  
22 pari-mutuel racing.

23 (4) [~~+3~~] The Commission shall publish in the Texas  
24 Register an announcement of the beginning of the  
25 application process at least 30 days before the first day  
26 of the application period.

27 (5) [~~+4~~] While an application for a particular class  
28 of racetrack in a geographic region is pending before the  
29 Commission, the Commission may not designate an additional  
30 application period nor accept additional applications for  
31 the same class and geographic region.

32 (6) [~~+5~~] When deciding whether to open an application  
33 period, the Commission shall consider the availability of  
34 racing and wagering opportunities in the proposed  
35 geographical region, the availability of competitive race  
36 animals for the class of racetrack, and the workload and  
37 budget status of the Commission.

38  
39 (c)-(e) (No change.)



**Proposal to Amend § 311.3,  
Information for Background Investigation**

1 **Subchapter A. Licensing Provisions**

2 **Division 1. Occupational Licenses**

3 **Sec. 311.3. Information for Background Investigation**

4 (a) Fingerprint Requirements and Procedure.

5 (1)-(5) (No change

6 (6) If an applicant for a license is required to submit  
7 fingerprints under this section, the applicant must also submit  
8 a fingerprinting fee of \$12.00.

9 (b) (No change.)

**Proposal by Valley Race Park  
to Amend § 309.355, Grading System**



July 10, 2008

Ms. Charla Ann King  
Executive Secretary  
Texas Racing Commission  
8505 Cross Park Dr. #110  
Austin, TX 78754-4594

Dear Ms. King,

I would like to request the following rule changes be submitted for consideration.

309.355 Grading System

(d) (3) fails, as a Grade C or J, to finish in the top four positions in four consecutive starts.

(o) Delete entire section. This issue is already covered in section (g).

(p) If a maiden fails to finish in the top four positions in six consecutive starts, the maiden may not race again until it requalifies. If the maiden fails to finish in the top four positions in the (two) (change to four) starts after requalifying, the maiden may not race again at the race meeting. A maiden may race in grade M without age restrictions.

Racing Act

Sec. 1.03 (52) Definitions

"Performance" means the consecutive running of not more than 13 greyhound races.  
Change to "not less than 7 or more than 17 greyhound races."

Sec. 10.06 Texas Kennels

(a) In contracting with kennel owners for a racetrack, an association shall ensure that at least (50) (change to 20) percent of the kennels with which the association contracts are wholly owned by Texas residents.

VALLEY RACE PARK INC.  
2601 SOUTH ED CAREY DRIVE, HARLINGEN, TEXAS 78552  
(956) 412-7223 • (956) 428-0163 FAX  
www.valleyracepark.com

V-3

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(b) In this section, "Texas resident" means an individual who has resided in Texas for the (five) (change to three) year period preceding the date the kennel contract is signed, or has been contracted by an association for three consecutive race meets.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me at 956-364-7226.

Sincerely,



Amy Edmonds  
Racing Secretary  
Valley Race Park  
2601 S. Ed Carey Dr.  
Harlingen, TX 78552

## Proposals by the Texas Greyhound Association

- a. Proposal to amend § 309.307, Lures
- b. Proposal to amend § 309.316,  
Emergency Care Facility
- c. Proposal to amend § 309.355, Grading  
System
- d. Proposal to amend § 309.363, Official  
Program
- e. Proposal to amend § 315.1, Required  
Officials
- f. Proposal for new § 315.43, Track  
Superintendent
- g. Proposal for new § 315.44, Brakeman

## RULE §309.355 Grading System

---

- (a) The racing secretary for an association shall grade the greyhounds for the races in accordance with this section.
- (b) Before the first day of a race meeting, the racing secretary shall classify the greyhounds and assign an appropriate grade. In assigning the grades, the secretary shall consider the greyhound's past performances.
- (c) The racing secretary shall use seven grades of AA, A, B, C, J, D, and M. Grade M is for maidens of any age and Grade J is for winning maidens.
- (d) The racing secretary shall lower a greyhound to the next lower grade, including lowering a grade J to a grade D, if the greyhound:
  - (1) fails to finish in the top three positions in three consecutive starts;
  - (2) fails to earn better than one third place finish in four consecutive starts; or
  - (3) fails, as a Grade C or J, to finish in the top four positions in four consecutive starts
- (e) The racing secretary shall advance a greyhound that wins a race graded A, B, C, J, or D.
- (f) The racing secretary shall advance a greyhound that wins a maiden race to Grade J. The racing secretary shall advance a greyhound that wins a Grade J race to Grade C. On request by a kennel owner or trainer, the racing secretary may advance a greyhound that finishes second, third, or fourth in a maiden or a Grade J race to Grade D or C. For a greyhound regraded on request under this subsection, an association shall place the letter "M" or "J" after the greyhound's name in the racing program.
- (g) A greyhound that fails to finish in the top four positions in four consecutive starts in Grade D may requalify and, at the discretion of the racing secretary, be returned to the active list. If a greyhound fails to finish in the top four positions in four consecutive starts for a second time in the same race meeting, at the discretion of the racing secretary, that greyhound may requalify again; however, when the greyhound returns to the active list, that greyhound has two consecutive starts to finish in the top four positions. If the greyhound fails to do so, then that greyhound shall be dropped from further racing during the current race meeting.
- (h) A greyhound that falls in a race is considered a starter in that race and shall comply with the conditions set forth in subsection (d) of this section, unless lowering the greyhound would require the greyhound to be dropped from further racing in that race meeting.
- (i) For a greyhound that transfers to the racetrack from another racetrack during a race meeting, the racing secretary shall assign a grade that is appropriate for the greyhound's ability considering the competition at the racetrack and at the racetrack from which the greyhound transfers.
- (j) The racing secretary may regrade a greyhound that has not raced for at least 30 days.
- (k) During a greyhound's first three starts, the racing secretary may regrade the greyhound only once and only to a next higher or lower grade level.
- (l) The racing secretary may schedule up to eight mixed grade races each week. A mixed grade race must be designated by the letter "T" in the racing program.
- (m) A stake race must be designated by the letter "S" in the racing program.
- (n) An association may not require a kennel owner to furnish a greyhound of a specific grade or for a specific distance.
- ~~(o) A greyhound that has advanced from Grade M and has been dropped from further racing without winning another official start may be requalified after a period of 30 days.~~

(p) If a maiden fails to finish in the top four positions in six consecutive starts, the maiden may not race again at the race meeting until it requalifies. If the maiden fails to finish in the top four positions in the two starts after requalifying, the maiden may not race again at the race meeting.

**TGA Comments:**

The proposed changes to (c), (d )(3), and (f) will keep more greyhounds on the active list. Paragraph (o) is redundant.



**RULE §309.363 Official Program**

---

(a) For each race day, an association shall prepare and print an official program. The official program must contain the order of the races on that day, the distance and track record for each race, and the names of the greyhounds scheduled to run in each race, in order of their post positions. The post positions must be designated by numbers placed at the left and in line with the names of the greyhounds.

(b) The official program must contain at least two past performances for each greyhound scheduled to race. The program must also contain, for each greyhound scheduled to race:

- (1) the name;
- (2) color;
- (3) sex;
- (4) date of whelping;
- (5) breeding;
- (6) established racing weight;
- (7) number of starts in official races;
- (8) number of times finishing first, second, and third;
- (9) name of owner and lessee, if applicable;
- (10) name of trainer; ~~and~~

~~(11) other information to enable the public to properly judge the greyhound's ability.~~

~~(11) the Texas-bred emblem if the greyhound is an Accredited Texas-bred, and~~

(12) other information to enable the public to properly judge the greyhound's ability.

(c) If the name of a greyhound is changed, the new name, together with the former name, shall be published in the official entries and program until after the greyhound has started six times under the new name.

**TGA Comments:**

The Texas-bred emblem assists the TGA in its preparation of Owner Awards, plus it is informative to the public and promotes greyhound ownership.

**RULE §309.307 Lures**

---

An association shall provide an inside dual equipped lure with an extendable arm and an audible squawker.

TGA Comments:

While greyhounds chase by sight, the noise from a squawker is also an aid, particularly for younger greyhounds.

**RULE §309.316      Emergency Care Facility**

---

An association shall provide a veterinary facility to provide emergency care to injured or stressed animals. The association shall equip and maintain the facility with the equipment, including an x-ray machine, and materials approved by the Commission veterinarian.

**TGA Comments:**

When an injury occurs on the racetrack, an immediate diagnosis is critical to the greyhounds' treatment and care, as well as an accurate injury report.

