

MINUTES

OREGON RACING COMMISSION MARCH 25, 1999

The Oregon Racing Commission met on Thursday, March 25, 1999, at 1:30 p.m. in Room 140 of the Portland State Office Building located at 800 NE Oregon Street, Portland, Oregon. Commissioners in attendance were Steve Walters, Chair (who arrived late due to being in court); Laura Fine, Vice Chair; Tom Towslee and David Price. Richard Reid was excused. In the absence of Chair Walters, Vice Chair Fine called the meeting to order. Agenda items were discussed in the following order with resulting actions:

1. Approval of February 18, 1999, Minutes

ACTION: MOTION(Towslee) Approve minutes as submitted.

VOTE: 3 Aye, 0 Nay, 2 Excused

2. Request for Oregon-bred Status for Greyhound Pups Whelped Outside Oregon

Steve Barham reported the request dealt with a litter of pups that were whelped in California while enroute to Oregon. He stated the rules are clear that in order for a greyhound to be classified as an Oregon-bred, it needs to be whelped in Oregon. Mr. Barham recommended denying the request.

ACTION: MOTION(Price) Deny Oregon-bred status for these greyhounds.

VOTE: 3 Aye, 0 Nay, 2 Excused

3. New Portland Meadows Update

Woody Mitchell stated there were five weeks left in this racing season. The handles remain about the same as they were last month with greyhound simulcasting down 14% and horse simulcasting up 6%. The overall live product handle is up 29%, and the total handle is up 6%. They have been having difficulty in filling races. In addition, they will probably be having a number of horses leaving before the end of the meet to go to Emerald Downs. The purse cushion is in good shape for the upcoming Portland Meadows Mile on April 3rd and The Derby on April 17th.

4. Proposed Final Order for L. Sam Howard

David Price was the hearings officer for this hearing. In addition to the proposed order before the commissioners, Mr. Price wanted to add that this was a case where Mr. Howard was acting as a program trainer for a horse that came up positive for procaine, and in the course of their hearing the board of stewards determined Mr. Howard was not responsible for administering the drug.

ACTION: MOTION(Towslee) Approve proposed order, along with the additions provided by Mr. Price, as a final order.

VOTE: 3 Aye, 0 Nay, 2 Excused

5. Temporary Greyhound Rules - OAR 462-021-005, 462-023-005, 462-023-020, 462-024-060, 462-027-015, 462-027-020, 462-027-080

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Tom Weaver, presiding state judge, Carol Morgan, acting deputy state judge, and Julie Delkamp, association judge, provided explanations regarding the rule changes being presented. The reason for the request to adopt these rules as temporary rules is due to the fact they need to be in place prior to the beginning of official schooling. The full greyhound rule process will take place at the May 20th meeting. Steve Barham recommended approval of the proposed changes.

ACTION: MOTION(Price) File the proposed rules as temporary rules.
VOTE: 3 Aye, 0 Nay, 2 Excused

6. Approval of Final Orders by Default

a. James E. Sannes

Steve Barham reported Mr. Sannes received effective notice of the hearing. The order revokes Mr. Sannes' license, and if his license is ever reinstated it will be suspended for a period of 30 days following payment of fine. He is also ruled off and excluded from all areas under the jurisdiction of the Oregon Racing Commission.

ACTION: MOTION(Towslee) Adopt final order by default.
VOTE: 3 Aye, 0 Nay, 2 Excused

b. Carlos B. Moreno

Steve Barham reported Mr. Moreno received effective notice of the hearing. The license of Mr. Moreno is suspended from date of the order and will remain so for 30 days following payment of fine. He is also ruled off and excluded from all areas under the jurisdiction of the Oregon Racing Commission.

ACTION: MOTION(Price) Adopt final order by default.
VOTE: 3 Aye, 0 Nay, 2 Excused

(Chair Steve Walters arrived)

7. Temporary Account Wagering Rules - OAR 462-055-000, 462-055-011, 462-055-021, 462-055-031

Proposed temporary account wagering rules were discussed by members of the industry and the commission.

ACTION: MOTION(Towslee) In OAR 462-055-021(2) dealing with the establishment of a minimum deposit, adopt \$250 as the minimum deposit amount.

VOTE: 3 Aye (Price, Towslee, Walters), 1 Nay (Fine), 1 Excused (Reid)

ACTION: MOTION(Price) Adopt temporary account wagering rules as amended.
VOTE: 4 Aye, 0 Nay, 1 Excused

8. Request from Darrell and Vicki Lee - *continued from 2/18/99*

This item was initially on the February meeting agenda. A request for continuation until the March meeting was received from Mr. Lee a few days before the February meeting, stating he would be unable to attend due to his being out of town. Since Mrs. Lee was present at the February meeting, the commission reported that, based on legal advice from counsel, the commission was without legal authority to revisit a prior administrative order in the manner requested by Mr. and Mrs. Lee. Chair

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Walters stated that since Mr. Lee had requested a continuation, the item would be placed on the March agenda. Neither Mr. or Mrs. Lee were present at the March meeting.

Other Items Before The Commission

Due to scheduling conflicts, it was decided to change the next commission meeting date from April 22 to April 15. Will look into holding the meeting somewhere in Salem.

There being no further business, the meeting was adjourned.