

MINUTES

OREGON RACING COMMISSION JUNE 21, 1996

The Oregon Racing Commission met on Friday, June 21, 1996, at 10:00 a.m. for their regular meeting in the Arts and Crafts Building at the Josephine County Fairgrounds in Grants Pass, Oregon. Commissioners in attendance were as follows: Laura Fine, Vice Chair; George Rankins, Richard Reid, and Tom Towslee. Chair Stephen Walters was excused. Prior to calling the meeting to order, Vice Chair Fine thanked Al Westhoff, Josephine County Fair, and Southern Oregon Horse Racing Association for again inviting the commissioners to conduct their June meeting in Grants Pass. She also introduced our newest commissioner, Tom Towslee, for the benefit of those in the audience who have not been able to attend any of the meetings in Portland since his appointment by the governor. Al Westhoff introduced Don Jackson of SOHRA and welcomed the commission to Grants Pass. Agenda items were discussed in the following order with resulting actions:

1. Minutes of April 18, 1996 Commission Meeting

ACTION: MOTION(Reid) Approve minutes as submitted.
VOTE: 4 Aye, 0 Nay, 1 Excused

2. Minutes of May 30, 1996 Telephone Conference Meeting

ACTION: MOTION(Rankins) Approve minutes as submitted
VOTE: 4 Aye, 0 Nay, 1 Excused

3. Oregon Greyhound Breeders Association 1996-97 Budget

Steve Barham reported there are some changes going on within the OGBA. Carol Bruno has resigned as executive director and will be working with the OGA. He is going to set up a joint meeting with both organizations in the very near future.

ACTION: MOTION(Rankins) Approve budget as submitted and direct Steve Barham to work closely with the OGBA and OGA during this period of transition.
VOTE: 4 Aye, 0 Nay, 1 Excused

4. Oregon Appaloosa Racing Association 1996 Budget

Steve Barham recommended approval.

ACTION: MOTION(Rankins) Approve as submitted.
VOTE: 4 Aye, 0 Nay, 1 Excused

5. Oregon Thoroughbred Breeders Association 1994-95 Portland Meadows Owner Bonus and Breeder Awards

Steve Barham recommended approval of (a) disbursement of owner bonus and breeder awards, (b) proposal for clearing books of undeliverable breeder awards, and (c) redistribution of undeliverable breeder awards originating from Oregon lottery funds.

ACTION: MOTION(Reid) Approve recommendation of Mr. Barham.
VOTE: 4 Aye, 0 Nay, 1 Excused

6. Multnomah Greyhound Park

a. Request to Add Matinee Performance on Saturday, August 10, 1996, or Increase Number of Live Races

Carl Wilson reported MGP is looking at the possibility of adding a non-wagering matinee on the day of the Wiener Dog Summer Nationals. They are looking at making it a special wiener dog day event which would include races for whippets, retired greyhounds and wiener dogs.

ACTION: MOTION(Rankins) Delegate authority to Steve Barham to approve the additional racing performance if it is determined by MGP to be needed.

VOTE: 4 Aye, 0 Nay, 1 Excused

b. Race Meet Update

Carl Wilson reported the average live handle is down 21% with the total live handle down 30%. The export handle is up 117%. Simulcast handles for greyhounds and horses are up 91% and 44%, respectively, creating a straight simulcast handle up 55%. Total handle is down 1% from last year, however, the total handle including exports is up 2%.

There have been recent reports about possible development plans by MGP on part of their property. Mr. Wilson assured the commission their intent is to keep the race track open, with this action being taken in order to keep the track operational. They may come before the Commission sometime in the future to request permission to move the compound and training track to another location. At the present time they are trying to get approved a zoning change in order to allow them to develop the south end of the parking lot for retail, commercial and residential purposes.

7. Commission Position on Oregon State Fair Legislative Concept 622-2

Rusty Vernon, OSF, was present to answer questions regarding their legislative concept. He stated the primary purpose was to try to find a mechanism to continue live racing at OSF, however, they will abide by the position of the Commission. Lonnie Craig, Lone Oak Racing, added that without simulcasting they cannot run a twenty-five day race meet. Steve Barham stated there were two issues which the Commission needed to consider: (1) Granting of a race meet license for live horse racing at OSF, and (2) Mandating that simulcast signals go to OSF as listed in their concept, which goes against the simulcast policy already set by the Commission. Mr. Barham said he didn't believe this matter should be in state statute and that mandating simulcast rights to a specific licensee in state statute is not the way to go. He, therefore, recommended the Commission oppose the OSF concept or at least not support it.

ACTION: MOTION(Reid) Oppose legislative concept proposed by OSF.

VOTE: 4 Aye, 0 Nay, 1 Excused

8. Proposal to Develop and Implement a Six-Year Plan

Steve Barham presented his proposal to the Commission on a new planning process for the pari-mutuel industry in the State of Oregon. In it he suggested for starters Commission needs to be looking at the pari-mutuel industry in total and not what is good for a single segment of the industry. Because of the need to look industry wide it is appropriate that the Commission take the lead in the planning process rather than simply following.