## **RULE §315.1 Required Officials**

---

(a) The following officials must be present at each greyhound race conducted in this state:

- (1) three racing judges;
- (2) a commission veterinarian;
- (3) an association veterinarian;
- (4) a racing secretary;
- (5) an assistant racing secretary;
- (6) a paddock judge;
- (7) a starter;
- (8) a clerk of scales;
- (9) a mutuel manager;
- (10) a chart writer;
- (11) a photofinish operator and timer;
- (12) a kennel master; and
- (13) a mechanical lure operator;
- (15) a track superintendent; and
- (16) a brakeman.

(b) An individual may not serve as an official unless the individual has been approved by the executive secretary. Not later than the 30th day before the first day of a race meeting, an association shall submit to the executive secretary the name of each individual and qualified substitutes appointed to serve as an official at the race meeting and a summary of the proposed official's qualifications. The executive secretary may refuse to approve an individual as an official if the executive secretary determines the individual lacks sufficient qualifications to perform the duties of the official position. If the executive secretary determines that an individual is qualified to perform the duties required of the official position for which the individual is submitted and may be issued a license by the Commission, the executive secretary shall approve the appointment of the individual.

(c) The executive secretary may rescind the approval of an official if the executive secretary determines that:

- (1) the official has violated the Act or a rule of the commission;
- (2) the official has not fulfilled the duties of the position for which the official was appointed; or
- (3) the official has engaged in conduct that is inconsistent with the duties of the official and that is not in the best interests of racing.

### **TGA Comments:**

The TGA feels it is important to add a track superintendent as a required official as it is arguably the most important job at the racetrack. A brakeman also plays an important role in the safety of the racetrack, and both should be designated and qualified for their positions.

**RULE §315.43. Track Superintendent.**

The track superintendent shall ensure that the racetrack is properly maintained. The track superintendent shall ensure that all track equipment is operable for all races and during training hours.

**RULE §315.44. Brakeman.**

The brakeman shall ensure that the lure is stopped on the designated revolution on the racetrack at the end of each race.

**TGA Comments:**

Both of these new rules add the description and basic responsibilities of the two required officials.

**Proposal by the  
Texas Quarter Horse Association  
to amend § 319.111, Bleeders and  
Furosemide Program**



Thursday, July 10, 2008

Charla Ann King  
Executive Director  
Texas Racing Commission  
P.O. Box 12080  
Austin, Texas 78711-2080

Dear Ms. King,

The Texas Quarter Horse Association respectfully requests the following rule change be considered at the next meeting of the Texas Racing Commission, Tuesday, August 5, 2008.

Sec. 319.111. Bleeders and Furosemide Program.

(b) Admission to Furosemide Program.

(1) A trainer may admit a horse to the furosemide program by stating at time of entry that the horse will compete with furosemide.

(2) A horse that competed with furosemide in its most recent start out-of-state must compete on furosemide in Texas unless withdrawn from the furosemide program at time of entry.

(3) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility listed in Subsection (g) of this section.

~~(3) An EIPH event experienced by a horse that is admitted to the furosemide program is deemed to be a second EIPH event for purposes of Subsection (g) of this section.~~

The proposed language in #3 is from the Racing Medication and Testing Consortium model rules under *Bleeder List*.

Thank you for your consideration of this request.

Sincerely,

Rob Werstler  
Executive Director

# Rule Adoptions

COMMENTS TO THE RULES BEGIN ON THE NEXT PAGE

1. Adoption of § 309.1, Racetrack Licenses
2. Adoption of § 309.7, Horse Racetrack Application Fees
3. Adoption of § 309.9, Denial, Suspension and Revocation of Licenses
4. Adoption of § 309.103, Construction and Renovation of Racetrack Facilities
5. Adoption of § 309.111, Comfort and Safety
6. Adoption of § 309.113, Accessibility by Disabled Persons
7. Adoption of § 309.114, Restrooms
8. Adoption of § 309.115, Refreshments
9. Adoption of § 309.116, Complaints
10. Adoption of § 309.117, First Aid
11. Adoption of § 309.118, Regulatory Office Space and Equipment
12. Adoption of § 309.120, Parking for Licensees
13. Adoption of § 309.123, Internal Communication System
14. Adoption of § 309.168, Hazardous Weather
15. Adoption of § 309.250, Test Barn
16. Repeal of § 309.251, Isolation Area
17. Repeal of § 309.252, Treatment Area
18. Adoption of § 309.253, Postmortem
19. Adoption of § 309.254, Equine Ambulance
20. Adoption of § 309.255, Chase Vehicle
21. Adoption of § 309.256, Starting Crew
22. Adoption of § 309.296, Official Program
23. Adoption of § 309.305, Starting Boxes
24. Adoption of § 309.309, Lockout Kennel
25. Adoption of § 309.311, Kennel Compound
26. Adoption of § 309.312, Turnout Pens
27. Adoption of § 309.314, Sprint Path
28. Adoption of § 309.317, Facilities and Equipment Maintenance Personnel





June 20, 2008

Charla Ann King  
Executive Director  
Texas Racing Commission  
P. O. Box 12080  
Austin, TX 78711-2080

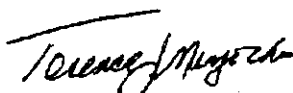
Dear Ms. King,

We are in receipt of the documents related to the Texas Racing Commissions Rule Proposals. The Jockeys' Guild is in total support of the changes to the following three items:

309.117	First Aid
309.168	Hazardous Weather
309.256	Starting Crew

On behalf of the riders we appreciate your consideration. If I can be of any assistance please do not hesitate to contact us.

Sincerely,

  
Terence J. Meyocks  
National Manager  
The Jockeys' Guild

cc: John Beech

**Comments to Chapter 309 Texas Racing Commission Rules**  
**Proposal Submitted by Retama Park**

309.7 The group agrees to the changes, however, the processing charge does not seem to adequately reimburse the commission for its staff time involved for a contested case but is too high for a non-contested case. We would recommend a \$25,000 fee for a non-contested case and that some discussion take place prior to setting a fee for contested cases.

309.9 The changes are acceptable

309.103 The group feels 30 days is an ample time period and objects to the proposed change to 60 days. Historically, this time period seems to have been adequate. A longer time period could serve to delay projects that are in the track's, patron's and/or licensee's best interest.

309.111 The group would like to know the reasoning for the change and what issues have arisen that make the change necessary. We have concern as to the interpretation of this rule and others that possibly change physical requirements for the facility.

309.113 The changes are acceptable

309.114 The group does not see the need for the added language with regard to licensees and restroom facilities and would like to know if there are existing facilities that are not in compliance with this proposal. The group objects to the last sentence of the proposed rule given that enforcement of the rule should come from the Health and Human Services. This department is better trained and equipped to handle inspections and determinations of adequacy of restroom facilities.

309.115 The group would like to know if staff deems all existing tracks to be in compliance of this proposed rule. The group is not agreeable to the change if it would require significant modifications to existing facilities. Specifically, does the rule require water fountains on the back side?

309.116 Changes to (a) and (b) result in the rule being overly broad. The existing (a) and (b) are adequate. The new 309.116 (c) (1) and (2) are acceptable. The new 309.116 (c)(3) seems to be overly burdensome and not necessary for staff to carry out its duties. Section 309 (c) (4) is acceptable.

309.117 The changes are acceptable.

309.118 The group would like a statement from staff as to the compliance of existing facilities with this rule prior to agreeing to the changes. 309.118 (e)(7) is not acceptable due to the lack of specificity in terms of numbers of desks, file cabinets and chairs. Section 309.118 (g)(5)(A)-(H) all are overly broad and needs specificity. Section 309.118(i) (2) is objectionable as using codes allow track's to identify costs. 309.118 (i)(3) is not acceptable as the tracks should not bear responsibility for getting listings for the commission.

309.119 The changes are acceptable

309.120 The changes need to be further defined. Where does the "lighted" parking area need to be, to what extent should the parking area be "lighted" and who is now in compliance?

309.123 The changes are acceptable.

309.151 The changes are acceptable.

309.168 The changes are totally unacceptable. We do not want to become meteorologists. Note 309.168 (b) (2) is already covered by a track's security plan.

309.250 Subject to knowing whether current tracks are in compliance with the revised rule, the proposed rule is acceptable. We would like to know what problems have lead to this proposal.

