

MINUTES

OREGON RACING COMMISSION JANUARY 15, 1998

The Oregon Racing Commission met on Thursday, January 15, 1998, in the Jockey Club at New Portland Meadows located at 1001 North Schmeer Road, Portland, Oregon. The continuation of the hearing for administrative horse rules began at 9:00 a.m. The commission adjourned for lunch and reconvened at 1:30 p.m. for their regular meeting. Commissioners in attendance were as follows: Stephen Walters, Chair; Richard Reid and Baltazar Ortiz. Vice Chair Laura Fine and Commissioner Tom Towslee were excused. Before calling the meeting to order, Chair Walters offered his best wishes on behalf of the commission to Kathy Mayo for a speedy and full recovery following her accident during the running of the 6th race on January 2, 1998. Agenda items were discussed in the following order with resulting actions:

1. Minutes of December 18, 1997 Commission Meeting

ACTION: MOTION(Reid) Approve minutes as submitted.
VOTE: 3 Aye, 0 Nay, 2 Excused

2. Federal Legislation S474 (Kyle Bill)

Mark Wilson, MGP, and Mike Dewey reported this legislation as currently drafted would have a negative effect on greyhound and horse racing and could outlaw account wagering recently passed during the 1997 legislative session. They stated it is important that we send a message to our Oregon senators and representatives to preserve states' rights by opposing the current draft of the bill. Mr. Dewey presented a memo with the current wording of the bill. Chair Walters stated the proposed legislation should cause all of us great concern and reiterated the Oregon legislature passed bills on account wagering and the hub for interactive wagering.

ACTION: MOTION(Reid) Send a letter to members of the Oregon congressional delegation expressing the commission's opposition to S474 (Kyle bill) in its present form.
VOTE: 3 Aye, 0 Nay, 2 Excused

3. Crooked River Roundup 1998 Race Meet Application - July 8, 9, 10, and 11, 1998

Steve Barham stated they have requested the normal racing dates and recommended approval. He did, however, request that the commission delegate to him the approval of trifecta wagering.

ACTION: MOTION(Reid) Approve application and listed officials, and delegate to the executive director the issue concerning trifecta wagering and any changes in officials.
VOTE: 3 Aye, 0 Nay, 2 Excused

4. New Portland Meadows Update

Mike Dorough and Woody Mitchell welcomed the commission to New Portland Meadows, and in turn, Chair Walters apologized for not thanking them earlier for accommodating the commission for its request for meeting

space. They also thanked all groups for their cooperation in working toward resuming racing since the accident of Kathy Mayo. Regarding race meet statistics, the overall total handle is off approximately 5% compared to last year, and the live handle is off considerably higher. The current live handle is \$5.4 million, one-half of which is a result of the export of their signal.

Mr. Mitchell reported Chair Walters met with him, the Jockeys' Guild and the HBPA for the purpose of helping to orchestrate a change in the rail. In order to be able to finish the current race meet, they agreed to a temporary fix of the rail by wrapping it with a foam sleeve, holding it in place with tape and then painting it white. The material has been ordered and 20% of it has already been delivered.

The issue of make-up days was raised. Chair Walters suggested there be continued discussions with the horsemen's groups on this matter. Some possibilities would be to add racing on Easter Sunday and adding a race to each of the days already scheduled.

5. Proposal to Use Backside Improvement Funds to Replace The Inside Rail at New Portland Meadows

Chair Walters began by complimenting all participants on the professional manner in which the discussions were conducted. There was no attempt to place any pressure on the jockeys to ride, and the common goal for everyone involved was to come up with a solution that would better insure the safety of all participants during the running of a race. As a result, Cliff Babbitt, HBPA, reported the HBPA board has approved to extend to New Portland Meadows a loan for them to install a safety rail during this coming summer. Payments on the loan would take place over the next 8 years. Mr. Babbitt thanked Steve Walters' for his efforts in helping them reach a solution. Gary Baze, Jockeys' Guild, reported the riders agreed to the short term solution and the proposed materials. Woody Mitchell, NPM, stated the track has agreed to implementing the short term solution and will pay the expenses for materials and labor. Question was raised regarding repayment of the loan in case NPM is not the operator of the race meet. Chair Walters stated in the case of a new entity conducting live racing, the commission would require as a part of the live race meet application approval process the new licensee to continue payment on the loan. In addition, Chair Walters asked that the commission be provided with a copy of the agreement in which the HBPA and NPM give consent to replacing the rail.

