



Minutes
Oregon Racing Commission
April 15, 2021

Meeting Detail

The Oregon Racing Commission (ORC) met at 1:30 p.m. Thursday, April 15, 2021. The meeting was held via videoconference.

Call to Order

Chair Diego Conde called the meeting to order at 1:30 p.m.

In Attendance

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

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

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

Action: Approval of the minutes from the March 18, 2021, ORC meeting

Moved by: Vice Chair Steve O'Hagan

Seconded: Commissioner Charles Williamson

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

Old Business:

Budget Subcommittee Report

Subcommittee Chair Palmer reported the subcommittee met this week to discuss allocation of one-time funds of roughly \$700,000. Subcommittee Chair Palmer stated that the group's work was made easy because the four industry stakeholders came together and approved a formula for dividing the funds thusly:

Oregon Horsemen's Benevolent and Protective Association:	\$252,000 (36%)
TMB Racing/Grants Pass Downs:	\$210,000 (30%)
Oregon Quarter Horse Racing Association:	\$119,000 (17%)
Oregon Thoroughbred Owners & Breeders Association:	\$119,000 (17%)

In addition, the subcommittee recommends approving Harney County Fair's request for \$68,000 from the one-time funds for its race meet.

Action: Approve Harney County Fair request and divide the rest of the funds as described

Moved by: Vice Chair Steve O'Hagan

Seconded: Commissioner Charles Williamson

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

The subcommittee also was scheduled to discuss funding for the next biennium, Subcommittee Chair Palmer stated, but the ORC's budget meeting with Ways and Means in Salem was postponed, so that discussion was tabled.

Executive Director's Report

Executive Director McGrail thanked the industry groups for presenting a unified proposal for allocations.

He stated he was very pleased that all four fair meets are tentatively scheduled to run. They face logistic challenges because of COVID restrictions, and the Commission has provided extra funding to help with increased sanitation, cordoning off areas and anticipated revenue reductions due to limits on crowd size. All are running on their traditional dates, he added, except the Harney County meet, which is moving to July 24 and 25, in hopes that following on the heels of the Crooked River Roundup will encourage more horsemen to travel from Prineville to Burns. He thanked the fair directors for their efforts, as well as Grants Pass Downs for adjusting its schedule to accommodate the fair dates.

Director McGrail announced that Eric Shepherd, a military veteran with a career in law enforcement, most recently with the Medford Police, will join the Commission as chief investigator effective April 26. His predecessor in the job, Katrina Robson, will be at Grants Pass Downs the first two days of the meet to help out. During the second week of racing, a team from the Organization of Racing Investigators will be at the track to provide four days of intensive training. Mike Gentile will return as assistant investigator.

Marty Hamilton will return to the ORC on a contract basis as deputy steward, Director McGrail reported. Dr. Leon Pielstick will be the assistant veterinarian at the fair meets, enabling the Commission to continue to perform pre-race exams on all entries. Track consultant Steve Wood will also be working with the fairs on their track surfaces.

Director McGrail stated that the Commission has contracted with the University of Illinois-Chicago Analytical Forensic Testing Laboratory to do veterinary testing.

It has been suggested that the Commission develop a written policy on communication with the tribes when matters pertaining to their interests are before the Commission. Director McGrail stated that he and ADW Supervisor Connie Winn will meet with Danny Santos, director of the Legislative Commission on Indian Affairs, to discuss such a policy, and he welcomes suggestions from interested parties.

With the easing of COVID travel restrictions, Ms. Winn will be back on the road to conduct audits, Director McGrail noted. Lastly, he reported that GPD's OTB outlet in Roseburg has been approved.

Commissioner Williamson asked about simulcasting at the fairs. Director McGrail responded that although the Tillamook County Fair and Crooked River Roundup had simulcast in 2019, they probably are not going to attempt that this year with all the other challenges.

Chair Conde asked if the testing backlog at Truesdail Laboratories (ALS) had been brought up to date, and Director McGrail said it had.