309.251 Acceptable

309.252 Acceptable

309.253 Acceptable

309.254 Acceptable

309.255 Acceptable

309.256 The changes are not acceptable particularly for thoroughbred racing. Our starters do an excellent job of knowing how to handle loading without having one starter per horse. Starters know which horses are problems. Starters in Texas are also good at knowing who is qualified to load and having a one starter per horse rule increases the odds that someone who is unqualified will be handling a horse. We are concerned as well that this could lead to tracks reducing the number of starters per race which negatively impacts racing opportunities. Finally, having a wide range of horses in a race would mean that for most races there would be several assistants not doing anything for many of races on a card. Would a horse need to be scratched to bring the track in compliance with this rule?

309.296 The addition of 309.296 (a) (2) (F) is acceptable subject to verifying that our software can produce this information. The new 309.296 (a) (2) (G) is not useful information and therefore it is objectionable.



July 25, 2008

Mr. Mark Fenner  
General Counsel  
Texas Racing Commission  
8505 Cross Park Drive, Suite 110  
Austin Texas 78754

Dear Mark:

Sam Houston Race Park would like to offer the following comments on the proposed Changes to TXRC Chapter 309, as posted in the *The Texas Register*, in accordance with the Administrative Procedure Act.

**Chapter 309. Race Track Licenses and Operations**  
**Subchapter B. Operations of Racetracks**

- 309.103 (b) – Construction and Renovation of Racetrack Facilities
  - Concern - Sam Houston Race Park feels that 30 days is ample time to review projects and that the proposed 60 days would only delay projects that are in the patron's and Park's best interest. Racetracks typically have very small windows of time to complete projects (ex. between meets) and a longer review process would result in a smaller and sometimes impossible window of time to complete the necessary work.
  - Possible Solution - At the last Commission meeting, it was suggested by staff that 60 days would be beneficial for reviewing the plans of new racetrack facilities. Therefore, we would suggest that the 60 day window be limited to new facilities and that the 30 day window remain for facilities already in existence.
- 309.111 (a) – Comfort and Safety
  - Concern - Sam Houston Race Park does not understand the need for this change. Are there differing degrees of comfort and safety in public areas for licensees than what would be acceptable to patrons? Also we have concerns about how this rule could be interpreted.
  - Possible Solution – Rule to remain unchanged.
- 309.115 – Refreshments
  - Concern - Sam Houston Race Park does not agree with this change if it requires the installation of additional water fountains in the stable. Additionally we do not feel the rule change is definitive, and subjective to interpretation.
  - Possible Solution – Rule only to delete words "and other refreshments."

SAM HOUSTON RACE PARK LTD.

7575 North Sam Houston Parkway West, Houston, TX, 77064 • 281.807.8700 • shrp.com

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- 309.116 – Complaints
  - Concern - Sam Houston Race Park feels the definition in (a) and (b) is not clearly defined and would only impose burdensome paper work for Sam Houston Race Park and Commission staff. As operators of Racetracks It is in our best interest to respond to patrons and licensees and address concerns in a timely manner and we intend to do so. However, the language in section c(3) does not seem necessary for racing commission staff to fulfill their obligations to the State.
  - Possible Solution – Rule to remain unchanged.
  
- 309.118 - Regulatory Office Space and Equipment
  - Concern - Sam Houston Race Park would like more explanation for some of these changes. While some changes may be necessary with new facilities coming on line others could be burdensome to existing facilities.
  - Possible Solution(s) – Generally, a statement as to compliance of existing facilities would be helpful. Current facilities were built in a different era with different expectations and some of the items outlined could prove costly. Specifically, in section 309.118(e)(7), we would prefer the required numbers in lieu of objective statement such as adequate be provided. Specifically, in section 309.118(i)(2), permitting local and long distance calling without authorization codes exposes the association to numerous issues including unauthorized calling, long distance charges and inappropriate destinations. Specifically, in section 309.118(i)(3), to be listed in the governmental section of the local telephone directory, is unrealistic as a metropolitan area the size of Houston has numerous phone directories.
  
- 309.120 – Parking for Licensees
  - Concern - Sam Houston Race Park feels this change needs clarification. Is the lighting currently provided (same as the public lots) adequate for this section?
  - Possible Solution – A statement of compliance from Commission staff
  
- 309.168 – Hazardous Weather
  - Concern - Sam Houston Race Park strongly disagrees with these requested changes as during the summer months our region is blanketed almost daily with thunderstorm warnings and watches which are issued on a county wide basis. According to the U.S. Census Bureau, Harris County where Sam Houston Race Park is located, has a total area of 1,778 square miles making section 309.168(b)(2) particularly burdensome.
  - Possible Solution – Sam Houston Race Park would be happy to provide an emergency response plan for hazardous weather that addresses the procedures for our facility for approval by Commission staff. As operators of a live entertainment facility, this is something we take very seriously and believe we should be responsible for handling.

**Chapter 309. Race Track Licenses and Operations**  
**Subchapter C. Horse Racetracks**

- 309.294 – Starting Crew
  - Concern - Sam Houston Race Park does not see the need for this change as we typically strive to provide one additional assistant starter than the number required by the change. However, on the rare occasion that several assistants become injured or are prohibited from working, these changes could restrict the number of racing opportunities for the horsemen as well as limit wagering interest for patrons.
  - Possible Solution – Rule to remain unchanged.

Sam Houston Race Park would like the opportunity to visit with Commission staff to understand how we can address some of the items raised in this letter and at the last commission meeting in June 2008. Subsequently, we feel the adoption of these rules are premature and ask that we be allowed more time to discuss the possible impact of these rules changes.

Please let me know if you have any questions or concerns.

Sincerely,



Andrea B. Young  
Chief Operating Officer

**Texas Greyhound Association**  
**Comments to Proposed 309 (D) Rules Changes**

**RULE §309.305 Starting Boxes**

---

- (a) An association shall provide and maintain at least two starting boxes approved by the executive secretary. Each starting box must be equipped with an automatic opener with a manual back-up.
- (b) The association shall periodically inspect each starting box to ensure its safe and effective operation. ~~When the track is being used for racing or schooling, the association shall have at least one person present on association grounds who is skilled and qualified to maintain the starting boxes.~~
- (c) An association shall ensure that the starting box located at the five- sixteenths start is set back in the chute.

**Comments:**

The TGA has no objection to this proposed rule change.

- 
- (a) An association shall provide a lockout kennel that:
- (1) is soundproof, to prevent noise from disturbing the greyhounds that are waiting to race;
  - (2) is air-conditioned sufficiently to maintain a temperature between 68 and 75 degrees Fahrenheit;
  - (3) has sealed or ceramic floors and walls to permit proper cleaning and disinfection. ; and
  - ~~(4) has a one-way viewing window to allow the trainers to view the interior of the lockout kennel.~~
- (b) Each crate located in the lockout kennel must:
- (1) be constructed of a smooth, hard material, such as stainless steel or tile;
  - (2) be at least three feet wide, four feet deep, and four feet high;
  - (3) be constructed so that the crate floor is not in direct contact with the concrete surface;
  - (4) be located on the floor level to prevent greyhounds from sustaining jumping injuries; and
  - (5) have a drop latch on the door.
- (c) An association shall provide a comfortable room near adjacent to the lockout kennel in which a kennel owner or trainer may view the race. The association shall also provide kennel owners and trainers a method for monitoring the interior of the lockout kennel and behind the starting box as approved by the executive secretary. ~~and view the interior of the lockout kennel.~~
- (d) An association shall provide an area adjacent to the lockout kennel in which a greyhound can wait to weigh-in and cool down following a race or wait for schooling races. The area must:
- (1) be large enough to comfortably accommodate 100 greyhounds and the leadouts and trainers;
  - (2) be adequately shaded and fenced to shield the greyhounds' view of the racetrack;
  - (3) have eight water faucets with hoses;
  - (4) have a disinfected dipping vat, approved by the Commission veterinarian, through which a greyhound may be walked to assist in cooling down following a race; and
  - (5) have adequate drainage.

**Comments:**

The TGA would like the association to provide to the trainers a view of the greyhounds as they are loaded into the starting boxes.



**RULE §309.311      Kennel Compound**

(a) An association shall provide in the kennel compound area:

~~(1) not more than 18 separate kennel buildings for the kennel owners under contract with the association, and~~

~~(2) a separate kennel building for greyhounds that will be participating in stake races, designed to accommodate several trainers and their greyhounds.~~

**Comments:**

The TGA disagrees with the proposed change.

It has always been an important principle to the TGA that any licensed owner of a Texas-bred greyhound may run his/her greyhound in a Texas-bred stakes race at a Texas race track and provide its own care, trainer and handler. Without a stakes kennel, a "ship-in" would be forced to house their greyhound with an existing contracted kennel, leaving the greyhound in that kennel's care and control, even though the contracted kennel may have competing entries itself.

