

# MINUTES

## OREGON RACING COMMISSION DECEMBER 18, 1997

The Oregon Racing Commission met on Thursday, December 18, 1997, in Room 140 of the Portland State Office Building located at 800 N. E. Oregon Street, Portland, Oregon, for their regular meeting. The hearing for administrative horse rules began at 10:30 a.m. and continued until 1:10 p.m. at which time the commission adjourned for lunch. They reconvened at 1:30 p.m. for their regular meeting. Following the regular meeting the commission reconvened the hearing for administrative horse rules at 2:30 p.m. Commissioners in attendance were as follows: Stephen Walters, Chair; Laura Fine, Vice Chair; Richard Reid, Tom Towslee, and Baltazar Ortiz. Agenda items for the meeting were discussed in the following order with resulting actions:

### 1. Minutes of November 13, 1997 Commission Meeting

ACTION: MOTION(Fine) Approve minutes as submitted.

VOTE: 5 Aye, 0 Nay

### 2. Commission Meeting Dates for 1999

Question was raised by Commissioner Towslee about having commission meetings at locations other than the state office building. Steve Barham stated the only reason we were submitting the dates this far in advance and for this building was due to fact the meeting rooms are in great demand. We can always free up the room down the road if at a later date we choose to hold the meeting(s) at another location.

ACTION: MOTION(Reid) Approve meeting dates as submitted.

VOTE: 5 Aye, 0 Nay

### 3. January 1998 Commission Meeting Date

The schedule currently has the January meeting set for the 22nd. Since Chair Walters will be in Denver that week, it was agreed to conduct the meeting on the 15th. Meeting location will be announced at a later date.

### 4. Tillamook County Fair 1998 Race Dates Request - August 6, 7, and 8

Steve Barham recommended approval.

ACTION: MOTION(Reid) Approve request for race dates, subject to timely submission of an application for issuance of a race meet license, and approval of that application by the commission.

VOTE: 5 Aye, 0 Nay

### 5. Transfer of Five Percent of Multnomah Kennel Club, Inc., Stock to Mark Wilson

Steve Barham recommended approval. Mr. Wilson is merely exercising his option to purchase the stock, which action has already been approved by the commission.

ACTION: MOTION(Reid) Approve request for purchase of stock.

VOTE: 5 Aye, 0 Nay

### 6. New Portland Meadows Update

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Mike Dorough reported they have been very successful in getting their signal marketed. After 9 weeks of racing their live handle is up 42%. The simulcast handle for greyhounds, however, is down 28% and the horse simulcast handle is down 18%. When comparing 9 weeks vs. 11 weeks last year, they are off 12%; however, when comparing 9 weeks vs. 9 weeks, they are off only 4%.

#### **7. Legal Advice Regarding Destroyed Mutuel Tickets**

The commission received a letter from Paul Sundermier on this matter. Upon completion of his research, Mr. Sundermier determined the commission did not have the authority to order the race meet licensee to pay the claim because the patron was issued a ticket and was unable to present a ticket that met the definition of a winning pari-mutuel ticket. Steve Barham stated he had contacted the patron at the time the letter was received in the office. No further commission action was required.

#### **8. Wearing of ORC Licenses Committee Report**

Commissioner Fine stated at this time the committee had nothing particularly new to report, and that they are still collecting information on this matter. Commissioner Reid reiterated the committee has not yet reached any conclusions. He also stated there is currently a rule in place on the wearing of licenses in restricted areas and that the rule needs to be enforced. The security people have a job to do and they need to do it until such time a change, if any, is made.

#### **9. E-Board Update**

Steve Barham stated the E-Board approved \$1.6 million of the \$1.7 million that was requested. He thanked everyone for their efforts in helping to gain approval for receipt of the additional funds. Most of the money will go to supplement purses. Commissioner Fine and Chair Walters also thanked Steve Barham, Commissioner Towslee and those individuals who diligently worked toward securing this result from the E-Board.

#### **10. Report of Simulcast Subcommittee**

Chair Walters stated he had sent a letter to Commissioner Ortiz regarding simulcast issues and as yet they do not have a consensus. They will circulate something in writing to the entire committee within the next week or two.

#### **11. Report of Vet Med Committee**

Commissioner Fine reported the committee met at Dr. Reid's home earlier this month to consider greyhound matters. A memo outlining proposed rule changes was included in the commission packets. Rather than acting on these proposed changes at this time, it was decided to consider them during the greyhound rule review which will take place in early 1998. In regard to the proposed rule change requiring radiographs of 2-year-olds, Ms. Fine stated the rule as proposed has been withdrawn because it is a very unclear issue, and at this point there isn't any persuasive authority indicating it is in the best interests of racing to go forward with it. The committee continues to appreciate the suggestions given to them by the state vets, knowing their primary concern is the safety and welfare of the racing animals and for the people who are working with those animals.

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They are still considering whether or not the rule for 2-year-olds requires any type of modification.

**12. Action on Horse Rules**

Since the hearing on proposed horse rules has not been completed, the commission announced this item would be placed on the January meeting agenda.

**13. Request by OQHRA to Distribute Oregon-bred Breeder and Owner's Bonus from 1997 Summer Race Meets**

Steve Barham went through the letter submitted by the OQHRA and recommended approval.

ACTION: MOTION(Fine) Approve distribution of Oregon-bred breeder and owner's bonus from 1997 summer race meets.

VOTE: 5 Aye, 0 Nay

**14. Commission Resolution Regarding New Portland Meadows 1998-99 Race Meet Approval**

Commissioner Towslee reported David Brown had requested the commission resolution regarding the New Portland Meadows 1998-99 race meet be postponed until the December meeting because he felt there would be additional information forthcoming following the November meeting that should be considered in their decision-making process. In a letter dated today from Mr. Brown he stated he was not at liberty to report anything further at this time.

ACTION: MOTION(Towslee) The commission adopt a resolution that a meet at Portland Meadows beginning in the fall of 1998 not be approved unless the current ownership issues at the track are resolved.

VOTE: 3 Aye (Walters, Towslee, Ortiz), 2 Nay (Fine, Reid)

**15. Approval of Default Final Order on John Robertson MacDonald II**

ACTION: MOTION(Towslee) Approve default final order on John Robertson MacDonald II

VOTE: 5 Aye, 0 Nay

**16. Approval of Default Final Order on Roxane M. Krieger**

ACTION: MOTION(Towslee) Approve default final order on Roxane M. Krieger

VOTE: 5 Aye, 0 Nay

There being no further business, the meeting was adjourned.