

MINUTES

OREGON RACING COMMISSION MARCH 16, 2000

The Oregon Racing Commission met on Thursday, March 16, 2000, in Room 140 of the Portland State Office Building located at 800 NE Oregon Street, Portland, OR. The meeting was called to order at 8:30 a.m. for the rulemaking hearing for proposed changes in administrative rules for Chapter 462. Following taking testimony at the hearing, the commission began their deliberation on the proposed rules. At approximately 1:00 p.m. they adjourned for lunch and announced they would continue their deliberation during the rules portion of the agenda. The meeting was reconvened at 1:30 p.m. Commissioners in attendance were Steve Walters, Chair; Laura Fine, Vice Chair; Richard Reid, Tom Towslee and David Price. Agenda items were discussed in the following order with resulting actions:

1. Approval of February 17, 2000, Minutes

ACTION: MOTION(Fine) Approve minutes as submitted.
VOTE: 5 Aye, 0 Nay

2. Multnomah Greyhound Park 2000 Plan for Operation and Maintenance of Training Track and Compound

Steve Barham recommended approval of the plan. Additionally, he recommended delegation of authority to the executive director to authorize transfer of the funds once the plan has been implemented as long as the proper amount of revenue has been received to cover the expenses.

ACTION: MOTION(Reid) Approve plan and delegation of authority to the executive director to transfer funds.
VOTE: 5 Aye, 0 Nay

3. New Portland Meadows Update

Mike Dorough stated trends on the live racing and simulcasting have been pretty flat. They are up on simulcast of horses just under 1% and are off on greyhounds around 5%. The total average (live product, importing, exporting) is off about 1.7%. The live product is still having trouble filling the races so they are running short fields. Attendance is still up around 5 to 6%.

4. NTRA/TVG Status Report

Dick Cummings, NTRA; Brad Higbee, TVG. The hub currently covers three racing jurisdictions - Maryland, Oregon and Kentucky, with the bulk of the wagering occurring in Kentucky. There has been some improvement in the handle levels from the other two jurisdictions. Dr. Curtis L. Barrett, chair emeritus of Norton Psychiatric Hospital, which is a division of the University of Louisville Hospital, will be in town and will be conducting seminars for all hub employees on compulsive gambling and the responsible wagering program. They will be filming the seminars for future use by new employees of the hub. Brad Higbee stated TVG is hoping to launch an aggressive direct marketing campaign to try to reach out to more people in the three jurisdictions. They are continuing to have negotiations with cable operators and other small dish companies in order to get the

TVG programming more accessible to people throughout the country. In response to a question by Commissioner Towslee regarding the revenue amounts currently generated from the hub being much less than initially projected, Mr. Higbee stated the parent company is equally frustrated by the lack of financial return, however, it remains committed to providing a good product for the patrons. It is their hope that over the next few months they will be bringing in additional jurisdictions which should generate additional revenue for the racing industry in Oregon. With pending legislation in California and continuing discussions in New York they should be in a position to significantly boost the revenues. As far as Oregon participation is concerned, it has been frustratingly slow.

Vice Chair Fine raised a question on regular reporting by NTRA regarding hub operations. It was agreed quarterly reports would be made at the commission meeting following the end of their quarter.

On another matter, Dick Cummings reported he had resigned from NTRA Services in Oregon to take a position in Lexington, KY as president of The Red Mile, which is a harness track. He thanked the commission and all elements in the industry for a terrific stay in Oregon over the past six years. On behalf of the commission, Chair Walters said to Mr. Cummings it has been an honor and a privilege working with him, sort of across breed lines, and that he has been a great addition to the racing community in Oregon in trying to constructively move things forward for the betterment of the entire industry.

5. Greyhound Channel, Inc. Update

Ben Hayes reported Steve Barham and Steve Roden had visited their tote operation in Maryland, the last part of the technical inspection needing to be completed. Following is the schedule for the Oregon call center:

March 23 - Amtote will be doing the hard wiring

March 27 - Spectrum system will be installed

April 1 - Tote system will go on-line

April 3 - Employee training will begin

April 10 - They will be open for business

6. Southern Oregon Horse Racing Association 2000 Race Meet Application - 6/10 - 7/4

The number of days being requested is about one-half of what they have had in the past. Steve Barham recommended approval of the application and that the commission delegate authority to him for approval of racing officials.

ACTION: MOTION(Fine)

Approve application for race meet.

VOTE:

5 Aye, 0 Nay

7. Eastern Oregon Livestock Show 2000 Race Meet Application - 6/9, 10, and 11

Steve Barham recommended approval of the application and that the commission delegate authority to him for any changes which may occur in racing officials.

ACTION: MOTION(Fine)

Approve application for race meet.