The three existing racetracks all have stakes kennels now. Although a stakes race has not been held to date that would be of the magnitude to draw many entries that are running out-of-state, the potential remains. The TGA would like this rule unchanged at the present time.

## RULE §309.312 Turnout Pens

---

Each kennel building must have at least three turnout pens. Each pen must:

- (1) be free of any obstructions;
- (2) measure at least 20 feet by 40 feet;
- (3) have gates that connect to the other pens;
- (4) have at least a 15 foot overhang from the building;
- (5) have at least two halogen lights of 300 watts each located at each end;
- (6) be surrounded by a fence at least six feet high, of which the lower 32 inches is constructed of cinder block or a comparable material and the remaining portion is constructed of chain link;
- (7) have a gate adequate to accommodate a vehicle to remove the sand and deposit new sand;
- (8) have adequate water faucets and drainage; and
- (9) have sand or a comparable material of a depth approved by the executive secretary that is maintained in a sanitary state. a minimum of 12 inches of sand or a comparable material that is replaced at least every 3 months.

### Comments:

The TGA recognizes the significant expense to the associations and the inconvenience to the kennels under the current requirement. However, it does believe that the proposed change does not sufficiently address its concern on sanitary maintenance. The three racetracks also have different drainage systems, which affects maintenance.

The TGA proposed an annual change of sand to the racetracks, rather than every 3 months. After discussion with the associations, the TGA proposes the following:

- (8) have adequate water faucets;
- (9) have a drainage system approved by the executive secretary; and
- (10) have sand or a comparable material of a depth approved by the executive secretary that is maintained in a sanitary state subject to periodic evaluation conducted by the commission veterinarian.

## **RULE §309.314    Sprint Path**

An association shall provide, for every ~~three~~ five occupied kennel buildings, a sprint path located adjacent to the kennel compound area. The sprint path must:

- (1) be at least 30 feet wide and 400 feet long;
- (2) be divided down the middle by a chain link fence;
- (3) have at least one gate on each end for entering or exiting with greyhounds;
- (4) have a driveway along the side;
- (5) have a base and surface comparable to the racetrack surface; ~~and~~
- (6) have a highly visible material at both ends; and ~~be maintained by the association at all times.~~
- (7) be maintained by the association at all times.

### **Comments:**

The TGA recognizes that the 18 kennel buildings are not currently occupied and not all of the required sprint paths are currently used. Under the existing rule, all of the sprint paths are to be maintained. However, the number of sprint paths per kennel would be necessary if the buildings reach full occupancy in the future.

The TGA would like the current rule of providing a sprint path for every 3 kennels unchanged, but suggest adding the word “occupied” before kennels, thus reducing the associations’ maintenance requirements under the current circumstances.

The TGA agrees with the addition of visible material at both ends of a sprint path.

## **RULE §309.317    Facilities and Equipment Maintenance Personnel**

When the track is being used for racing or schooling, the association shall have at least one person present on association grounds who is skilled and qualified to maintain the starting boxes, the racing surface, and all track equipment.

**Comments:**

The TGA agrees with the proposed change.

**RULE §309.355      Grading System**

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(a) The racing secretary for an association shall grade the greyhounds for the races in accordance with this section.

(b) Before the first day of a race meeting, the racing secretary shall classify the greyhounds and assign an appropriate grade. In assigning the grades, the secretary shall consider the greyhound's past performances.

(c) The racing secretary shall use seven grades of AA, A, B, C, J, D, and M. Grade M is for maidens of any age and Grade J is for winning maidens.

(d) The racing secretary shall lower a greyhound to the next lower grade, including lowering a grade J to a grade D, if the greyhound:

(1) fails to finish in the top three positions in three consecutive starts;

(2) fails to earn better than one third place finish in four consecutive starts; or

(3) fails, as a Grade C or J, to finish in the top four positions in four consecutive starts

(e) The racing secretary shall advance a greyhound that wins a race graded A, B, C, J, or D.

(f) The racing secretary shall advance a greyhound that wins a maiden race to Grade J. The racing secretary shall advance a greyhound that wins a Grade J race to Grade C. On request by a kennel owner or trainer, the racing secretary may advance a greyhound that finishes second, third, or fourth in a maiden or a Grade J race to Grade D or C. For a greyhound regraded on request under this subsection, an association shall place the letter "M" or "J" after the greyhound's name in the racing program.

(g) A greyhound that fails to finish in the top four positions in four consecutive starts in Grade D may requalify and, at the discretion of the racing secretary, be returned to the active list. If a greyhound fails to finish in the top four positions in four consecutive starts for a second time in the same race meeting, at the discretion of the racing secretary, that greyhound may requalify again; however, when the greyhound returns to the active list, that greyhound has two consecutive starts to finish in the top four positions. If the greyhound fails to do so, then that greyhound shall be dropped from further racing during the current race meeting.

(h) A greyhound that falls in a race is considered a starter in that race and shall comply with the conditions set forth in subsection (d) of this section, unless lowering the greyhound would require the greyhound to be dropped from further racing in that race meeting.

(i) For a greyhound that transfers to the racetrack from another racetrack during a race meeting, the racing secretary shall assign a grade that is appropriate for the greyhound's ability considering the competition at the racetrack and at the racetrack from which the greyhound transfers.

(j) The racing secretary may regrade a greyhound that has not raced for at least 30 days.

(k) During a greyhound's first three starts, the racing secretary may regrade the greyhound only once and only to a next higher or lower grade level.

(l) The racing secretary may schedule up to eight mixed grade races each week. A mixed grade race must be designated by the letter "T" in the racing program.

(m) A stake race must be designated by the letter "S" in the racing program.

(n) An association may not require a kennel owner to furnish a greyhound of a specific grade or for a specific distance.

~~(o) A greyhound that has advanced from Grade M and has been dropped from further racing without winning another official start may be requalified after a period of 30 days.~~

(p) If a maiden fails to finish in the top four positions in six consecutive starts, the maiden may not race again at the race meeting until it requalifies. If the maiden fails to finish in the top four positions in the two starts after requalifying, the maiden may not race again at the race meeting.

**TGA Comments:**

The proposed changes to (c), (d)(3), and (f) will keep more greyhounds on the active list. Paragraph (o) is redundant.

**RULE §309.363 Official Program**

(a) For each race day, an association shall prepare and print an official program. The official program must contain the order of the races on that day, the distance and track record for each race, and the names of the greyhounds scheduled to run in each race, in order of their post positions. The post positions must be designated by numbers placed at the left and in line with the names of the greyhounds.

(b) The official program must contain at least two past performances for each greyhound scheduled to race. The program must also contain, for each greyhound scheduled to race:

(1) the name;

(2) color;

(3) sex;

(4) date of whelping;

(5) breeding;

(6) established racing weight;

(7) number of starts in official races;

(8) number of times finishing first, second, and third;

(9) name of owner and lessee, if applicable;

(10) name of trainer; and

~~(11) other information to enable the public to properly judge the greyhound's ability;~~

~~(11) the Texas-bred emblem if the greyhound is an Accredited Texas-bred; and~~

~~(12) other information to enable the public to properly judge the greyhound's ability.~~

(c) If the name of a greyhound is changed, the new name, together with the former name, shall be published in the official entries and program until after the greyhound has started six times under the new name.

**TGA Comments:**

The Texas-bred emblem assists the TGA in its preparation of Owner Awards, plus it is informative to the public and promotes greyhound ownership.

**RULE §309.307 Lures**

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An association shall provide an inside dual equipped lure with an extendable arm and an audible squawker.

TGA Comments:

While greyhounds chase by sight, the noise from a squawker is also an aid, particularly for younger greyhounds.



**RULE §309.316    Emergency Care Facility**

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An association shall provide a veterinary facility to provide emergency care to injured or stressed animals. The association shall equip and maintain the facility with the equipment, including an x-ray machine, and materials approved by the Commission veterinarian.

**TGA Comments:**

When an injury occurs on the racetrack, an immediate diagnosis is critical to the greyhounds' treatment and care, as well as an accurate injury report.

## **RULE §315.1 Required Officials**

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(a) The following officials must be present at each greyhound race conducted in this state:

- (1) three racing judges;
- (2) a commission veterinarian;
- (3) an association veterinarian;
- (4) a racing secretary;
- (5) an assistant racing secretary;
- (6) a paddock judge;
- (7) a starter;
- (8) a clerk of scales;
- (9) a mutuel manager;
- (10) a chart writer;
- (11) a photofinish operator and timer;
- (12) a kennel master; ~~and~~
- (13) a mechanical lure operator;
- (15) a track superintendent; and
- (16) a brakeman.

