



MINUTES

Oregon Racing Commission

October 17, 2013

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, October 17, 2013 in Room 1C of the Portland State Office Building located at 800 NE Oregon Street, Portland, Oregon

Call to Order

Commission Chair Christopher Dudley called the meeting to order at 1:30pm

In Attendance

Commissioners: Chair Christopher Dudley, Vice-Chair Charles Williamson, Commissioner Jan Palmer, DVM, Commissioner Angel Baez

Staff

Jack McGrail, Executive Director and Kelly Gabliks, Assistant Attorney General

Excused

Commissioner Michael Huber, DVM

AGENDA ITEMS

Approvals:

October 17, 2013 Meeting Agenda

Action: Motion to approve the agenda as submitted.

Moved by: Commission Vice-Chair Williamson

Seconded: Commissioner Baez

Vote: Chair Dudley took roll and the results were unanimous with 4 Ayes, 0 Nays

September 19, 2013 Meeting Minutes

Action: Motion to approve the September 19, 2013 Commission meeting minutes as submitted with a name correction in the FROG report portion from Randy Evers to Randy Boden.

Moved by: Commission Vice-Chair Williamson

Seconded: Commissioner Baez

Vote: Chair Dudley took roll and the results were unanimous 4 Ayes, 0 Nays

Old Business:

Sub-Committee Update Reports:

- a. Advanced Deposit Wagering (ADW) and Multi-jurisdictional Hubs
Commission Vice-Chair Williamson stated that the sub-committee had not met. He stated that they will meet next month.
- b. Best Practices
No report
- c. Budget and Hub Funds
Commissioner Palmer stated that the sub-committee met prior to the meeting. She stated that the sub-committee has new members it was important to conduct an overview of the budget and allocations.
- d. Medication and Horse Welfare
No report
- e. Executive Director's Report
Executive Director Jack McGrail stated that the Oregon Racing Commission and the Washington Racing Commission together conducted the Steward's Continuing Education Seminar last month. He stated that there were some very distinguished presenters including the ORC's Stewards Martin Hamilton and Mike Twiggs along with the ORC's attorney Kelly Gabliks, Assistant Attorney General. Director McGrail stated that the Technical Director of Truesdail Laboratory Dr. Norman Hester, Ph.D. conducted a great presentation along with the Executive Director and Chief Operating Officer of the Racing Medication and Testing Consortium Dr. Dionne Benson, DVM. Director McGrail thanked Will Alempijevic, General Manager of Portland Meadows for hosting the seminar at Portland Meadows. He stated that it was a very good event.

Director McGrail stated that the computer program adjustment that was needed in order to print the special event license has been completed.

Director McGrail reported that the ORC's Advance Deposit Wagering (ADW) manager Jill Miller recently attended the 21st Annual International Simulcast Conference. The conference was presented by the Thoroughbred Racing Association (TRA) in Lexington, Kentucky. Among the topics discussed were instant racing, auditing, tax policies for ADWs, and tote security. Director McGrail stated that Ms. Miller's report reflected that the conference was very informative and that all the industry players were there. Director McGrail stated it is vital that the ORC has a presence at these conferences. He stated that in the future the ORC will continue to be prominent at these industry events including the Global Symposium on Racing and Gaming 2013 that is coming up this December in Tucson, Arizona.

He reported that Ms. Miller also conducted an onsite visit and audit of Twin Spires during her time in Lexington.

Director McGrail stated that Portland Meadows continues to have strong numbers with a handle over \$600,000.00 for Wednesday, October, 16th. He stated that he was anxious to hear the Portland Meadows report.

Director McGrail reported that Nancy Artmann the ORC's Administrative and Program Coordinator has resigned her position with the ORC as she has accepted a position with the Clackamas County Sherriff's Office. He stated that the ORC appreciates her contributions during her tenure with the agency.

f. **Future of Racing in Oregon Group (FROG) update**

Commissioner Palmer stated that the group met Thursday, October 10, 2013. She stated that the meeting had a good turn-out. She reported that Don Slone and Dean Noyes were present to represent the summer fairs. She stated that there was lively discussion and the starting gate issue and field size at the fairs were among the topics discussed.

g. **Portland Meadows (PM) Report**

Will Alempijevic General Manager of PM was present to share the monthly report with the Commissioners. He stated that the information being presented is from the start of the race meet thru Sunday, October 13, 2013. He stated that PM has had 20 live race days this year versus 35 last year. There were two partial day cancelations due to the power outages last year.

He stated that so far this year PM has seen great returns from shifting race days and times along with the increase to purses. The average field size this year is 7.45 runners per race versus 6.62 runners per race last year. This is an average increase of .83 runners per race. Mr. Alempijevic reported that the total purses that have been paid out to date this year are just over \$1,000,000.00. On average, the daily total for purses that have been paid this year is \$54,398.00 versus last year's average of \$40,122.00. This is an increase of about 36% year over year. These results are due to running fewer days per week, increasing the bottom purse to \$5,000.0 and the contribution from the Oregon Horsemen's Benevolence and Protective Association (OHBPA).

