



Minutes
Oregon Racing Commission
January 16, 2020

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, Jan. 16, 2020, in Room 1A of the Portland State Office Building (PSOB), 800 N.E. Oregon St., Portland, OR.

Call to Order

Chair Jan Palmer, DVM, called the meeting to order at 1:30 p.m.

In Attendance

Commissioners: Chair Jan Palmer, DVM; Vice Chair Diego Conde; Commissioner Steven O'Hagan; Commissioner Charles Williamson (on phone)

Staff

Executive Director Jack McGrail; Catriona McCracken, Assistant Attorney General (AAG)

Agenda Items

Approvals:

Action: Approval of the meeting agenda, amended to add under New Business: Discussion and possible approval of EOLS Forms A, B, C; and Discussion and possible authorization of disbursement of Backside Improvement Funds to Crooked River Roundup, Tillamook County Fair and Harney County Fair

Moved by: Vice Chair Diego Conde

Seconded: Commissioner Steven O'Hagan

Vote: Commissioners Palmer, Conde, Williamson and O'Hagan voted AYE, and the motion carried unanimously (4:0).

Action: Approval of the minutes from the Nov. 21, 2019, ORC meeting

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Diego Conde

Vote: Commissioners Palmer, Conde, Williamson and O'Hagan voted AYE, and the motion carried unanimously (4:0).

Old Business:

Executive Director's Report

Executive Director Jack McGrail reported that the ORC will amend rule 462-150-0040, regarding horse identification, to include digital tattoo. The amended rule will follow the Thoroughbred Racing Protective

Bureau's recommended language to align with the rest of the country. Senior State Veterinarian Tom Everman, the stewards and test barn staff will attend training in April at Emerald Downs.

ALS Group (Truesdail Lab) has informed the Commission that it will be able to conduct hair testing by the start of the spring meet at Grants Pass Downs. Director McGrail stated that the Commission will send all samples to them, and the lab has committed to an eight-day turnaround, which should permit purses to be paid out more quickly.

The Oregon Fairs Association met last Saturday in Roseburg. Director McGrail reported there was a productive discussion on challenges facing the fairs, including jockey insurance, premiums, the number of jockeys, handle and distribution of the simulcast signal. He added that Doug Smith, race director of the Crooked River Roundup, is optimistic about the ability to enhance the simulcast signal and consequently increase the handle.

Director McGrail noted that it will take concerted effort and creative thinking to get horses to go from Grants Pass to Union for the Eastern Oregon Livestock Show's three-day meet in June. He emphasized that it is important to support that race meet, noting that TMB Racing has been a cooperative partner in trying to help the fairs.

Director McGrail congratulated Grants Pass Downs on being awarded an AQHA Challenge race, and Randy Evers, executive director of the Oregon Horsemen's Benevolent & Protective Association (OHBPA) on his new job, effective Feb. 1, as president of Grants Pass Downs.

On the national front, Director McGrail noted momentum is building for the Horseracing Integrity Act, with more than half of the voting members of the House signed on as co-sponsors. Medication reforms occurring throughout the country, such as those in California and Kentucky, could affect racing in Oregon. He noted that Dr. Everman is attending a seminar for regulatory veterinarians in March, and Chief Investigator Katrina Robson is attending a conference for racing investigators in February. The ORC's Medication and Horse Welfare Subcommittee will meet in March following those two events.

Director McGrail noted that he and Program & Administrative Coordinator Karen Parkman will be in Salem in February to seek approval for next year's budget. The date has not been set yet. In regard to allocations for the remainder of this fiscal year, he noted that revenue from Instant Racing is nonexistent and there has been a dramatic reduction in simulcast handle for the first half of the fiscal year: From July through December 2018, that handle totaled \$13,391,185; for that six-month period in 2019, the amount was \$4,450,816, or a 66 percent decrease. That decline affects everyone: the Commission, breeders, horsemen. On a positive note, Director McGrail said TMB Racing recently indicated a commitment to revitalizing that market by pursuing additional OTB sites and particularly recapturing the Portland market, which accounts for most of the lost handle.

New Business

Discussion and Possible Approval of Form A for Crooked River Roundup

Action: Approve Form A for Crooked River Roundup, July 15, 16, 17, 18, 2020

Moved: Vice Chair Diego Conde

Seconded: Commissioner Steven O'Hagan

Vote: Commissioners Palmer, Conde, Williamson and O'Hagan voted AYE, and the motion carried unanimously (4:0).

Discussion and Possible Approval of Form A for Harney County Fair

Director McGrail noted that the Harney County Fair has moved its dates from September to July, to follow the Crooked River Roundup in Prineville, in response to a request from the horsemen. It has also reduced its meet from three to two days.

Action: Approve Form A for Harney County Fair, July 25, 26, 2020

Moved: Vice Chair Diego Conde

Seconded: Commissioner Steven O’Hagan

Vote: Commissioners Palmer, Conde, Williamson and O’Hagan voted AYE, and the motion carried unanimously (4:0).

Discussion and Possible Approval of Form A for Tillamook County Fair

Action: Approve Form A for Tillamook County Fair, Aug. 5, 6, 7, 8, 2020

Moved: Vice Chair Diego Conde

Seconded: Commissioner Steven O’Hagan

Vote: Commissioners Palmer, Conde, Williamson and O’Hagan voted AYE, and the motion carried unanimously (4:0).