(b) An individual may not serve as an official unless the individual has been approved by the executive secretary. Not later than the 30th day before the first day of a race meeting, an association shall submit to the executive secretary the name of each individual and qualified substitutes appointed to serve as an official at the race meeting and a summary of the proposed official's qualifications. The executive secretary may refuse to approve an individual as an official if the executive secretary determines the individual lacks sufficient qualifications to perform the duties of the official position. If the executive secretary determines that an individual is qualified to perform the duties required of the official position for which the individual is submitted and may be issued a license by the Commission, the executive secretary shall approve the appointment of the individual.

(c) The executive secretary may rescind the approval of an official if the executive secretary determines that:

- (1) the official has violated the Act or a rule of the commission;
- (2) the official has not fulfilled the duties of the position for which the official was appointed; or
- (3) the official has engaged in conduct that is inconsistent with the duties of the official and that is not in the best interests of racing.

### **TGA Comments:**

The TGA feels it is important to add a track superintendent as a required official as it is arguably the most important job at the racetrack. A brakeman also plays an

important role in the safety of the racetrack, and both should be designated and qualified for their positions.

**RULE §315.43. Track Superintendent.**

The track superintendent shall ensure that the racetrack is properly maintained. The track superintendent shall ensure that all track equipment is operable for all races and during training hours.

**RULE §315.44. Brakeman.**

The brakeman shall ensure that the lure is stopped on the designated revolution on the racetrack at the end of each race.

**TGA Comments:**

Both of these new rules add the description and basic responsibilities of the two required officials.

13  
11/17/07

**David J. Freeman**  
**3300 Killingsworth Lane, Lot 262**  
**Pflugerville, Texas 78660**

July 24, 2008

Ms. Gloria Giberson  
Texas Racing Commission  
8505 Cross Park Drive, Ste. 110  
Austin, TX 78754

Re: Written Comments on Rules Amendments Published June 27, 2008

The main focus of the attached comments pertain to Rules Sec. 309.7, *Racetrack Application Fees*. However, many of the proposed amendments will require racing associations to incur substantial costs to renovate their respective facilities, to purchase specialized equipment, and to add personnel to their payrolls. Accordingly, the proposed amendments will have adverse economic effect on small and micro-businesses and, therefore, an economic impact statement and a regulatory flexibility analysis should be required. It would be prudent for the Racing Commission to examine the economic impact statement and the regulatory flexibility analysis prior to final adoption of any rule which would require capital investment on the part of a racing association.

Of particular concern is the immense increase in racetrack license application fees, especially for Class 2 licenses. The proposed changes to Rules Sec. 309.7(a)(1) provides the Racing Commission with the mechanism to charge additional funds to a license applicant, beyond the amount it has deposited, for processing the application. Accordingly, increasing the required deposit amount is effectively rendered moot by the Commission's ability to collect for actual costs it has expended.

The Commission Staff has recommended increasing the Class 1 license application fee by \$100,000. Inasmuch as the statutory limit of three Class 1 licenses have been awarded, it appears that the increase is unnecessary. Staff has proposed increases in the processing fees for Class 3 and Class 4 licenses although there has not been an application made for either of those category of licenses for over 15 years. It is apparent that the proposed increases are targeted at Class 2 license applications. Staff has claimed that it cost more than \$20,000 (the current fee) to process each license application for three Class 2 licenses that were awarded in 2007. The proposed increase would suggest that it cost \$75,000 for each Class 2 application it processed. Prior to the adoption of the proposed rules changes increasing the application fees, I respectfully suggest that Staff provide the Commission with records of actual expenditures it incurred for processing the applications of the licenses awarded in 2007.

Finally, with the likelihood of the Lawley Group and of Trinity Meadows Raceway, Inc. prevailing in their current lawsuits, it appears that the increase for processing a Class 2 license application is directly targeted at a specific entity. Staff will likely make the argument that the increase affects any potential applicant. On its face that would be true. However, considering Staff's efforts keep Trinity Meadows from being able to submit a Class 2 license application, recent suggested rules amendments, and actions taken by the Sunset Advisory Committee, the Commission seems to be working towards reducing the current number of Class 2 licenses and ensuring that no more will be issued. Raising the current Class 2 license processing fee from \$20,000 to \$75,000, without providing records of prior expenditures, can be construed as serving as a deterrent for submitting a license application and, worse, as a blatant discriminatory act towards one entity, namely Trinity Meadows.

Increases in racetrack license processing fees are unnecessary.

Please confirm that all Commissioners will receive a copy of this comment letter prior to the meeting on August 5, 2008.

Sincerely,

  
David J. Freeman

c: Brent Hamilton

Texas Racing Commission  
Title 16, Part VIII  
Chapter 309. Racetrack Licenses and Operations  
Subchapter A. Racetrack Licenses

1 **309.1. Racetrack Licenses.**

2 (a) (No change.)

3 (b) Duration of License. A racetrack license is perpetual.

4 The Commission may suspend or revoke a license in  
5 accordance with the Act and these rules. By agreement with  
6 the Commission, an association may voluntarily surrender a  
7 racetrack license for suspension or revocation.

8 (c)-(d) (No change.)

Texas Racing Commission  
Title 16, Part VIII  
Chapter 309. Racetrack Licenses and Operations  
Subchapter A. Racetrack Licenses

1           **309.7. Horse Racetrack Application Fees.**

2       (a) General Provisions.

3           (1) An applicant for a license must submit with the  
4 application documents an application or license fee in an  
5 amount set by the Commission.

6           (2) The application fee for a racetrack license must  
7 be in the form of a certified check or cashier's check.

8       (b) Application Fees.

9           (1) The application fee for a horse racetrack license  
10 is composed of a processing charge, a variable  
11 investigation charge, and a variable hearing charge. The  
12 processing charge is the amount needed by the Commission to  
13 cover the administrative costs of processing the  
14 application. set to cover administrative costs. The  
15 investigation charge is the amount needed by the Commission  
16 to cover the costs incurred by the Department of Public  
17 Safety and Commission staff for conducting the background  
18 investigation on the applicant. The hearing charge is the  
19 amount needed by the Commission to pay for the State Office  
20 of Administrative Hearings, legal and court reporting  
21 services for conducting a hearing on the application. An  
22 applicant for a horse racetrack license must pay all  
23 charges contemporaneously with filing the application. The  
24 failure to pay the total amount of the application fee may  
25 result in the application being summarily denied by the  
26 Commission or an administrative law judge. The Commission  
27 shall hold the application fee in the state treasury in a  
28 suspense account. The Commission may transfer the  
29 processing funds due to the Commission to the Texas Racing  
30 Commission Fund as costs are incurred. If the application  
31 is not certified as completed under § 309.3(d) of this  
32 chapter, the Commission shall return the investigation  
33 charge and hearing charge, as well as any part of the  
34 processing charge that exceeds the actual administrative  
35 costs to the Commission of processing the application. If  
36 the application is certified as complete, the Commission  
37 shall hold the investigation charge and hearing charge in  
38 the state treasury in a suspense account. Not later than  
39 five business days after the date the Commission order on  
40 the application is final and unappealable, the Commission  
41 shall transfer the remaining suspense funds due to the  
42 Commission to the Texas Racing Commission Fund. If the  
43 actual costs to the Commission of processing the  
44 application, conducting the investigation or paying for the  
45 hearing exceed the amount deposited for the applicable

Texas Racing Commission  
Title 16, Part VIII  
Chapter 309. Racetrack Licenses and Operations  
Subchapter A. Racetrack Licenses

1 charge, the applicant shall pay the remaining amount not  
2 later than 10 business days after receipt of a bill from  
3 the Commission. If the costs of processing the application,  
4 conducting the investigation or paying for the hearing are  
5 less than the amount of the charge, the Commission shall  
6 refund the excess not later than 10 days after the  
7 Commission order on the application is final and  
8 unappealable.

9 (2) The amount to be deposited for the processing  
10 charge for a horse racetrack license application is:

- 11 (A) for a Class 1 racetrack, ~~\$50,000~~ \$150,000;  
12 (B) for a Class 2 racetrack, ~~\$20,000~~ \$75,000;  
13 (C) for a Class 3 racetrack, ~~\$3,000~~ \$25,000; and  
14 (D) for a Class 4 racetrack, ~~\$1,500~~ \$10,000.