ACTION: MOTION(Reid)

Approve concept of loan to New Portland Meadows from backside improvement funds for installation of a new safety rail, subject to commission approval of the actual amount of funds needed, as per agreement between New Portland Meadows and the HBPA.

VOTE:

3 Aye, 0 Nay, 2 Excused

6. Initiate Rulemaking on Standards for Inside Rail

Steve Barham began by stating the current rail is in compliance with our current rule, however, it is time now to revisit the issue. Apparently New Portland Meadows is the only large track without a covered gooseneck rail. Need to initiate rulemaking process to look at the issue. The process

should determine (1) if there should be a standard for all tracks in Oregon, or (2) if there should be a difference in standards between New Portland Meadows and the small summer fair race meet tracks.

ACTION: MOTION(Reid) Initiate rulemaking for standards on inside rails.
VOTE: 3 Aye, 0 Nay, 2 Excused

ACTION: MOTION(Reid) Establish an advisory committee comprised of individuals representing the Jockeys' Guild, Josephine County Fair, HBPA, New Portland Meadows, OQHRA and one or two commissioners. Delegate to Steve Barham final approval of individuals representing these groups.
VOTE: 3 Aye, 0 Nay, 2 Excused

7. Approval of Final Orders by Default

a. Santiago Sandoval-Cabrera

ACTION: MOTION(Reid) Adopt the findings of the board of stewards and approve the proposed order as amended effective immediately.
VOTE: 3 Aye, 0 Nay, 2 Excused

b. Thomas E. Kriesel, Jr. (aka Randal G. Ridgeway)

ACTION: MOTION(Reid) Adopt the findings of the board of stewards and approve the proposed order as amended effective immediately.
VOTE: 3 Aye, 0 Nay, 2 Excused

c. Emanuel Kamcab-Ku

ACTION: MOTION(Reid) Adopt the findings of the board of stewards and approve the proposed order as amended effective immediately.
VOTE: 3 Aye, 0 Nay, 2 Excused

d. James R. Hay

ACTION: MOTION(Reid) Approve revocation of license based on the findings as stated.
VOTE: 3 Aye, 0 Nay, 2 Excused

8. Approval of Proposed Final Order for Kimberly R. Floyd

ACTION: MOTION(Reid) Adopt the proposed order which includes the opinion of the hearings officer and incorporates the recommendations of the board of judges.
VOTE: 3 Aye, 0 Nay, 2 Excused

9. Report of Simulcast Subcommittee

Chair Walters recommended they schedule one more meeting of the simulcast advisory committee before finalizing the policy. He suggested the meeting be scheduled between now and the next commission meeting so that action can be taken at the February meeting.

10. Eastern Oregon Livestock Show 1998 Race Meet Application - June 12, 13, and 14, 1998

Steve Barham recommended approval of the application with the condition that a new rail be installed.
ACTION: MOTION(Reid) Approve 1998 race meet on the condition that a new rail is installed according to the new standards which will be established as a result of the rulemaking processed approved today. Delegate to the executive director authority to approve any changes in race meet officials.
VOTE: 3 Aye, 0 Nay, 2 Excused

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11. Action on Proposed Rules of Horse Racing from Hearing

ACTION: MOTION(Reid) Approve all rules with amendments except for OAR 462-031-030, 462-035-005, 462-037-005(4), 462-039-005(3)(4), 462-039-010(1) AND 462-039-015. Action on these rules will take place at the February meeting.

VOTE: 3 Aye, 0 Nay, 2 Excused

12. May Commission Meeting Date

Due to conflicts in scheduling, the May 21st commission meeting was changed to May 28, 1998.

There being no further business, the meeting was adjourned.