



Work Session

Oregon Racing Commission

May 21, 2015

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, May 21, 2015, in Room 1A of the Portland State Office Building (PSOB), 800 N.E. Oregon St., Portland, Oregon.

Call to Order

Commission Chair Chris Dudley called the meeting to order at 1:39 p.m.

In Attendance

Commissioners: Chair Chris Dudley, Commissioner Jan Palmer, DVM

Excused

Vice-Chair Charlie Williamson, Commissioner Michael Huber, DVM, and Commissioner Angel Baez

Staff

Jack McGrail, Executive Director

AGENDA ITEMS

Approvals:

Because there was no quorum present, only a work session took place. No final business was conducted or approved.

Old Business:

Sub-Committee Update Reports:

a. Advanced Deposit Wagering (ADW) and Multi-Jurisdictional Hubs

No report

b. Best Practices

Chair Dudley stated that during the Best Practices work session earlier in the day, the Commission reviewed whether it was meeting key performance measures and found that it was, with the exception of the timely evaluation of the Executive Director. An updated report will be provided after discussion when there is a quorum.

c. **Budget and Hub Funds**

No report

d. **Medication and Horse Welfare**

Executive Director Jack McGrail said the committee met and discussed studies done in support of the uniform medication and safety goals. The committee decided to hold an informal stakeholders meeting at 1 p.m. July 3 in the track kitchen at Grants Pass.

He said the ARIC controlled therapeutic medication and the endogenous dietary and environmental schedules had been updated, would be on the ORC website shortly and would be discussed at the informal meeting. He added that there will be at least two more chances for people to comment.

e. **Executive Director's Report**

Executive Director McGrail said that Truesdail Lab, an accredited lab under contract with ORC to provide drug testing for horses at both the commercial and fair meets, had recently had its contract terminated by the Indiana Racing Commission. Indiana's quality control program and referee lab found that Truesdail failed to detect illegal drugs in recent test samples. Executive Director McGrail said the ORC was seriously concerned about this and would be reviewing its contract with Truesdail and taking steps to ensure the integrity of testing. Dr. Stacey Katler, State Veterinarian, and the state medication committee will draft new protocols, and the Executive Director plans to meet with Truesdail's chief science officer. Truesdail is contesting the termination of its contract with the Indiana Racing Commission.

Commission Jan Palmer, DVM, asked if Oregon cross-checked its samples with a second lab, and Executive Director McGrail said it did not, but would be within a month.

Executive Director McGrail provided a legislative update. House Bill 2481, which established a refundable filing fee for licensees appealing a stewards' ruling, was signed by the governor May 18. HB 28765, which would prohibit greyhound racing, is in committee with no votes taken. HB 2201, which establishes a gaming council, is in committee with no votes taken. HB 2719, which increases the share of money the Commission would retain from ADW cash revenues, is before the Ways and Means Committee. Senate Bill 5536, the budget bill, has passed the Senate and is expected to be passed by the House and signed by the governor.

Executive Director McGrail noted there had been a limited outbreak of Equine Herpes Virus, but it seemed to be contained.

He added that on a national level, the NTRA is supporting federal legislation and amended Treasury regulations aimed at fairer treatment for bettors, which involves redefining the amounts of wagers for determining withholding and reporting requirements. The current guidelines were drawn up before Pick-3, Pick-4 and Superfecta-type bets became commonplace. Details are on the NTRA website.

The Executive Director noted 1,000 horses are stabled at Emerald Downs, the largest number since 2011, and that the fair meets in Oregon start in 3 weeks in Union.

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

Commissioner Jan Palmer stated that the FROG met last Thursday. The group discussed the upcoming race meet, what it costs to keep the backside open. It also discussed information on post-racing after care, with **Randy Bodin and Gordon Tomlin** presented links from the Thoroughbred Charities of America that could go on websites, including ORC, that would not recommend, promote or endorse any group but simply provide information. Members of FROG will take that back to their groups for approval.

New Business:

Discussion and Possible Approval of Jockey Insurance Policy and Premium:

Executive Director McGrail said approval was required for the jockey insurance policy and premium. Usually it is included within the operator's license application, but this year the fairs were negotiating until well past the applications were due. He said has reviewed the policy, found it appropriate and recommends moving it to next month's meeting for approval when a quorum is present. He noted that the initial premium quote was 1½ times what the meets ended up paying.

Report on Renewal Approval for Three Totes:

Josh Dieringer, ORC mutuels auditor, reported that he and ADW Supervisor Connie Winn had reviewed renewals received for **United Tote, AmTote and Sportech**, including SOC Type 2 independent audit reports. He said no findings emerged that would cause the Commission not to renew the annual licenses. Mr. Dieringer noted that one discrepancy came up in a United Tote SOC Type 2 audit, but it was caught and corrected and did not affect his recommendation. He added that Intermountain Tote's renewal package and fee would be ready by the June ORC meeting.

Contested Cases:

None

Other Business As May Properly Come Before the Commission:

None

Public Comment:

Dave Nelson of the OQHRA and the American Quarter Horse Association reported that the AQHA had reaffirmed its position on the use of Clenbuterol, that it may appear in any equine biological sample, including hair samples. He noted that Grants Pass has adopted a Clenbuterol-free position, and the Quarter Horse group is working to develop a protocol with **Dr. Craig** and Commissioner Michael Huber, DVM, who has indicated the ORC should not be directly involved in hair sampling at Grants Pass.

Mr. Nelson said Commissioner Huber had suggested congregating hair samples from 8 horses to establish a baseline, without identifying individual horses or trainers. The 8 horses will be the qualifiers for the Firecracker Futurity, the meet's largest race.

Mr. Nelson said the Clenbuterol ban at Grants Pass had been announced in February at the OQHRA annual meeting. He clarified that horses would not be prohibited from entering, but the goal was to get a baseline for potential rule making. He said it should not affect entries.

In response to a question from Chair Dudley, Mr. Nelson said the tests cost \$250 each, or \$2,000 for 8 tests.

Randy Evers of the Oregon Horsemen's Benevolent and Protective Association, and Will Alempijevic, General Manager of Portland Meadows (PM), reported that the HBPA executive committee had met with representatives of PM, and Mike Rogers of Stronich Group. Mr. Evers said the groups had reached a conceptual agreement, attorneys were drafting language, and they were optimistic they would have an application and agreed-to horseman's contract to the ORC by the May 26 deadline.

Mr. Alempijevic echoed Mr. Evers' remarks. Mr. Evers further thanked the Commission for its allocation of Hub funds to the HBPA.

Chair Dudley asked about accommodations for horses on the PM backside. Mr. Alempijevic said the track had 800 stalls, with occupancy peaking at 605 last year. A total of 467 unique Thoroughbreds raced at last year's meet (plus Quarter Horses, but data was unavailable for them). He added that 43% of the 467 Thoroughbreds had made their last start at Emerald Downs.

Confirmation of the Next Commission Meeting:

The next ORC meeting will be Friday, June 26, 2015, at the Host House on the Josephine County Fairgrounds in Grants Pass, at 2:30 p.m.

Adjournment:

There being no further business, the work session was adjourned at 2:17 p.m.