15 (3) The amount to be deposited for the investigation  
16 charge for a horse racetrack license application is:

- 17 (A) for a Class 1 racetrack, \$25,000;  
18 (B) for a Class 2 racetrack, \$15,000;  
19 (C) for a Class 3 racetrack, \$1,500; and  
20 (D) for a Class 4 racetrack, \$1,000.

21 (4) The amount to be deposited for the hearing charge  
22 for a horse racetrack license application is:

- 23 (A) for a Class 1 racetrack, \$15,000;  
24 (B) for a Class 2 racetrack, \$8,000;  
25 (C) for a Class 3 racetrack, \$1,500; and  
26 (D) for a Class 4 racetrack, \$1,000.

27 (5) The amount to be deposited for the processing  
28 charge for a greyhound racetrack license application is  
29 \$150,000.

30 (6) The amount to be deposited for the investigation  
31 charge for a greyhound racetrack license application is  
32 \$25,000.

33 (7) The amount to be deposited for the hearing charge  
34 for a greyhound racetrack license application is \$15,000.



Texas Racing Commission  
Title 16, Part VIII  
Chapter 309. Racetrack Licenses and Operations  
Subchapter A. Racetrack Licenses

1 **309.9. Denial, Suspension and Revocation of Licenses**

2 (a) (No change.)

3 (b) Grounds for Denying, Suspending, and Revoking Licenses.

4 (1)-(5) (No change)

5 (6) Minimum Age, or Otherwise Ineligible. A license  
6 may be denied, suspended or revoked if it is determined  
7 that the licensee:

8 (A) has not attained the minimum age necessary to  
9 purchase alcoholic beverages in Texas; ~~or~~

10 (B) is in the habit of using alcoholic beverages  
11 to an excess or uses a controlled substance as defined  
12 in Chapter 481, Health and Safety Code, or a dangerous  
13 drug as defined in Chapter 483, Health and Safety  
14 Code, or is mentally incapacitated;

15 (C) has improperly used a license certificate,  
16 credential, or identification card issued under this  
17 Act; or

18 (D) ~~(B)~~ through a change in ownership, would be  
19 ineligible to be issued a license.

20 (7) (No change.)

21 (8) Unqualified. A license may be denied, suspended or  
22 revoked if the Commission determines that the licensee is  
23 unqualified, by experience or otherwise, to perform the  
24 duties required of a licensee under the Act or the Rules.

25 (9) Moral Character and Reputation. A license may be  
26 denied, suspended or revoked if the Commission determines  
27 that the licensee is not of good moral character or the  
28 licensee's reputation as a peaceable, law-abiding citizen  
29 in the community where the licensee resides is bad.

30 (10) Ownership. A license may be denied, suspended or  
31 revoked if it results or would result in a person owning  
32 more than a five percent interest in more than three Texas  
33 racetrack licenses.

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1 **309.103. Construction and Renovation of Racetrack**  
2 **Facilities.**

3 (a) (No change.)

4 (b) Review of construction plan.

5 (1) At least ~~30~~ 60 days before the date an association  
6 proposes to start a racetrack construction project, the  
7 association shall submit a construction plan to the  
8 executive secretary. The construction plan must be in  
9 sufficient detail for the executive secretary to determine  
10 whether the proposed project complies with all applicable  
11 Commission rules.

12 (2)-(3) (No change.)

13 (c)-(e) (No change.)

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1 **309.111. Comfort and Safety.**

2 (a) An association shall ensure that the public areas of  
3 the association grounds are designed and maintained for the  
4 comfort and safety of the patrons and licensees.

5 (b) An association shall designate as a non-smoking area a  
6 portion of each of the public areas on association grounds.

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1 **309.113. Accessibility by Disabled Persons.**

2 (a) An association shall ensure that all public areas of  
3 the association grounds are accessible by disabled persons  
4 in accordance with standards adopted for public buildings  
5 under Texas Government Code, Chapter 469. ~~Civil Statutes,~~  
6 Article 9102.

7 (b) (No change.)

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1 **309.114. Restrooms.**

2 An association shall provide and maintain restroom  
3 facilities which are adequate in number, design,  
4 construction, and location for all persons on association  
5 grounds, including licensees within the restricted non-  
6 public areas of the enclosure. Restroom facilities shall  
7 conform to the general standards as detailed in the Texas  
8 Administrative Code, Title 25, Chapter 265, Department of  
9 State Health Services.

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- 1 **309.115. Refreshments.**
- 2 An association shall provide an adequate supply of free
- 3 drinking water ~~and other refreshments~~ for the patrons and
- 4 licensees.

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1 **309.116. Complaints.**

2 (a) An association shall provide an office to handle  
3 complaints. ~~regarding the association facilities or an~~  
4 ~~alleged violation of the Act or the Rules.~~

5 (b) An association shall respond promptly to all complaints  
6 by patrons and licensees. ~~regarding the association~~  
7 ~~facilities.~~

8 (c) An association shall promptly notify the executive  
9 secretary of a complaint regarding:

10 (1) an alleged violation of the Act or a rule of the  
11 Commission;

12 (2) an alleged violation of ordinances or statutes;

13 (3) accidents or injuries; or

14 (4) unsafe or unsanitary conditions for patrons,  
15 licensees or race animals.

16 (d) An association's responsibility to respond to  
17 complaints under subsection (b) of this section is  
18 independent of the association's responsibility to notify  
19 the executive secretary under subsection (c) of this  
20 section.

21 (e) ~~(d)~~ An association shall maintain a record of each  
22 complaint received and the action taken by the association  
23 regarding the complaint for two years.

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1    **309.117. First Aid.**

2    (a) At all times that an association is open to the public,  
3    the association shall provide a first aid room equipped  
4    with appropriately qualified personnel and equipment  
5    suitable to respond to medical emergencies of its patrons  
6    and licensees. Qualified personnel are those individuals  
7    certified in basic cardiac life support and first aid in  
8    conformance with accepted guidelines for emergency care and  
9    resuscitation.

10   (b) During a live race meeting, a horse racing association  
11   shall provide a properly equipped and staffed ambulance for  
12   humans and the services of a certified paramedic at any  
13   time that the racetrack is open for racing or exercising.  
14   At a Class 1 or 2 racetrack, the ~~primary~~ ambulance must be  
15   a Mobile Intensive Care Unit (MICU) certified by the Texas  
16   Department of Health. If the MICU ambulance is used to  
17   transport an individual, the association may not conduct a  
18   race until the ambulance returns or is replaced by a  
19   properly equipped, staffed, and certified MICU ambulance.  
20   ~~by an ambulance approved by the executive secretary.~~ The  
21   ambulance must be parked at the entrance to the racing  
22   strip when not being used to transport an individual.



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1 **309.118. Regulatory Office Space and Equipment.**

2 (a) An association shall provide adequate office space for  
3 the use of the stewards or racing judges, occupational  
4 licensing personnel, the Commission's investigative unit,  
5 the pari-mutuel auditing staff and the staff employed by  
6 the comptroller, the Commission veterinary and drug testing  
7 staff, and the Department of Public Safety. The location  
8 and size of the office space, furnishings, electrical  
9 outlets, telephone lines, television monitors, and  
10 equipment required under this section must be approved by  
11 the executive secretary.

12 (b)-(c) (No change.)

13 (d) The office for the Commission's investigative unit must  
14 be located adjacent to the occupational licensing office  
15 and the Department of Public Safety office. The office must  
16 be furnished and be equipped with:

17 (1) a private telephone line; and

18 (2) a television monitor to monitor the events on the  
19 racetrack.

20 (e) The office space for occupational licensing personnel  
21 must consist of two rooms, one of which must be private.  
22 The room that is not private must be equipped with:

23 (1) a double counter;

24 (2) a fingerprint work area;

25 (3) a television monitor; and

26 (4) a private telephone line;-

27 (5) a private dedicated telephone line to be used by a  
28 fax machine;

29 (6) a private dedicated telephone line to be used by a  
30 credit card machine;

31 (7) the appropriate number of desks, file cabinets and  
32 chairs;

33 (8) locking file cabinets or other locking storage  
34 facilities adequate in size and number to store the  
35 licensing files and checks; and

36 (9) power outlets adequate in number and capacity to  
37 operate all of the Commission's electrical equipment  
38 located within the occupational licensing office.