VOTE:

5 Aye, 0 Nay

8. Nasal Strips

Some jurisdictions declare the use of nasal strips at the time of entry. Dr. Roper stated there have been no studies indicating that the strips either aid or hinder a horse during the course of running a race. Some questions were raised as to what happens if: (1) it falls off, (2) a horse is entered stating it will be using a nasal strip but somehow it gets misplaced, (3) it is improperly applied? A lengthy discussion followed as to what to do in the event a horse had been entered to race with a nasal strip and, for whatever reason, it had been applied improperly or fallen off. Steve Barham recommended going ahead and allowing their use, that they be declared at the time of entry, and if there were any changes that they be announced to the public.

ACTION: MOTION(Price) Approve the use of nasal strips, and if the strip falls off the horse is not scratched from the race but it will be announced that the nasal strip is off.
VOTE: 3 Aye (Walters, Reid, Price), 2 Nay (Fine, Towslee)

9. June Commission Meeting

Due to conflicts in scheduling, it was decided to change the June meeting in Grants Pass to June 23rd instead of June 16th.

10. OAR 462-060-070 - Distribution of Receipts from Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs - *tabled from 2/17/00 meeting*

Commissioner Towslee restated his concerns about this rule in that it goes too far. He recommended deleting the phrase "...after the necessary commission expenses are covered..." and then deleting on line 19 the sentence beginning with "In judging..." through the end of the rule. The commission went on to discuss the issue in greater detail.

ACTION: MOTION(Towslee) Delete "...after the necessary commission expenses are covered..."
VOTE: 4 Aye (Walters, Reid, Towslee, Price), 0 Nay, 1 Abstention (Fine)

ACTION: MOTION(Towslee) Delete on line 19 sentence beginning with "In judging..." through to the end of the proposed rule.

Discussion followed regarding retaining wording on line 27.

Amendment to the motion: Delete on line 19 sentence beginning with "In judging..." and continue through line 26. Keep line 27 which states: "The commission's decision on the distribution of these funds is final."

VOTE: 5 Aye, 0 Nay

ACTION: MOTION(Towslee) Adopt rule as amended.

VOTE: 5 Aye, 0 Nay

11. Permanent Rules - OAR 462 Divisions 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210 and 220

The commission continued their deliberation from this morning on the proposed rules. It was decided to make separate motions on some of the rules prior to adopting all of the divisions as a unit.

ACTION: MOTION(Reid) Change 462-120-0070(9) by striking "...or unbecoming to the sport."
VOTE: 1 Aye (Towslee), 4 Nay (Walters, Fine, Reid, Price)

ACTION: MOTION(Fine) Retain deleted language in 462-130-0010(f).
VOTE: 2 Aye (Walters, Fine), 3 Nay (Reid, Towslee, Price)

- ACTION: MOTION(Fine) Approve proposed wording in 462-150-0060(8)(i): "Racing plates must be of a type and design approved by the board of stewards and the commission veterinarian."
VOTE: 4 Aye (Walters, Fine, Reid, Towslee), 1 Nay (Price)
- ACTION: MOTION(Fine) Delete proposed wording in 462-150-0060(8)(i): "No toe grabs or jar calks are permitted on the front feet."
VOTE: 5 Aye, 0 Nay
- ACTION: MOTION(Price) Amend 462-140-0060(23) to read: "The race meet licensee shall establish post times."
VOTE: 1 Aye (Price), 4 Nay (Walters, Fine, Reid, Towslee)
- ACTION: MOTION(Fine) Amend 462-140-0060(23) to read: "The stewards/judges, in consultation with the race meet licensee, shall establish post times and may extend post times."
VOTE: 5 Aye, 0 Nay
- ACTION: MOTION(Towslee) Amend 462-140-0330 and 462-140-0440 by inserting "...may be held equally responsible..." after the word "and".
VOTE: 5 Aye, 0 Nay
- ACTION: MOTION(Fine) Amend 462-180-0060(4) by changing wording from "...at least once for each 24-hour..." to "...at least once during each 24-hour..." and adding "...unless conditions require more frequent removal or exercise." at the end of the sentence.
VOTE: 5 Aye, 0 Nay
- ACTION: MOTION(Price) Delete "...Oregon Racing Commission licensed..." from 462-180-0060(5).
VOTE: 5 Aye, 0 Nay
- ACTION: MOTION(Price) Add to 462-180-0060 new (6) which shall read: "The owner or kennel owner, whichever initiates the trip, shall be responsible for the health, care and safety of the greyhounds regardless of acts of third parties during the trip."
VOTE: 5 Aye, 0 Nay
- ACTION: MOTION(Fine) Delete 462-210-0040(16) in its entirety.
VOTE: 4 Aye (Walters, Fine, Reid, Price), 1 Nay (Towslee)
- ACTION: MOTION(Towslee) Adopt proposed rules, aka Rules 2000, with the aforementioned amendments.
VOTE: 5 Aye, 0 Nay

There being no further business, the meeting was adjourned.