



**Minutes**  
**Oregon Racing Commission**  
**Nov. 19, 2020**

**Meeting Detail**

The Oregon Racing Commission (ORC) met on Thursday, Nov. 19, 2020. The meeting was held via videoconference.

**Call to Order**

Chair Diego Conde called the meeting to order at 1:31 p.m.

**In Attendance**

**Commissioners:** Chair Diego Conde; Vice Chair Steven O'Hagan; Commissioner Jan Palmer, DVM; Commissioner Charles Williamson

**Staff**

Executive Director Jack McGrail; Catriona McCracken, Assistant Attorney General

**Agenda Items**

**Approvals:**

**Action:** Approval of the meeting agenda

**Moved by:** Commissioner Charles Williamson

**Seconded:** Commissioner Jan Palmer, DVM

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

**Action:** Approval of the minutes from the Sept. 17, 2020, ORC meeting

**Moved by:** Commissioner Charles Williamson

**Seconded:** Commissioner Jan Palmer, DVM

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

**Old Business:**

**Medication and Horse Welfare Subcommittee Report**

Subcommittee Chair O'Hagan reported that the subcommittee heard a report this morning from Senior State Veterinarian Tom Everman on the Grants Pass Downs meet. He said Dr. Everman reported that out of 1,157 starters, there was one equine fatality. Subcommittee Chair O'Hagan

noted that luck, track maintenance, and the diligence of veterinary staff and stewards all contributed to the low number.

The subcommittee also discussed problems with Truesdail laboratories (ALS), and Director McGrail is looking at options and next steps. Subcommittee Chair O'Hagan stated that getting lab results back in a timely manner is important both in terms of fairness and for getting purses released to the horsemen.

Changes to crop rules were also on the agenda, Subcommittee Chair O'Hagan reported, noting that the issue is gaining more attention nationwide. Doug Moore, executive secretary of the Washington Horse Racing Commission, talked about that state's rule, which has been in place for a year. In part, the rule states that a jockey cannot strike a horse more than three times in succession, and must then give the horse a chance to respond. Subcommittee Chair O'Hagan noted that rules are not consistent among states, which can be confusing to riders. He noted that more information is required before the Commission makes a decision, and the safety of horses and riders is paramount.

The subcommittee also noted that the Horseracing Integrity and Safety Act of 2020 passed the U.S. House of Representatives on a unanimous voice vote and now goes to the Senate. The effect on small jurisdictions such as Oregon has yet to be determined, he stated, but some financial impact is anticipated.

The subcommittee also discussed concussion protocol for jockeys. Mr. Moore explained that Washington has a policy, not a rule, that calls for a person trained in concussion protocol to perform a screening on any jockey who may have suffered a concussion. Subcommittee Chair O'Hagan noted that in Oregon, ambulance personnel have been reluctant to make the call about concussions.

Subcommittee Chair O'Hagan concluded by saying that the subcommittee plans to further discuss rule proposals for both crop use and concussion protocol and potentially bring proposed changes to the full Commission in January.

### **ADW Subcommittee Report**

Chair Conde reported that the Commission hosted an ADW Forum in October via videoconference, at which the main topic was responsible wagering and responsible gaming control. He noted that Grace Kenworthy of TVG made a helpful presentation on the subject. In addition, he stated, Director McGrail gave an update on upcoming legislation concerning sports wagering and, with ADW Supervisor Connie Winn, offered compliance recommendations to the ADWs. In turn, representatives of the ADWs offered suggestions on what the ORC could do to make interactions with the agency more effective for them.

### **Executive Director's Report**

Executive Director McGrail reported that the fall meet at Grants Pass Downs went well, despite COVID-19 restrictions and the cancellation of two days of racing due to wildfires. He noted that TVG aired many races, which helped increase handle. He praised track management for its open

and regular dialog with Commission staff, leading to a productive partnership. He also praised the efforts of John Everly as racing secretary and Al Peterson on the programs.