Mr. Alempijevic stated PM has finished the summer portion of the race meet and that it was very strong in regards to handle. Mr. Alempijevic stated that the handle data is thru Sunday, October 13, 2013. He stated PM is currently averaging just over \$40,000.00 for on track wagers versus \$32,000.00 last year. This is an increase of 26% year over year. He stated that this is a number to be proud of and reflects acceptance of the changes.

Mr. Alempijevic stated that the off-track betting numbers in Oregon are \$5,250.00 per race day versus \$3900.00 last year which is an increase of 33%. The in-state total is \$45,707.00 this year versus \$36,027.00 last year. Mr. Alempijevic stated that export sales have also been strong. This year PMs daily average on export sales are \$371,901.00 which is an increase of 58% year over year from last year's daily average of \$235,281.00.

Mr. Alempijevic stated that with regard to the wagering in Oregon, the time period comparison is from January 1, 2013 thru Sunday, October 13, 2013 versus January 1, 2012 thru Sunday, October 13, 2012. The in-state wagers are \$24,128.00 versus \$26,455.00 last year which is a drop of nearly 9%. The majority of that drop can be attributed to having fewer off track betting sites (OTBs) open.

Mr. Alempijevic stated that the marketing plan is still moving forward. The television show has wrapped up and is available now. PM will air the shows on a regular basis from their social media.

h. Oregon Horsemen's Benevolence & Protective Association (OHBPA)

OHBPA Executive Director Randy Evers stated that the OHBPA will be hosting a meeting with the Oregon Thoroughbred Owners and Breeders Association (OTOBA) and the Oregon Quarter Horse Racing Association (OQHRA) tomorrow Friday, October 18, 2013 at 11:00am. The meeting will be to discuss and develop an agreement between the associations and PM for the instant racing machines. The process is that the three associations will develop the agreement and then present it to PM. Director Evers stated once the agreement is complete a meeting will be scheduled with PM to finalizing a contract.

New Business:

None

Information, Materials and Approvals:

None

Contested Cases:

Manuel Hernandez Camacho Final Order:

ORC attorney Kelly Gabliks, Assistant Attorney General stated that Mr. Hernandez completed the Spanish version of the ORC license application form. On the application he answered "no" to question #4 which relates to whether or not you have ever been arrested and/or convicted of any crime. When the investigators completed the background check for Mr. Hernandez, they discovered that he had in fact been arrested numerous times and also had several convictions. The ORC board of Stewards recommended that his license be denied due to the nature of his convictions and arrests and the falsification of his application. Mr. Hernandez requested a hearing and he was not represented by counsel. Ms. Gabliks stated that she asked him if he would be more comfortable having an interpreter at the hearing and he stated that he would like to have one. Ms. Gabliks stated that she prepared the hearing notebook and arrived on time for the hearing along with the Judge, Investigator, Interpreter and Steward. Ms. Gabliks stated that Mr. Hernandez did not show up for his hearing nor did he contact anyone regarding canceling or rescheduling. Ms. Gabliks stated that she is presenting this case today before the ORC to decide whether or not the ORC would like to issue a final order by default and deny Mr. Hernandez his license.

Action: Motion to approve final order by default and deny licensure for a period of three (3) years.

Moved by: Commission Vice-Chair Williamson

Seconded: Commissioner Baez

Vote: Chair Dudley took roll and the results were unanimous 4 Ayes, 0 Nays

Other Business As May Properly Come Before the Commission:

Commission Chair Chris Dudley reported that the ORC has been requested by the Racing Medication and Testing Consortium (RMTC) to adopt the Uniform National Medications Rules, Penalties and Laboratory Accreditation. He stated that the report they sent is lengthy and complicated. He stated that he would like to refer the matter to the ORC Animal Safety and Medication sub-committee for review and recommendations.

Action: Motion to approve that the matter of the RMTC request to adopt the Uniform National Medications Rules, Penalties and Laboratory Accreditation be referred to the ORC Animal Safety and Medication sub-committee for review and recommendations.

Moved by: Commission Vice-Chair Williamson

Seconded: Commissioner Baez

Vote: Chair Dudley took roll and the results were unanimous 4 Ayes, 0 Nays

Public Comment:

None

Confirmation of the Next Commission Meeting:

The next ORC meeting will be Thursday, November 21, 2013, at 1:30pm in Room 1E of the Portland State Office Building located at 800 NE Oregon Street, Portland, OR 97232

Adjournment:

Action: There being no further business, the meeting was adjourned at 2:05pm

Moved by: Commission Vice-Chair Williamson

Seconded: Commissioner Baez

Vote: Chair Dudley took roll and the results were unanimous with 4 Ayes, 0 Nays