Grants Pass Downs (GPD) Report

Rod Lowe, GPD chief operating officer, reported that the track opened April 5 for training. About 200 horses are on the grounds, and 450 are anticipated when racing starts – all the stalls are spoken for, he stated. The chute extension will be completed by opening day, May 10. Post times will be 5:15 p.m. Monday and Tuesday.

Mr. Lowe stated they are a little short of exercise riders and jockeys, as riders are at other tracks, but getting by. Leases have been approved for property along Pansy Lane, and approvals are in the works for another three acres that will be the site of 200 stalls. COVID protocols continue, including a requirement that jockeys must have a negative COVID test to ride. (GPD will pay for the tests.) If they leave the track, jockeys must be retested when they return.

[At this point, a hacker disrupted the meeting, forcing the videoconference link to be closed. The meeting was resumed on a new link at 2:02 p.m.]

Commissioner Williamson encouraged jockeys and others at GPD to get vaccinated.

Kendra Lellis, GPD vice president, noted that Josephine County is now designated “high risk,” which would allow 15 percent capacity (1200 people per day) at the track. She added that the track will have two entrance gates this year. The Condition Book is out, she reported, adding that GPD will host several premier races for Quarter Horses: the Bank of America Championship, the Adequan Derby, and a distaff race. GPD has hired a new public relations agent, Vince Bruun of Emerald Downs.

Randy Evers, GPD president, reported that the April handle is expected to be \$1.5 million. A new OTB has opened in Roseburg; another should open in Eugene in about a week, bringing the total to 11 OTBs. With the Kentucky Derby next month, the OTBs will be giving away promotional items, and a handicapping contest at the OTBs will feature a weekend in Grants Pass as the top prize.

New Business:

Review and possible approval of Forms B and C for Eastern Oregon Livestock Show

Action: Approve Forms B and C for Eastern Oregon Livestock Show

Moved by: Commissioner Charles Williamson

Seconded: Commissioner Jan Palmer

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

Review and possible approval of Forms A, B and C for Crooked River Roundup

Action: Approve Forms A, B and C for Crooked River Roundup

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Steve O'Hagan

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

Review and possible approval of Form A for Harney County Fair Racemeet

Action: Approve Form A for Harney County Fair Racemeet

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Steve O'Hagan

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

Discussion and possible approval of rule amendments

a. **OAR 452-150-0060 regarding crop specifications**

b. **OAR 452-150-0070 regarding crop use**

Commissioner Williamson, who served as hearing officer for a rules hearing earlier in the day, stated no one objected to the proposed changes to OAR 452-150-0060 and recommended approval.

Action: Approve amendments to OAR 452-150-0060

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Steve O'Hagan

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

Commissioner Williamson reported that counsel suggested one additional amendment to 462-450-0070(10)(c), to change "...on the association grounds during the meeting..." to "...on the race meet grounds during the meeting..."

He reported that the ORC received a letter and heard testimony from Mindy Coleman, representing the Jockeys' Guild, proposing that "chance to respond" be defined as two strides, rather than three, as proposed. Commissioner Williamson reported that both Director McGrail and Senior State Steward Mike Twiggs advocated for staying with three strides, per the ARCI model rules, and see how that works, noting that the rule could be changed later if warranted. Ms. Coleman's letter was entered into the public record.

Action: Approve amendments to OAR 452-150-0060 and 452-150-0070, included suggested amendment from Attorney General's Office

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Steve 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:

Kitty Martz, of Voices of Problem Gambling Recovery, inquired about a public records request she made earlier in the month. She then expressed concern about the Commission's interpretation of the 2019 ruling on Senate Bill 77, and how that will affect gambling on handheld devices. She asked what the Commission intends to do about tracking, treating, and preventing problem gambling.

Chair Conde thanked Ms. Martz for her comments and stated that the Commission would follow up on the public records request.

Contested Cases:

None

Confirmation of next meeting:

The next Commission meeting is scheduled for 1:30 p.m. May 20, 2021, via videoconference.

Adjournment:

Action: Adjourn meeting

Moved by: Commissioner Charles Williamson

Seconded: Vice Chair Steve O'Hagan

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 2:22 p.m.