



MINUTES

Oregon Racing Commission May 17, 2012

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, May 17, 2012 in Room 1A of the Portland State Office Building located at 800 NE Oregon Street, Portland, Oregon.

Call to Order

Commission Chair, Stan Robson, called the meeting to order at 1:30pm.

In Attendance

Commissioners: Chair Stan Robson, Commission Vice-Chair Christopher Dudley, Commissioner Charles Williamson, Commissioner Michael Huber, DVM and Commissioner Jan Palmer, DVM

Staff

Randy Evers (Executive Director) and Kelly Gabliks (Assistant Attorney General)

AGENDA ITEMS

Approvals:

May 17, 2012 Meeting Agenda

Action: Motion to approve the April 19, 2012 ORC meeting agenda as submitted with addition of executive session immediately following the adjournment of the regular public meeting.

Moved by: Commissioner Huber

Seconded: Commission Palmer

Vote: 5 Ayes, 0 Nays

April 19, 2012 Meeting Minutes

Action: Motion to approve the April 19, 2012 Commission meeting minutes as submitted with two grammatical corrections.

Moved by: Commission Vice-Chair Dudley

Seconded: Commissioner Huber

Vote: 5 Ayes, 0 Nays

Old Business:

Sub-Committee Update Reports:

a. Advanced Deposit Wagering (ADW) and Multi-jurisdictional Hubs

Commissioner Williamson stated that the sub-committee met and that one of the items they discussed will have further discussion during the executive session. He stated that the ORC will be licensing a new ADW that Audrey Kauffman has been working with. The new ADW is "SportTech." Commissioner Williamson stated that the ORC has approved something called "Rockatee" for Churchill Downs. This is the same form of pari-mutual racing but offers colors and objects that make betting a little easier and more fun. Commissioner Williamson stated that Ms. Kauffman will be reviewing this in the next couple of weeks when she visits the site.

b. Best Practices

Commission Vice-Chair Dudley stated that he and Commissioner Williamson have completed their survey of stakeholders and others for the Executive Director's performance evaluation. He stated that they will be discussing the evaluation in the executive session portion of the meeting. He stated that the ORC will propose new goals for next year at the next meeting.

c. Budget and Hub Funds

Chair Robson stated that the sub-committee had not met and there is nothing to report at this time.

d. Medication and Horse Welfare

Commissioner Huber stated that the sub-committee met prior to the ORC meeting. The group discussed the New York Times article regarding horse racing, the comments and summation of the stakeholder meeting that was held May 2, 2012 to gather a consensus on the use of Clenbuterol. The group also received input from the members and attendees of the sub-committee regarding a motion to reduce the threshold level of Clenbuterol in horses prior to racing.

Action: To create a temporary rule establishing thresh-hold level of 2 Picograms per milliliter of Clenbuterol in blood. The temporary rule will be in place for six months in the year 2012 and apply to all summer race meets in Oregon and the commercial Portland Meadows summer race meet. If deemed appropriate at the end of the temporary ruling time frame of six months the ORC may consider adopting it permanently.

Moved by: Commissioner Huber

Seconded: Commission Vice-Chair Dudley

Vote: 5 Ayes, 0 Nays

Commissioner Huber stated that group reviewed the response of the Harney County Fair board to the ORC's request to make some changes to how they conduct their fair meet. The sub-committee supports the changes Harney County has agreed to make.

Action: To fully approve the Harney County Fair form “A.”

Moved by: Commissioner Huber

Seconded: Commission Vice-Chair Dudley

Vote: 5 Ayes, 0 Nays

e. **Executive Director’s Report**

Director Evers stated that he had attended the Racing Commissioners International conference on April 25-27, 2012. He stated that he wanted to share a couple of the highlights. He stated it was well attended. There was discussion of a couple of new proposed rules. One of the new rules being proposed and advocated by a group of jockeys is to allow/require safety reins. The safety rein gives the jockey a back up rein to regain control if one of the standard reins that are being used should break while racing. There is some debate as to who will pay for the safety reins and more to be discussed before there is action taken.

There was much discussion about the national racing compact. The ORC had discussion about the compact at the ORC meeting and at this time the ORC is not interested in participating in a racing compact.

Director Evers stated that there was much discussion over the use of Lasix and Clenbuterol. Medication use was a very controversial topic at the conference and there will be more to come as proposals are developed.

Director Evers stated that he and Nancy Artmann will be appearing before the budget committee and program funding team. The funding teams are several groups of high level citizens selected to review what agencies do and how their funds are used. Director Evers stated that Nancy Artmann has done the majority of the work on the budget presentation for this group.

Director Evers announced that he had been given Audrey Kauffman’s resignation just prior to the ORC meeting and is effective June 1, 2012. Directors Evers commended the good work completed by Ms. Kauffman and the contributions she made during her time with the ORC and that she will be missed.

Chair Robson stated that he felt more should be said regarding the detail of how much Ms. Kauffman’s contributions have meant to the ORC. The growth of the ADW licensing business has been a huge effort. Without the work that Ms. Kauffman has done in this area over the last three years the ORC may not have survived. He thanked Ms. Kauffman and requested a round of applause in gratitude for her outstanding service.

f. **Future of Racing in Oregon (FROG) Update**

Commissioner Palmer stated that the meeting was well attended. She stated that there was not very much to report. Mr. Alempijevic distributed copies of the draft for the economic impact study. The group review and had some discussion. There was discussion regarding ways to raise funds for the PAC. Commissioner Palmer reported that the furthering of Horsemen’s Day at Portland Meadows on July 22, 2012 is coming along nicely.

