



Minutes
Oregon Racing Commission
May 21, 2020

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, May 21, 2020. The meeting was held via teleconference.

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

Staff

Executive Director Jack McGrail; Catriona McCracken, Assistant Attorney General

Agenda Items

Approvals:

Action: Approval of the meeting agenda, revised to delete possible approval of Forms B and C for fair meets, possible approval of final order for contested case, and FROG report

Moved by: Vice Chair Diego Conde

Seconded: Commissioner Charles Williamson

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

Action: Approval of the minutes from the April 21, 2020, ORC meeting

Moved by: Vice Chair Diego Conde

Seconded: Commissioner Charles Williamson

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 Commission has received official notice of cancellation from all the summer meets for 2020. The silver lining: This will give them lots of

time to complete scheduled improvements. He noted that the Crooked River Roundup and Tillamook County Fair, for example, have ambitious projects planned.

Grants Pass Downs (GPD) opened for training May 15, with three full-time ORC staff on site: Senior State Veterinarian Tom Everman, DVM; Presiding State Steward Mike Twiggs; and Chief Investigator Katrina Robson. Deputy State Steward Jim Smith and two test barn staff will join a few days before racing starts June 16.

Noting that horsemen are largely complying with COVID-19 protocols, Director McGrail stated that the industry should set an example of being able to operate safely. Races will be conducted with no fans on the grounds, but Director McGrail added he hoped for a robust simulcast audience.

Truesdail laboratory has fulfilled its accreditation requirements for horseracing, he reported, and the Commission will continue to use it as the primary lab for testing. Hair samples will continue to be sent to the University of California-Davis.

The pandemic lockdown has closed the OTB network, Director McGrail noted, but as counties reopen, some of those outlets should be back in business soon. He stated that from what he has seen in photos, the new OTB in Portland looks good, with multiple televisions, self-service mutuel machines, and food and beverage options.

Director McGrail stated that Dr. Everman reports the new horse ambulance at GPD is state of the art. The ambulance has been equipped with a Kimzey front-limb splint. Furthermore, GPD has repositioned the test barn. Such steps demonstrate the GPD commitment to racing, he noted. Attention to equine welfare is a nationwide trend, he added, reflected in the statistics. According to the Jockey Club's Equine Injury Database, the 2019 equine fatality rate is 1.53 per 1,000 starts, a new low.

He reported that things are progressing slowly in Salem, but the ORC budget for fiscal 2021 remains in the queue for approval, which should be a routine matter. He expects that will happen in the next few weeks.

Grants Pass Downs (GPD) Report

Randy Evers, president of GPD, reported that the track opened May 15 and training began May 18. Lots of sand and soil have been added to the surface, and he stated that riders say the track is fabulous. With no fans on site, races have been moved from the weekend to Tuesday and Wednesday in hopes of maximizing internet revenue. First post will be 4 p.m. Race dates are June 16, 17, 23, 24, 30 and July 1, 6, 7, 8.

Mr. Evers stated they are eager to reopen the OTBs, but have to be sure COVID-19 protocols -- such as the distance between machines, wiping them down between players -- are in place. They are hoping to be able to open the first or second week of June.

Kendra Lellis of GPD stated that safety measures at the track include: Two security guards on duty around the clock screening people before they enter the property, taking temperatures, and

asking questions about symptoms and possible exposure. They are handing out masks provided by the Oregon Horsemen's Benevolent and Protective Association (OHBPA) and verifying ORC licenses. The track has installed 65 hand-sanitizing stations on the backside. Only one person is permitted in the race office at a time.

GPD and Josephine County are in Phase 1 reopening, she stated. After 21 days, the county may enter Phase 2, which allows gatherings of up to 100 people. She noted that many restaurants in the city are open, with social distancing and staff wearing masks.

Rod Lowe reported on the backside. He noted that space has been reserved for 450 horses; 150 to 200 are on site. There are 300 new, 12 by 12 stalls. Lights have been put in all stalls. Horsemen are following safety protocols. Projects are continuing on the frontside and infield, he reported.

Discussion of Horseracing Integrity Act of 2019

Director McGrail noted that the OHBPA has echoed the national Horsemen's Benevolent and Protective Association in opposing the Horseracing Integrity Act as written, arguing there is no safe alternative to race-day Lasix and its use should be permitted until there is. GPD has not taken a position and plans to discuss the matter in July; the Oregon Thoroughbred Owners and Breeders Association is remaining neutral.

Determining the act's economic impact is difficult, he noted. It could result in a per-start testing fee that would be a lot for small tracks to absorb. It is unclear, he added, whether fair meets would be subject to the law: They may be exempt if they don't participate in interstate simulcast. That raises the question, he added, of whether the ORC wants two sets of rules, for fairs and for the commercial meet. He wondered if the Oregon legislators supporting the bill have tried to find out how it would affect a jurisdiction such as Oregon.

Director McGrail stated that nationally, many industry groups are supporting the act, including the Jockey Club, the Stronach Group, and a number of racetracks, breeders, and animal welfare groups. However, on the other side, the HBPA, the American Quarter Horse Racing Association, and the American Association of Equine Practitioners are opposing it. He noted that there is general agreement on the greater goal of obtaining uniformity in medication rules.

Vice Chair Conde and Commissioner Williamson suggested the Medication and Horse Welfare Subcommittee come up with a formal position on the act and bring it to the full Commission next month, with an eye to bringing that position, with the approval of the Governor's Office, to the attention of Oregon's Congressional delegation.

New Business

None

Public Comment:

Randy Boden of the OHBPA stated that, because of the economic climate, the board voted to use Commission-provided funds to extend its payout to starters at GPD so that each starter will receive a minimum of \$300.

Doug Smith of the Crooked River Roundup asked that, provided the Commission has adequate funding for 2021 purses, the Commission, GPD, and the fairs develop a plan to help keep the horsemen in business, such as extra days, races, or purses. Also, he noted that although the fairs are canceled this year, they still have costs for 2020 that they will be unable to recoup. He suggested the fairs receive \$3,000 per scheduled 2020 race day from the Commission to help with those costs.

Chair Palmer responded that the Budget Subcommittee will meet and determine what funding is available.

Contested Cases:

None

Confirmation of next meeting:

The next Commission meeting will be at 1:30 p.m. June 18, 2020, location to be determined.

Adjournment:

Action: Motion to adjourn.

Moved by: Vice Chair Diego Conde

Seconded: Commissioner Charles Williamson

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 2:05 p.m.