

MINUTES

OREGON RACING COMMISSION OCTOBER 17, 1996

The Oregon Racing Commission met on Thursday, October 17, 1996, at 1:30 p.m. for their regular meeting in Room 120C of the Portland State Office Building located at 800 N. E. Oregon Street, Portland, Oregon. Commissioners in attendance were as follows: Stephen Walters, Chair; Laura Fine, Vice Chair; George Rankins, Richard Reid and Tom Towslee. Agenda items were discussed in the following order with resulting actions:

1. Minutes of September 20, 1996, Commission Meeting

Steve Walters requested the rewording of portions of Items 4, 5(a) and 9.

ACTION: MOTION(Towslee) Approve minutes as amended.

VOTE: 5 Aye, 0 Nay

2. Oregon Thoroughbred Breeders Association 1996-97 Fiscal Budget

Steve Barham recommended approval.

ACTION: MOTION(Reid) Approve proposed budget.

VOTE: 5 Aye, 0 Nay

3. Oregon Greyhound Breeders' Association Breeder Awards

Steve Barham recommended approval.

ACTION: MOTION(Rankins) Approve disbursement of breeder awards.

VOTE: 5 Aye, 0 Nay

4. Horsemen's Benevolent & Protective Association 1996-97 Budget

Steve Barham recommended approval.

ACTION: MOTION(Rankins) Approve budget as submitted.

VOTE: 5 Aye, 0 Nay

5. Request by Mike Bullene for Frontside Privileges

Speaking on behalf of the Board of Stewards, Jim Smith, Deputy State Steward, stated they feel Mr. Bullene needs to complete the requirements for reinstatement before being considered for frontside privileges.

ACTION: MOTION(Reid) Deny request for frontside privileges at this time.

VOTE: 5 Aye, 0 Nay

6. Lone Oak-Salem End of Meet Report

Glen Knickerbocker reported the total handle was up 7.3% over 1995, however, the live handle was down in excess of 20%. Simulcast handle was up 17%, and \$560,000 was paid out in purses. It was requested the Commission establish a sub-committee to look at areas that might be explored in order to address Salem's needs in light of the new simulcast policy. Steve Walters and Tom Towslee volunteered to be on the sub-committee along with Steve Barham to look at the needs of the Salem race meet. Mr. Barham will schedule a meeting as soon as possible to begin discussions on this issue.

7. Multnomah Greyhound Park End of Meet Report

Carl Wilson reported the live handle was down 28% compared to last year and with 17 less performances; average live handle was down 16%; average live without export was down 20%; simulcast horse was up 53% and simulcast greyhound was up 18%, with a total simulcast up 36%. Total handle was down 7%, with total attendance down 32%. They had a very smooth race meet, and were please with a high incidence of injury-free racing. Dick Cummings reported MGP intends to alter their race schedule for 1997 by adding two more weeks of live racing to their racing window.

8. New Portland Meadows Update

Mike Dorough reported their total handle to date is down 9.9% compared to the 1995-96 season, with the live down 21%, horse simulcast up 7% and greyhound simulcast up 1%. Regarding the track surface, Woody Mitchell reported they added more sand to the track. They are also looking at different equipment to use to work the track. With the establishment by the HBPA of a track committee, Cliff Babbitt reported there have been no complaints regarding the track surface. He reiterated the importance of getting the proper equipment to work the track.

9. Executive Director's Use of Delegated Authority on OTBA Oregon-bred Owner Bonus and Breeder Awards for 1996 Grants Pass Race Meet

Steve Barham stated this was an informational item to make the Commission aware of his action on this request.

10. Report on Rule Hearing on OAR 462-050-425 - Inter-track Wagering Sites

In a memo summarizing the results of the hearing on August 28, 1996, Steve Barham presented three options for Commission action: (1) Adopt the rule with or without the modifications proposed by Lone Oak Racing; (2) Do not adopt the rule; or (3) Delay action until additional information can be received. During discussion on this issue, Chair Walters suggested adding Grants Pass to the sub-committee involving Lone Oak Racing. Decline to adopt the inter-track wagering rule at this time.

ACTION: MOTION(Reid)
VOTE:

5 Aye, 0 Nay

11. Final Payment to Summer Race Meets from Lottery Funds

Steve Barham recommended the final 20% of the lottery funds be disbursed to the summer race meets.

ACTION: MOTION(Towslee) Approve disbursement of funds.
VOTE:

5 Aye, 0 Nay

12. Request by Dave Nelson, Oregon Quarter Horse Racing Association

Dave Nelson stated several of the western region states are allowing the use of bute in two-year-olds and, therefore, requested the Commission consider amending their rule to allow its use in Oregon. It was decided to refer the request to the Vet Med Committee.

13. Addition to ORC Staff

Chair Walters introduced Bob Mannix as the new Chief Investigator for the Racing Commission.

14. Contested Cases - Final Orders by Default **a. Barry L. Webb**

ACTION: MOTION(Rankins) Mr. Webb's license is not to be renewed or application accepted until 30 days after payment of fines, and he is to be excluded from frontside, backside and all areas under jurisdiction of the Commission.
VOTE: 5 Aye, 0 Nay

b. Daniel L. Sheldon

ACTION: MOTION(Towslee) Decision of Board of Stewards to be adopted. Mr. Sheldon's license is to be permanently revoked, and he is to be excluded from all race courses, training tracks, frontside, backside, off-track betting sites and all areas under jurisdiction of the Commission. If he reapplies for license he must meet requirements for reinstatement following a positive drug test.
VOTE: 5 Aye, 0 Nay

c. Willie B. Brackens, Jr.

ACTION: MOTION(Reid) Uphold recommendation of Board of Stewards for license to be revoked, and he is to be excluded from all race courses, training tracks, frontside, backside, off-track betting sites and all other places under jurisdiction of the Commission.
VOTE: 5 Aye, 0 Nay

15. Contested Cases - Proposed Orders

a. Greg L. Logan

ACTION: MOTION(Rankins) Approve proposed order for revocation of license, ruling-off and excluding Mr. Logan from all race courses, training tracks, frontside, backside, off-track betting sites and all other places under jurisdiction of the Commission, all of which is subject to not receiving any exceptions to the Findings of Fact.
VOTE: 5 Aye, 0 Nay

b. Carrie S. Lawrence

This order will be carried over to the November meeting.

16. Other Business Before the Commission

a. Roger Nyquist

Question was raised regarding the charging of a surcharge on OTB sites by race meet licensees, which in effect increased the take-out above the maximum level allowed by statute. Chair Walters stated he could petition for a declaratory ruling or petition for adoption of a new rule, either one of which would be considered by the Commission if received.

b. RCI Western Regional Meeting

An announcement regarding the meeting was included in the commissioners' packets. Commissioner Fine stated she had attended the meeting last year and found it to be very worthwhile. She was wondering if anyone would be attending this year. Steve Barham requested anyone who was interested in attending to contact him right away so the necessary arrangements could be made.

There being no further business, the meeting was adjourned.