39 (f) The office space for the pari-mutuel auditing staff and  
40 the staff employed by the comptroller must:

41 (1) provide an unrestricted view of the ~~totalisator~~  
42 ~~system operators and the pari-mutuel computers;~~

43 (2) permit unrestricted entry to the totalisator  
44 facilities;

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1 (3) be furnished with the appropriate number of desks  
2 and chairs;

3 (4) include locking file cabinets in the work area or  
4 other locking storage facilities, in which the auditors may  
5 store computer printouts or magnetic tape and that are  
6 large enough to store all state-controlled wagering records  
7 for the association that are needed for audits by the  
8 Commission or the comptroller;

9 (5) include a video and audio device that enables the  
10 auditors to receive, simultaneously with the patrons, the  
11 same information that the patrons receive;

12 (6) have at least ~~four~~ six power outlets to operate  
13 electrical equipment;

14 (7) include a private telephone line; ~~and~~

15 (8) if requested by the Commission or the comptroller,  
16 have an additional voice line to support dial-up  
17 capabilities for a personal computer; and

18 (9) a private dedicated telephone line to be used by a  
19 fax machine.

20 (g) Commission Veterinarian's Office.

21 (1) An association shall provide a secured office area  
22 for the Commission veterinarians.

23 (2) The office must be adjacent to the drug testing  
24 area ~~barn~~ and the pre-race holding area.

25 (3) The office must consist of at least two rooms, one  
26 of which must be private. ~~The office must have a total~~  
27 ~~floor area of at least 200 square feet.~~

28 (4) At horse racetracks, ~~t~~The office must be  
29 constructed to allow a view of each of the adjacent areas.

30 (5) The office must be equipped with:

31 (A) a sink with hot and cold water built into a  
32 counter of a size required by the executive secretary;

33 (B) desks and filing cabinets, in numbers as  
34 required by the executive secretary, equipped with  
35 locks; a desk and two filing cabinets, both of which  
36 may be locked;

37 (C) at horse racetracks, refrigerators and  
38 freezers, in sizes and numbers as required by the  
39 executive secretary, equipped with locks; a  
40 refrigerator with at least 10 cubic feet of inside  
41 space and a freezer, in a size and number as required  
42 by the Commission, both equipped with locks; and

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1           (D) at greyhound racetracks, a freezer in a size  
2 as required by the executive secretary; a storage  
3 area, which may be locked.

4           (E) a storage area, of a size required by the  
5 executive secretary, with a door approved by the  
6 executive secretary which may be locked.

7           (F) a private telephone line with a number of  
8 telephones required by the executive secretary;

9           (G) television monitors as required by the  
10 executive secretary; and

11           (H) at horse racetracks, a freestanding counter  
12 of a size required by the executive secretary.

13           (6) All locks must be of a type approved by the  
14 executive secretary.

15           (h) (No change.)

16           (i) All private telephone lines provided under this section  
17 must:

18           (1) be assigned a unique telephone number that is  
19 directly accessible by the public without the need to go  
20 through an automated call answering system;

21           (2) be able to make both local and long distance  
22 calls without the need to enter an access code;

23           (3) if requested by the executive secretary, be  
24 listed in the governmental section of the local telephone  
25 directory; and

26           (4) if requested by the executive secretary, be  
27 listed on the association's website. ~~have listings separate~~  
28 ~~from the association.~~

29           (j) An association shall provide at its expense computer  
30 lines, phone equipment, and any necessary voice and data  
31 network cabling circuits, and network cabling in the  
32 offices of the state regulatory and law enforcement  
33 personnel as prescribed by the executive secretary. In  
34 addition, the association shall reimburse the Commission  
35 for the costs of any network or data circuits installed or  
36 caused to be installed by the Commission at the  
37 association's location.

38           (k) All costs of telecommunications for regulatory and law  
39 enforcement personnel provided under this section shall be  
40 paid by the association and the telecommunications service  
41 may not be interrupted at any time. To ensure minimal  
42 disruption to the Commission's regulatory functions, the  
43 association shall ensure the Commission staff has twenty-  
44 four hour access and keys to any telecommunications rooms

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- 1 ~~adequate any access to the telecommunications equipment~~  
2 serving regulatory and law enforcement personnel as  
3 prescribed by the executive secretary.
- 4 (l) An association shall provide to the Commission a number  
5 of keys to the Commission offices as approved by the  
6 executive secretary.
- 7 (m) An association shall provide, inside the enclosure and  
8 in close proximity to the Commission's regulatory offices,  
9 adequate reserved parking for Commission staff.

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- 1 **309.120. Parking for Licensees.**
- 2 An association shall provide a lighted parking area for
- 3 licensees outside the stable or kennel area.

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- 1 **309.123. Internal Communication System.**  
2 (a) An association shall provide a telephone extension  
3 and/or a two-way radio to the following: ~~an internal~~  
4 ~~telephone communication system with outlets in:~~  
5 (1) the stewards' or judges' stand;  
6 (2) the racing office;  
7 (3) the tote room;  
8 (4) the jockey room;  
9 (5) the paddock or lockout kennel;  
10 (6) the entrance to the kennel compound;  
11 (7) the pre-race holding area;  
12 (8) the Commission veterinarian's office;  
13 (9) the test barn;  
14 (10) the starting gate or boxes;  
15 (11) the finish line;  
16 (12) the video camera locations;  
17 (13) the clocker's stand;  
18 (14) the location of the ambulances; ~~and~~  
19 (15) the outrider; ~~other locations designated by the~~  
20 ~~executive secretary.~~  
21 (16) the chase truck;  
22 (17) the claims clerk;  
23 (18) the security office; and  
24 (19) other locations designated by the executive secretary.  
25 (b) The executive secretary may approve an alternative  
26 communication system in areas within the enclosure for  
27 which the executive secretary has determined telephone  
28 communication is impractical.

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1 **309.168. Hazardous Weather.**

2 (a) An association shall establish and implement  
3 procedures, approved by the executive secretary, to protect  
4 race animals, licensees, employees, and patrons from  
5 hazardous weather conditions.

6 (b) During live racing the stewards or judges, and during  
7 non-live racing the association, shall order all  
8 individuals on association grounds to take shelter when  
9 hazardous weather occurs. The order to take shelter shall  
10 take place:

11 (1) before lightning-producing thunderstorms have  
12 moved to within 6 miles of the facility; or

13 (2) whenever the facility is within the affected area  
14 of a severe thunderstorm or tornado warning as announced by  
15 the National Weather Service.

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1 **309.250. Test Barn.**

2 (a) An association shall provide a test barn for taking  
3 specimens for testing. The barn must be adjacent to the  
4 Commission veterinarian's office.

5 (b) The barn must be shielded from the noise and excitement  
6 of the races.

7 (c) The barn must be clean, sanitary, adequately  
8 ventilated, and safe for the horses and the individuals who  
9 handle the horses.

10 (d) The barn must be equipped with:

11 (1) a walk ring large enough to accommodate eight  
12 horses;

13 (2) at least four enclosed stalls, equipped with dutch  
14 doors and observation windows;

15 (3) a washrack that is large enough to accommodate two  
16 horses at the same time; and

17 (4) eight disinfected water buckets for drinking  
18 water.

19 (e) An association shall provide restroom facilities for  
20 the test barn employees in close proximity to the test  
21 barn.

22 (f) The area must have only one entrance, which must be  
23 that is locked or guarded at all times. The area must have  
24 a security guard present on live race days prior to the  
25 first race and remaining until all race horses have been  
26 released. The guard shall:

27 (1) restrict access to the test barn to Commission  
28 personnel, test technicians, veterinarians, authorized  
29 licensees escorting race horses for testing, and  
30 Commission-escorted guests; and

31 (2) maintain an accurate log of all horses and  
32 licensees entering and leaving the test barn on a form  
33 approved by the executive secretary.



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1 ~~**309.251. Isolation Area.**~~

2 ~~(a) An association shall provide an isolation area for~~  
3 ~~treating a horse that may have a communicable disease.~~

4 ~~(b) The isolation area must be in a location and equipped~~  
5 ~~as approved by the executive secretary.~~

6 ~~(c) The isolation area must be cleaned and disinfected~~  
7 ~~regularly.~~

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1 ~~**309.252. Treatment Area.**~~

2 ~~(a) An association shall provide a treatment area for~~  
3 ~~providing emergency care to a horse that is injured in~~  
4 ~~racing or training.~~

5 ~~(b) The treatment area must be in a location and equipped~~  
6 ~~as approved by the executive secretary.~~

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- 1    **309.253. Postmortem.**  
2    (a) An association shall provide a postmortem area.  
3    (b) The area must be located in a secluded area and must  
4    allow access by an equine ambulance.  
5    (c) The area must be equipped with:  
6        (1) a cover;  
7        (2) a concrete or asphalt slab with a rough finish;  
8        (3) adequate drainage; and  
9        (4) hot and cold water and a hose. ~~and~~  
10       ~~(5) a locked storage area.~~  
11    (d) An association shall provide services for the disposal  
12    of a horse that dies at the racetrack.