ACTION: MOTION(Reid) Pursue the six-year plan as proposed by the executive director and request that periodic updates be presented to the Commission.
VOTE: 4 Aye, 0 Nay, 1 Excused

9. Grants Pass Update

Lonnie Craig reported the handle for the meet is down \$3,000 to date. Possible reasons are there is a lack of horses, and they can't seem to get people interested in coming out to the races. He thanked the Commission for the Christmas Tree money. Since they are having a problem with the number of horses, racing over the extended July 4th weekend will be for three days instead of the approved four. On a positive note, the condition of the track is good, and they have had fewer complaints this year from horsemen regarding the track surface.

Dave Nelson, OQHRA, reported the Far West Stallion Trials will be held tomorrow. In addition, he handed to the commissioners copies of a letter requesting them to approve distribution of the Oregon-bred breeders and 1% owners bonus money from 1995-96 Portland Meadows race meet. Vice Chair Fine reminded Mr. Nelson that requests of this nature, in order to be acted upon, need to be submitted to the Commission office ten days prior to the meeting in order to allow commissioners and staff time to properly review the specifics of the request.

ACTION: MOTION(Rankins) Delegate to the executive director the authority to approve the distribution after he has had a chance to review the details of the request.
VOTE: 4 Aye, 0 Nay, 1 Excused

10. Letter from Dennis Bennett, Jimmy D'Z, Former OTB Site in Klamath Falls

Dennis Bennett was present and stated his concerns regarding MGP electing not to use Jimmy D'Z as an OTB site. Steve Barham stated he does not believe the Commission should force a race meet licensee to keep an OTB site open if it is not a good business decision for them to do so. In addition, Mr. Barham said he did not feel it was a good idea for any OTB site to be simulcasting only on the weekends.

11. License Application Submitted by Jody Davidson

Steve Barham reported Jody Davidson had submitted an application for an exercise rider. In its most recent order on Mr. Davidson, the Commission stated it would only consider reinstating his license if and when he presented documentation that he was a licensee in good standing for a period of at least six months in other jurisdictions. Since that has not been presented along with the application, Mr. Barham stated it did not appear Mr. Davidson had met the conditions of the order. It was suggested a hearings officer hear the case and submit a proposed order to the Commission on which they can take action. Vice Chair Fine said she would act as hearings officer. Mr. Davidson was told the three possibilities of the outcome of the hearing would be: (1) grant a license; (2) deny a license; and (3) in addition to denying a license, lose the ability to reapply for some time. Vice Chair Fine told Mr. Davidson to consider his options and what, if any, action he wished to take; however, the Commission was not prepared to grant a license at this time.

12. Siletz Indian Casino

Request is to approve Racing Services, Inc. as hub for simulcasting horse racing into the new casino in Lincoln City. Steve Barham reported he has visited the site and recommends approval, and stated he will continue to work with the tribe, their commission and provide whatever assistance is necessary to help their operation.

ACTION: MOTION(Rankins) Approve Racing Services, Inc. as simulcast operator for Chinook Winds.
VOTE: 4 Aye, 0 Nay, 1 Excused

13. Serving Notice Regarding OAR 462-050-025 - Inter-track Wagering Sites

Steve Barham requested the Commission approve filing for hearing on inter-track wagering sites, and that the hearing be conducted on Thursday, August 15, 1996, instead of July 18, 1996, as stated on the form in their packets.

ACTION: MOTION(Towslee) Service notice for hearing.
VOTE: 4 Aye, 0 Nay, 1 Excused

14. Adopt Temporary Rules Amending OAR 462-029-005 and OAR 462-039-005 - Use of Certain Feed Additives as Supplemental Feeds

This request is being made as a result of an earlier contested case hearing in which feed additives were determined to be "drugs". The wording of the rule(s) was amended to read as follows: "For the purposes of ORS 462.010(7) supplemental feeds may contain the following feed additives: vitamins, minerals, water and electrolytes, if given in the amounts necessary and methods appropriate for proper nutrition and husbandry of racing animals."

ACTION: MOTION(Reid) Approve temporary rule as amended.
VOTE: 4 Aye, 0 Nay, 1 Excused

15. ORC Legislative Concept Update

Steve Barham reported the Omnibus Bill was approved by the governor. The agency must work with stakeholders prior to final approval. The Peace Officer Status for Investigators also was approved. The agency needs to work with BPSST to develop appropriate language. The process will probably go through August, and he will keep the Commission apprised of all activity on both subjects.

16. Lone Oak-Salem Race Meet Update

Lonnie Craig provided current status on events relating to the upcoming Salem race meet. There have been some problems with Portland Meadows regarding the cost of phone lines for simulcasting.

There being no further business, the meeting was adjourned.