



Minutes
Oregon Racing Commission
Jan. 21, 2021

Meeting Detail

The Oregon Racing Commission (ORC) met on Thursday, Jan. 21, 2021. The meeting was held via videoconference.

Call to Order

Chair Diego Conde called the meeting to order at 1:33 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: Vice Chair Steven O'Hagan

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

Action: Approval of the minutes from the Nov. 19, 2020, ORC meeting

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).

Old Business:

Medication and Horse Welfare Subcommittee Report

Subcommittee Chair O'Hagan reported that the subcommittee met this week and discussed two topics: proposed changes to the crop rules and concussion protocol.

He stated that subcommittee members were inclined to present the ARCI model rules for crop use to the full Commission for review and possible adoption, as they are clear; easily enforceable, according to the stewards; and easy for the jockeys to understand.

Director McGrail noted that the ORC has “amorphous” rules regarding crop use, and the ARCI rules are more detailed. He suggested the Commission begin rulemaking now, as it takes a minimum of two months to collect public comment before any changes would go into effect. New rules should be in place by the time Grants Pass Downs opens in May, he added.

He explained that the benefit of adopting the ARCI rules is it leads to consistency in the industry. The Washington racing commission is waiting for Oregon to act before making changes to its rules, he stated, and Arizona is likely to adopt the ARCI model. He noted that California rules are more restrictive than those proposed by ARCI.

Commissioners requested that copies of the ORC’s current rules and the proposed ARCI rules be distributed to all.

Action: Commence rulemaking for changes to rules regarding crop use.

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).

Subcommittee Chair O’Hagan reported that there are two pieces to the concussion protocol discussion: assessing injury on the track, and what steps should be taken to ensure jockeys who have been diagnosed with a concussion return safely to riding. The committee is continuing to study the matter, he stated.

Executive Director’s Report

Executive Director McGrail reported that Doug Smith of the Crooked River Roundup facilitated a meeting this week among representatives of the summer fair meets, and some creative ideas emerged for how it might be possible to conduct the meets this year. More clarity is still needed from the Governor’s Office, he added, stating that he hopes that might come by next month. In the meantime, the Commission has sent applications to the fair meets in hopes that some will be able to be held.

Director McGrail thanked Michelle Deister, who has acted as the Commission’s legislative fiscal officer for several years and is moving on to a new assignment. She has been a great help in moving the Commission’s budget forward in the Legislature, he stated, and an advocate for horseracing.

He noted that several staff members are leaving the Commission. Chief Investigator Katrina Robson is taking a new job, and a recruitment to fill that position will open in the next few weeks. Deputy State Steward Jim Smith is retiring; Director McGrail noted that position is part time and initially will be recruited internally. Dr. William Ferguson, who has been the test barn

vet at Grants Pass, also has decided to retire fully, and a replacement is being sought. Director McGrail thanked all for their work and noted they would be missed.

The Commission continues to wait for test results from Truesdail (ALS) laboratory, he stated, noting the situation is not good. Chair Conde suggested scheduling an executive session on the matter for February.

Director McGrail reported the Commission is awaiting receipt of the balanced budget from the Governor's Office, which is the second leg of the budget process. The third step is budget approval by the Legislature.

He stated there has been no movement on the Commission's legislative bill that would permit ADWs to add sports betting to their platforms.

Commissioner Palmer asked whether the Harney County Fair is planning a meet this summer. Director McGrail responded that they are looking at July dates, but have not committed. They have indicated they cannot lose money this year.

Grants Pass Downs (GPD) Report

Mike Thiessen, president of The Flying Lark, gave a presentation on the planned 35,000-square-foot entertainment venue. It will house historic racing machines, a family-dining restaurant, two bars, and a grab-and-go area selling coffee, sandwiches, ice cream, and snacks. There will be direct access from the racetrack, across a plaza. Projected opening is September or October.

Director McGrail called it a spectacular facility with multiple uses that could be a game-changer for the industry in Oregon. Chair Conde agreed.

Rod Lowe, GPD chief operating officer, reported that the 2021 spring calendar will offer racing on Monday and Tuesday, May 10 through July 13. No racing is scheduled for June 14 and 15 to allow horses to attend the Eastern Oregon Livestock Show (EOLS) in Union, if that event can be held. Fall dates are Monday and Tuesday, Sept. 20 through Nov. 9. All post times are 5:15 p.m., except for 1 p.m. on Sunday, July 4.

The track opens April 2, Mr. Lowe stated, and training starts April 5. Saturdays will be dark, because soccer games are held on the infield that day.

Construction projects continue, he reported. An extension to the chute will make it possible to hold 440-yard and 6-furlong races. That work requires relocating 80 stalls, and an additional 80 will be added. Stall work should be finished by the spring move-in date. GPDs hope to have the new jockeys' room and paddock done by fall.

Randy Evers, GPD president, noted that if EOLS does not hold races, Grants Pass could add racing on June 14 and 15, but the challenge would be funding purses for two additional race dates. He said he was optimistic the track could make that happen.

On OTBs, Mr. Evers reported that they were bringing in about \$800,000 monthly before the pandemic closures. A couple of venues have since opened outdoor patios, he stated, and OTB wagering totaled \$200,000 last weekend. OTB projections for January are \$700,000 to \$800,000 (10 percent of that sum goes to the industry, he added). He reported that the OTB in Klamath Falls has closed, but two new venues are scheduled to open in February in bowling alleys in Roseburg and Eugene.

Kendra Lellis, GPD vice president, noted COVID protocols have not changed. GPD is likely to require jockeys be tested weekly and provide proof of a negative test, she stated, noting that COVID in the jockey colony can result in racing being shut down.

In response to a question, Mr. Evers added that everyone in the paddock and gate is required to be masked at all times, and Mr. Lowe noted that the jockeys wear masks during the race.

Commissioner Williamson asked about rules aimed at ensuring jockeys remain healthy. Director McGrail stated he did not know of any state Commission that had adopted such rules. He added that it is preferable for the association to adopt policies that the ORC approves, because the association can adjust more quickly as circumstances change. He added that COVID protocols for the fairs will be more challenging because of their nature.

New Business:

Review and possible approval of 2021 race dates for Grants Pass Downs

Action: Approve Grants Pass Downs race 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:

Mr. Evers expressed his appreciation of the ORC staff, particularly those departing: Ms. Robson, Mr. Smith, and Dr. Ferguson.

Leah Nelson of the Oregon Quarter Horse Racing Association also spoke briefly to praise Investigator Robson and express the association's appreciation for her work and wish her well.

Contested Cases:

None

Confirmation of next meeting:

The next Commission meeting is scheduled for 1:30 p.m. Feb. 18, 2020, via videoconference.

Adjournment:

Action: Adjourn meeting

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).

There being no further business, the meeting was adjourned at 2:33 p.m.