



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462
OREGON RACING COMMISSION

FILED

03/07/2023 4:22 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amends 462-140-0050 (4) provides current address for complaints against stewards to be sent.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/25/2023 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT: Karen Parkman
503-853-5927
karen.parkman@orc.oregon.gov

PO Box 366
Gresham, OR 97030

Filed By:
Karen Parkman
Rules Coordinator

NEED FOR THE RULE(S)

Agency relocation

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Electronically stored and available upon request

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

No affect

FISCAL AND ECONOMIC IMPACT:

No impact

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

No cost to comply

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

small businesses were not involved

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

No need. Agency relocation.

AMEND: 462-140-0050

RULE SUMMARY: Amends 462-140-0050 (4) to provide a current address for complaints against stewards to be sent.

CHANGES TO RULE:

462-140-0050

Racing Officials; Complaints ¶¶

(1) All racing officials, except commission employees, shall be appointed by the race meet licensee, subject to confirmation by the commission. The commission may, for good cause, require the removal of any racing official.¶

(2) No racing official or assistant to a racing official shall wager on any race in the race meet or have any other interest in the outcome of any race or in any racing animal racing in the race meet. No racing official or assistant shall engage in any business transaction with, or accept anything of more than nominal value from, any licensee participating in the race meet.¶

(3) It is the duty of every racing official to report immediately to the stewards every violation of ORS chapter 462 or the rules of racing observed by the racing official.¶

(4) Complaints against a racing official other than a steward shall be made in writing to the stewards. Complaints against a steward shall be made in writing to the commission at the following address: Oregon Racing Commission, P.O. Box 366, Gresham, OR 97030; or faxed to (971) 673-0213; or emailed to orc.info@orc.oregon.gov. All complaints shall be signed and dated by the complainant and show the complainant's current address and a copy of the complaint shall be forwarded to the commission.¶

(5) No racing official shall express disagreement with a ruling or order of any other racing official, except in private to the racing official involved, to other racing officials, to the race meet licensee, to the board of stewards or to the commission.¶

(6) Racing officials may be licensed in more than one official category if in the opinion of the stewards or the commission the duties of the official positions can be performed properly by the person and do not cause a conflict of interest. Racing officials may also hold a license in another category if in the opinion of the stewards or the commission the dual license assists the person to better perform the duties of the official position and is not specifically prohibited.

Statutory/Other Authority: ORS 462.270(3)

Statutes/Other Implemented: ORS 462.270