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1 **309.254. Equine Ambulance.**

2 (a) An association shall provide an equine ambulance and  
3 trained personnel on association grounds on each day that  
4 the racetrack is open for racing or exercising.

5 (b) The ambulance must be properly ventilated and kept in  
6 the shade at an entrance to the racing strip when not in  
7 use.

8 (c) The ambulance must be a large, covered and enclosed  
9 vehicle that is low to the ground. The ambulance must be  
10 able to:

11 (1) navigate on the racetrack during all weather  
12 conditions; and

13 (2) transport a horse off the association grounds.

14 (d) The ambulance must be equipped with:

15 (1) large, portable screens to shield a horse from  
16 public view;

17 (2) ramps or a system to lower the ambulance to ground  
18 level to load a horse;

19 (3) adequate means of loading a horse that is down;

20 (4) a rear door and a door on each side;

21 (5) a padded interior;

22 (6) a movable partition to initially provide more room  
23 to load a horse and to later restrict a horse's movement;

24 (7) a shielded area for the individual handling the  
25 horse;

26 (8) a storage area for supplies;

27 (9) a front leg Kimzey brace or an equivalent approved  
28 by the Commission veterinarian; and

29 (10) a water supply to treat heat exhaustion.

30 (e) If the ambulance is being used to transport a horse,  
31 the association may not conduct a race until the ambulance  
32 is replaced.

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1 **309.255. Chase Vehicle.**

2 (a) An association shall provide a chase vehicle and driver  
3 for the commission veterinarian's use during each live  
4 performance.

5 (b) In addition to the driver, the association shall have  
6 at least one assistant starter accompany the commission  
7 veterinarian during each race.

8 (c) The chase vehicle must be able to navigate on the  
9 racetrack during all weather conditions.

10 (d) The chase vehicle must be large enough to provide:

11 (1) interior seating for at least four people; and

12 (2) room to store the portable screens used to shield  
13 a horse from public view.

14 (e) The chase vehicle shall be equipped with a five-gallon  
15 water container, a sponge, and a scraper.

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1 **309.294. Starting Crew.**

2 An association shall provide a starting crew for each race  
3 to assist in handling the horses in the starting gates. The  
4 association shall provide one assistant starter for each  
5 horse to start in a race. ~~a sufficient number of assistant~~  
6 ~~starters for the number of horses to start in a race.~~

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1 **309.296. Official Program.**

2 (a) For each race day, an association shall prepare an  
3 official program. The official program must contain the  
4 order of the races on that day and:

5 (1) for each race:

6 (A) the names of the horses in the race and their  
7 program number;

8 (B) the conditions of the race;

9 (C) the distance of the race;

10 (D) the probable odds on each horse;

11 (E) the value of the race;

12 (F) the claiming prices, if applicable; and

13 (G) the types of wagers to be offered for that  
14 race; and

15 (2) for each horse listed in the program:

16 (A) the post position;

17 (B) the age, color, sex, and breeding;

18 (C) the jockey, trainer, owner or stable name,  
19 and racing colors;

20 (D) the weight carried; and

21 (E) if the horse is eligible for participation in  
22 the Texas Bred Incentive Program, the name or logo of  
23 the appropriate official breed registry;

24 (F) if the horse is a leased animal, the names of  
25 the lessee and lessor must appear on the program; and

26 (G) the city and state of the owner or the  
27 designated representative.

28 (b)-(c) (No change.)



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1 **309.305. Starting Boxes.**

2 (a) An association shall provide and maintain at least two  
3 starting boxes approved by the executive secretary. Each  
4 starting box must be equipped with an automatic opener with  
5 a manual back-up.

6 (b) The association shall periodically inspect each  
7 starting box to ensure its safe and effective operation.

8 ~~When the track is being used for racing or schooling, the~~  
9 ~~association shall have at least one person present on~~  
10 ~~association grounds who is skilled and qualified to~~  
11 ~~maintain the starting boxes.~~

12 (c) An association shall ensure that the starting box  
13 located at the five-sixteenths start is set back in the  
14 chute.

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1 **309.309. Lockout Kennel.**

2 (a) An association shall provide a lockout kennel that:

3 (1) is soundproof, to prevent noise from disturbing  
4 the greyhounds that are waiting to race;

5 (2) is air-conditioned sufficiently to maintain a  
6 temperature between 68 and 75 degrees Fahrenheit; and

7 (3) has sealed or ceramic floors and walls to permit  
8 proper cleaning and disinfection; ~~and~~

9 ~~(4) has a one-way viewing window to allow the trainers~~  
10 ~~to view the interior of the lockout kennel.~~

11 (b) Each crate located in the lockout kennel must:

12 (1) be constructed of a smooth, hard material, such as  
13 stainless steel or tile;

14 (2) be at least three feet wide, four feet deep, and  
15 four feet high;

16 (3) be constructed so that the crate floor is not in  
17 direct contact with the concrete surface;

18 (4) be located on the floor level to prevent  
19 greyhounds from sustaining jumping injuries; and

20 (5) have a drop latch on the door.

21 (c) An association shall provide a comfortable room near  
22 ~~adjacent to~~ the lockout kennel in which a kennel owner or  
23 trainer may view the race. The association shall also  
24 provide kennel owners and trainers a method for monitoring  
25 the interior of the lockout kennel as approved by the  
26 executive secretary. ~~and view the interior of the lockout~~  
27 ~~kennel.~~

28 (d) An association shall provide an area adjacent to the  
29 lockout kennel in which a greyhound can wait to weigh-in  
30 and cool down following a race or wait for schooling races.  
31 The area must:

32 (1) be large enough to comfortably accommodate 100  
33 greyhounds and the leadouts and trainers;

34 (2) be adequately shaded and fenced to shield the  
35 greyhounds' view of the racetrack;

36 (3) have eight water faucets with hoses;

37 (4) have a disinfected dipping vat, approved by the  
38 Commission veterinarian, through which a greyhound may be  
39 walked to assist in cooling down following a race; and

40 (5) have adequate drainage.

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1 **309.311. Kennel Compound.**

2 (a) An association shall provide in the kennel compound  
3 area +

4 ~~(1) not more than 18 separate kennel buildings for the~~  
5 ~~kennel owners under contract with the association. + and~~

6 ~~(2) a separate kennel building for greyhounds that will be~~  
7 ~~participating in stake races, designed to accommodate~~  
8 ~~several trainers and their greyhounds.~~

9 (b)-(d) (No change.)

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1 **309.312. Turnout Pens.**

2 Each kennel building must have at least three turnout pens.

3 Each pen must:

4 (1) be free of any obstructions;

5 (2) measure at least 20 feet by 40 feet;

6 (3) have gates that connect to the other pens;

7 (4) have at least a 15 foot overhang from the

8 building;

9 (5) have at least two halogen lights of 300 watts each  
10 located at each end;

11 (6) be surrounded by a fence at least six feet high,  
12 of which the lower 32 inches is constructed of cinder block  
13 or a comparable material and the remaining portion is  
14 constructed of chain link;

15 (7) have a gate adequate to accommodate a vehicle to  
16 remove the sand and deposit new sand;

17 (8) have adequate water faucets and drainage; and

18 (9) have sand or a comparable material of a depth  
19 approved by the executive secretary that is maintained in a  
20 sanitary state. a minimum of 12 inches of sand or a  
21 comparable material that is replaced at least every 3  
22 months.

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1 **309.314. Sprint Path.**

2 An association shall provide, for every five ~~three~~ kennel  
3 buildings, a sprint path located adjacent to the kennel  
4 compound area. The sprint path must:

5 (1) be at least 30 feet wide and 400 feet long;  
6 (2) be divided down the middle by a chain link fence;  
7 (3) have at least one gate on each end for entering or  
8 exiting with greyhounds;

9 (4) have a driveway along the side;

10 (5) have a base and surface comparable to the  
11 racetrack surface; ~~and~~

12 (6) have a highly visible material at both ends; and  
13 ~~be maintained by the association at all times.~~

14 (7) be maintained by the association at all times.

Texas Racing Commission  
Title 16, Part VIII  
Chapter 309. Racetrack Licenses and Operations  
Subchapter D. Greyhound Racetracks  
Facilities and Equipment

1 **309.317. Facilities and Equipment Maintenance Personnel.**  
2 When the track is being used for racing or schooling, the  
3 association shall have at least one person present on  
4 association grounds who is skilled and qualified to  
5 maintain the starting boxes, the racing surface, and all  
6 track equipment.