



**Oregon Racing Commission
Resolution regarding The Flying Lark
Passed Feb. 20, 2022**

The Oregon Racing Commission resolves as follows:

1. The proposed Flying Lark in Grants Pass does not violate the Oregon Constitution;
2. It is not a casino;
3. There can be no roulette wheels, no craps tables, no blackjack, no lottery drawings, and no 1000 or so slot machines in the Flying Lark -- which are present in casinos;
4. Historic Racing Machines (HHRs) do, in fact, allow a level of skill in betting, unlike slot machines;
5. HHRs are pari-mutuel, and need not be administered by the Oregon Lottery;
6. The Oregon Legislature found HHRs to be lawful and constitutional when it authorized, by statute, the use of these HHR machines at Portland Meadows;
7. What was allowed in Portland should not be prohibited in Grants Pass;
8. The Oregon Racing Commission would license the Flying Lark by allowing its application if it were not prohibited from doing so by the Attorney General's erroneous opinion.