Discussion and Possible Approval of Forms A, B, C for Eastern Oregon Livestock Show (EOLS)

Director McGrail reported that Nate Jacob, who had announced he was stepping down as director of racing for the meet, will be back this year, as EOLS has had trouble finding a replacement for him. Director McGrail also noted that EOLS is expected to request an allocation from the Backside Improvement Fund.

Action: Approve Forms A, B, C for Eastern Oregon Livestock Show, June 12, 13, 14, 2020

Moved: Vice Chair Diego Conde

Seconded: Commissioner Steven O’Hagan

Vote: Commissioners Palmer, Conde, Williamson and O’Hagan voted AYE, and the motion carried unanimously (4:0).

Discussion and Possible Approval of Amendment to OAR 462-200-0665, Pick (n) Position (x)

ADW Supervisor Connie Winn explained that the Association of Racing Commissioners International (ARCI) has updated the Pick (n) Position (x) pool, and the proposed amendment would bring the OAR in line with the model rule. There has been no public comment. Ms. Winn recommended approval of the amendment.

Action: Amend OAR 462-200-0665, Pick (n) Position (x) as proposed

Moved: Vice Chair Diego Conde

Seconded: Commissioner Steven O’Hagan

Vote: Commissioners Palmer, Conde, Williamson and O’Hagan voted AYE, and the motion carried unanimously (4:0).

Discussion and Possible Approval of Commission Meeting Dates 2020

Action: Approve Commission meeting dates for 2020

Moved: Commissioner Steven O’Hagan

Seconded: Vice Chair Diego Conde

Vote: Commissioners Palmer, Conde, Williamson and O’Hagan voted AYE, and the motion carried unanimously (4:0).

Discussion and possible authorization of disbursement of Backside Improvement Funds to Crooked River Roundup, Tillamook County Fair and Harney County Fair

Chair Palmer recapped that the Commission in November allocated the majority of the Backside Improvement Funds, \$150,000, to TMB Racing, leaving approximately \$41,000 in the fund. That sum was set aside for possible contribution to the fairs. Three requests have been submitted.

Director McGrail reported that the Crooked River Roundup has requested approximately \$9,000 for lighting in the barn area, improvements to the paddock and test barn. The OHBPA indicated that was good use of the funds. Director McGrail noted he had requested additional test barn improvements, which would bring the total required to \$10,000. Chair Palmer suggested disbursement of up to \$10,000.

Tillamook County Fair has requested \$15,000, Director McGrail stated, for improvements to the rail, barns, track crossing. The industry groups supported the projects. Director McGrail suggested each fair receive \$10,000.

Harney County Fair, which has scaled back from three to two days, has requested \$8,000, Director McGrail reported. He suggested deferring action on the request, until he can speak with the Fair Manager Jordon Bennett about whether that is enough money to improve the barns. He noted that the fair has also requested funds from OTOBA.

Director McGrail added he expects a request from the Eastern Oregon Livestock Show. All the requests so far meet the statutory requirements of the fund.

Chair Palmer suggested approving up to \$10,000 for each fair, as long as a reasonable request was presented.

Action: Authorize disbursement of up to \$10,000 from the Backside Improvement Fund for each fair meet: Eastern Oregon Livestock Show, Crooked River Roundup, Harney County Fair and Tillamook County Fair.

Motion: Commissioner Steven O'Hagan

Seconded by: Vice Chair Diego Conde

Vote: Commissioners Palmer, Conde, Williamson and O'Hagan voted AYE, and the motion carried unanimously (4:0).

Public Comment:

Lynnelle Fox Smith, executive director of the Oregon Thoroughbred Owners & Breeders Association (OTOBA), noted that the group's awards banquet is Feb. 22 at Spirit Mountain Casino and invited the Commissioners to attend.

She provided OTOBA statistics from 2013-19. She noted that the organization has not paid bonuses yet on the 14-day Grants Pass meet and will wait until June 30 to accumulate as much money as possible on percentage of handle, but stated that the bonus will be significantly less than last year.

Ms. Smith added that breeders' awards have been suspended pending hub fund allocations.

She noted there is good news regarding registrations: For 2019, the Jockey Club reported 68 foals registered in Oregon, that's up 8 percent from the previous year, and a 25 percent increase from 2016, the year the foal registration reimbursement program began. That program, she added, also has been suspended for lack of funds.

OTOBA paid breeders' and owners' awards, funded from hub funds, for the summer race meets: 42 breeders received money. Purses restricted to Oregon-breds have held pretty steady, she noted. Total earnings for 144 Oregon-breds running in the United States and Canada was \$930,710.

The OTOBA board will meet this week to review requests for funds designated by the Legislature for safety improvements at tracks holding race meets and education for Thoroughbred owners and breeders. OTOBA has received requests from all the fairs except EOLS, she added.

Ron Sutton, OHBPA president, reported the upcoming departure of Executive Director Randy Evers for TMB Racing. Mr. Sutton stated that Randy Boden or Amwest Entertainment will replace him, effective Monday.

Contested Cases:

None

Confirmation of next meeting:

The next Commission meeting will be at 1:30 p.m. Feb. 20, 2020, in Room 1A of the Portland State Office Building.

Adjournment:

Action: Motion to adjourn.

Moved by: Vice Chair Diego Conde

Seconded: Commissioner Steven O'Hagan

Vote: Commissioners Palmer, Conde, Williamson and O'Hagan voted AYE, and the motion carried unanimously (4:0).

There being no further business, the meeting was adjourned at 2:09 p.m.