New Business:

ADW Annual Compliance Review:

Audrey Kauffman, ADW Manager for the ORC presented her compliance review to the Commissioners. Ms. Kauffman stated that all ten ADW's licensed in Oregon had submitted the information required for the annual review. She reported that she had reviewed each of the AWD's individual information and found it updated and in order.

Ms Kauffman stated that all ten ADW's have a current or extended source market agreement with PM, the bonds that are in place will automatically renew and we will get copies, all business registrations for each company have all been renewed and are in compliance. Ms. Kauffman stated that her review of the ADW's is complete and that the ORC has great group ADW's to be working with. Ms. Kauffman stated that all ten AWD's are in full compliance for the next fiscal year.

Totalizator Licensing Presentation:

Audrey Kauffman, ADW Manager for the ORC stated that there are four Totalizator companies requesting licensing. Licensing Totalizator companies is a newly adopted rule. There are two companies ready today and the other two will present at the June meeting.

- **Am tote:** Gene Chabrier of XpressBet was present to represent Amtote for Totalizator licensing. He asked the Commissioners if they had any questions that he could answer regarding Am tote or the Stronach group. Audrey Kauffman stated that Amtote's application is complete and is in full compliance. Ms. Kauffman stated that she recommends Amtote for approval.

Action: To approve Am tote for a Totalizator license.

Moved by: Commission Vice-Chair Dudley

Seconded: Commissioner Huber

Vote: 5 Ayes, 0 Nays

- **SportTech LLC:** Frank Chesky stated that he was representing SportTech for licensing approval. He stated that SportTech provides tote service for TVG. He stated that SportTech is well established in Oregon and wishes to obtain licensing. Ms. Kauffman stated that their application is in full compliance with the due diligence check list and that she recommends licensing approval.

Action: To approve SportTech LLC for a Totalizator license.

Moved by: Commission Vice-Chair Dudley

Seconded: Commissioner Huber

Vote: 5 Ayes, 0 Nays

Approval of Summer Race Meet Applications Forms B and C:

Eastern Oregon Livestock Show (EOLS)-Director Evers stated that he reviewed the application forms B and C for the EOLS and the application is complete. He stated that he recommends approval of forms B and C.

Action: Motion to approve the Eastern Oregon Livestock Show (EOLS) race meet forms B and C as submitted.

Moved by: Commissioner Huber

Seconded: Commission Vice-Chair Dudley

Vote: 5 Ayes, 0 Nays

Josephine County Fair (Grants Pass Downs)- Director Evers stated that he reviewed the application forms B and C for the Josephine County Fair (Grants Pass Downs) and the application is complete except for a couple of the officials which will be appointed before the meet. He stated that he recommends approval of forms B and C.

Action: Motion to approve the Josephine County Fair (Grants Pass Downs) race meet forms B and C as submitted with the caveat that the officers list will be completed prior to the meet.

Moved by: Commission Vice-Chair Dudley

Seconded: Commissioner Huber

Vote: 5 Ayes, 0 Nays

Crooked River Round-Up (CRRU) - Director Evers stated that he reviewed the application forms B and C for CRRU Prineville, Oregon. Director Evers stated that there are a couple of officials that still need to be placed on the race meet officials list. He stated that Prineville is very well run and that all officials will be listed before racing begins. He stated that the application is otherwise complete and that he recommends approval of the CRRU race meet.

Action: Motion to approve the Crooked River Round-Up (CRRU) race meet forms B and C as submitted with the caveat that the officers list will be completed prior to the meet.

Moved by: Commissioner Huber

Seconded: Commission Vice-Chair Dudley

Vote: 5 Ayes, 0 Nays

Harney County Fair- Director Evers stated that all the information requested by the ORC has been provided from Harney County. He stated that their race meet application is complete and that he recommends approval.

Action: Motion to approve the Harney County Fair race meet forms B and C as submitted.

Moved by: Commission Vice-Chair Dudley

Seconded: Commissioner Huber

Commissioner Huber requested an amendment to the motion after he seconded the motion made by Commission Vice-Chair Dudley. Commissioner Huber stated that he wanted the approval to require Harney County to add more individuals to help run the meet. The proposed amendment was denied.

Vote: 4 Ayes- Commissioner Palmer and Williamson, Commission Chair Robson
and Vice-Chair Dudley
1 Nay- Commissioner Huber

Commissioner Williamson stated that he would like the Executive Director to report to the Commissioners regarding whether Harney County adds staff or not between now and the next ORC meeting. He stated that if they don't the ORC can address taking possible action at that time.

Approval of Administrative Rules:

Commissioner Williamson stated that there were only three people that testified and that the hearing only lasted about ten minutes. He reported that Gene Chabrier and Roger Nyquist urged us to adopt the rules as written. Commissioner Williamson stated that Dave Nelson requested that the ORC impose a rule for Clenbuterol. This was proposed and voted on earlier in this meeting. He stated that staff did a good job collecting information from the stakeholders.

Action: Motion to adopt the proposed amendments to the administrative rules as written with one grammatical correction.

Moved by: Commissioner Williamson

Seconded: Commissioner Huber

Vote: 5 Ayes, 0 Nays

Information, Materials and Approvals:

None

Contested Cases:

None

Other Business As May Properly Come Before the Commission:

None

Public Comment:

Commission Vice-Chair Dudley stated that he is enthused that we have this administrative rule process that includes the stakeholders that are affected by the process and that it seems to be moving forward very well. He stated that he is encouraged that there are no contested cases at this time.

Confirmation of the Next Commission Meeting:

Thursday, June 21, 2012, Room 1A of the Portland State Office Building at 1:30p.m.

Adjournment:

The Commissioners and Executive Director Evers then went into executive session at 2:33p.m.

Chair Robson adjourned the executive session at 3:53p.m.

There being no further business, Chair Robson adjourned the public portion of the meeting at 3:53p.m.