Director McGrail noted it is hard to predict what this summer will hold for the fairs, adding that Doug Smith of the Crooked River Roundup has suggestions that might make racing tenable, such as holding racing in Prineville with limited attendance. Director McGrail stated that he would be meeting with fair representatives over the coming months, and the annual meeting of the fairs association is scheduled for Jan. 15. Establishing a fair racing committee has also been suggested.

He stated that the Commission has been disappointed with Truesdail (ALS) laboratories' turnaround time for test results. He has authorized provisional release of purses, noting that it's not fair to make the horsemen wait to receive that money, and is waiting to receive an explanation of the problem from Truesdail.

Director McGrail reported that the agency's budget appeal meeting last month went well, with the initial decision reversed and the funding outlook going from bleak to positive. He added that allocation checks for the second half of the year are going out to stakeholders now.

### **Grants Pass Downs (GPD) Report**

Randy Evers, GPD president, called the meet a huge success in terms of the number of horses, jockeys, trainers, owners, and races, adding that some 12-race cards were run to make up for two canceled race days. Handle exceeded expectations, and in the final week, TVG aired 22 races.

He added that management is eager to finalize the race schedule for 2021 and has contacted Emerald Downs to compare calendars and talk about a possible race series. GPD would also like to partner with and help the fairs, he noted.

Rod Lowe, chief operating officer, contributed additional information: The average field size was 8-plus horses. Twenty-two jockeys participated, and none was seriously injured. There was one equine fatality out of 1,157 starters. Stalls were full, with a waiting list of 60 horses at one time, and 30 ship-in stalls filled every week.

GPD is working with the industry associations to increase purses, Mr. Lowe stated. Improvements in the works include the chute extension, more stalls, and a new paddock and jockeys' room.

Kendra Lellis, GPD vice president, provided the following figures: Purses totaled \$962,650 (\$721,150 in thoroughbred races and \$241,500 in quarter horse races) and averaged \$67,000 per race day. Races run: 144. On-site capacity was limited to 250 and averaged 230; GPD sold 1,000 tickets online and 2,699 at the gate; total attendance was 3,700. She noted that 95% of sponsors were first-time attendees at any race.

She continued: The last day of the meet saw 12 races, 10 of them aired by TVG, and \$870,000 in handle. Season handle was \$6,045,023 (\$272,000 on track and \$5,772,000 off track).

Mr. Evers noted handle numbers increased significantly over those for fall 2019, when total handle from all sources was \$1 million.

In response to a question, Ms. Lellis explained that COVID-19 precautions included, on the backside, temperature checks, allowing only licensees access, a check-in and -out procedure, and required use of masks. (The Oregon Horsemen's Benevolent & Protective Association assisted with mask purchases for horsemen.) On the frontside, she added, masks and social distancing were required, and betting machines were cleaned after each use. Ms. Lellis added that no COVID cases were reported at the track.

### **New Business**

#### **Review and possible approval of ORC meeting calendar for 2021**

Director McGrail stated that the Commission meetings will continue to be scheduled for the third Thursday of each month, with those meetings likely to be via videoconference for the foreseeable future. Proposed dates in 2021 are: Jan. 21, Feb. 18, March 18, April 15, May 20, June 17, July 15, Aug. 19, Sept. 16, Oct. 21, Nov. 18, and Dec. 16.

Commissioner Williamson suggested that one meeting next fall be held in Grants Pass, if pandemic conditions allow.

**Action:** Approve ORC meeting dates for 2021

**Moved by:** Commissioner Charles Williamson

**Seconded:** Vice Chair Steven O'Hagan

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

### **Other Business as May Properly Come Before the Commission**

None

### **Public Comment:**

None

### **Contested Cases:**

None

### **Confirmation of next meeting:**

The next Commission meeting is scheduled for 1:30 p.m. Dec. 17, 2020, with location to be determined.

### **Adjournment:**

**Action:** Adjourn meeting

**Moved by:** Vice Chair Steven O'Hagan

**Seconded:** Commissioner Jan Palmer, DVM

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

There being no further business, the meeting was adjourned at 2:47 p.m.