



EMERGENCY MEETING MINUTES

Oregon Racing Commission June 30, 2014

Meeting Detail

The Oregon Racing Commission (ORC) met on Monday, June 30, 2014 in the office of the ORC Suite 310 of the Portland State Office Building (PSOB) located at 800 NE Oregon Street, Portland, Oregon.

Call to Order

Commission Chair, Chris Dudley, called the meeting to order at 2:00pm

In Attendance

Commissioners: Chair Chris Dudley in person, Vice-Chair Charles Williamson by phone, Commissioner Jan Palmer, DVM by phone, Commissioner Michael Huber, DVM by phone and Commissioner Angel Baez in person

Staff

Jack McGrail, Executive Director in person and Kelly Gabliks, Assistant Attorney General by phone

AGENDA ITEMS

Approvals:

June 30, 2014 Emergency Meeting Agenda

Action: Motion to approve the agenda as submitted

Moved by: Commission Vice-Chair Charles Williamson

Seconded: Commissioner Michael Huber, DVM

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

New Business:

Statement of the basis for holding an emergency meeting:

Kelly Gabliks, Assistant Attorney General stated that the Commission is holding this emergency meeting with less than 24 hours notice to consider and if acceptable adopt temporary rules to modify the rules of the race meet application requirement to allow Portland Meadows (PM) to timely submit a complete application without a written agreement with the Oregon Horsemen's Benevolent and Protective Association

(OHBPA) for consideration by the Commission prior to the expiration of their current license which expires today. The need for the change in the race meet application rule came to the attention of the Commissioners at a special meeting held earlier today which prompted the need for this emergency meeting. The Commissioners feel that for the continuation of horse racing in Oregon it was important to consider changing the race meet application requirements in this situation to allow PM to timely submit a complete application.

Discussion and possible approval of two new temporary rules:

Kelly Gabliks, Assistant Attorney General reported that as was stated in the notice, the first proposed temporary amendment is to OAR 462-120-0050 (1). She stated that the only change to this rule is the elimination of the phrase “which will be due 30 days prior to the scheduled Commission meeting at which the application is to be presented.”

Kelly Gabliks, Assistant Attorney General stated that the second proposed temporary rule amendment is to OAR 462-120-0050 (1) (n) (E). She stated that the change is to allow a race meet licensee to provide an agreement or statement as to when the commercial race meet applicant anticipates entering into such an agreement between the applicant and the OHBPA as anticipated in ORS 462-062 with such agreement due no later than 30 days after the race meet licensee has submitted a race meet application to the Commission for consideration.

Action: Motion to approve both temporary proposed rule amendments to rule OAR 462-120-0050 as drafted by ORC counsel.

Moved by: Commission Vice-Chair Charles Williamson

Seconded: Commissioner Angel Baez

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

Discussion and Possible Approval of a Race Meet License for Portland Meadows:

Commissioner Charles Williamson asked ORC Executive Director Jack McGrail if there were any conditions that should be placed on the approval of the race meet application submitted by Portland Meadows (PM). Director McGrail stated that the ORC will need a copy of both the insurance policy renewal and the agreement between PM and the OHBPA that is to be provided to the Commission within the next thirty days as indicated in the new amended temporary rule.

Action: Motion to approve the Portland Meadows race meet license application subject to the insurance policy being renewed and that the ORC receive a copy of the agreement between the OHBPA and PM within thirty days.

Moved by: Commission Vice-Chair Charles Williamson

Seconded: Commissioner Jan Palmer

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays

Public Comment:

Randy Evers Executive Director of the OHBPA asked for clarification as to whether the Commission intends to approve the agreement or only inferring that verification of the agreement is in place between the two parties. Commission Chair Dudley stated that it is not the policy or in rule that the Commission approves the agreement. The rule states that a copy of the agreement between the OHBPA and race meet license applicant needs to be submitted as part of the license application criteria. He stated that this agreement needs to be received by the ORC within thirty days of the conditional race meet application approval.

Adjournment:

Action: There being no further business, the meeting was adjourned at 2:15pm

Moved by: Commission Vice-Chair Charles Williamson

Seconded: Commissioner Angel Baez

Vote: Chair Dudley took roll and the results were unanimous with 5 Ayes, 0 Nays