

MINUTES

OREGON RACING COMMISSION NOVEMBER 19, 1998

The Oregon Racing Commission met on Thursday, November 19, 1998, at 1:30 p.m. in Room 140 of the Portland State Office Building located at 800 NE Oregon Street, Portland, Oregon. Commissioners in attendance were Laura Fine, Vice Chair; Richard Reid, Tom Towslee and Baltazar Ortiz. Chair Steve Walters was excused. Agenda items were discussed in the following order with resulting actions:

1. Minutes of the October 22, 1998 Commission Meeting

ACTION: MOTION(Reid) Approve minutes as submitted.
VOTE: 4 Aye, 0 Nay, 1 Excused

2. Request by OGBA to Release Funds from Oregon Greyhound Breeders Trust for Payment of Bonus Awards

Steve Barham recommended approval.
ACTION: MOTION(Reid) Approve release of funds.
VOTE: 4 Aye, 0 Nay, 1 Excused

3. New Portland Meadows Update

Mike Dorough reported the horse simulcast handle is up 12% while the live handle is down a little over 5%, which includes the exports. Greyhound simulcasting is down 17%, and the total handle is down .1%. One of the ways in which they feel they can help to improve the live handle would be to move post time on Thursdays and Fridays to 5:30 p.m. instead of 6:30 p.m. This action is supported by the horsemen. They would like to make this change beginning the first Thursday in December. The belief is the move will increase the export handle as well as the handle coming from the off-track sites. It was the consensus of the commission to delegate to the executive director authority to approve the request to change post time to 5:30 p.m.

4. Request by Vernon C. Bigham for Reconsideration of Order

Steve Barham went through the case history. Based on the timing of events as they occurred, he recommended not granting request for reconsideration.
ACTION: MOTION(Towslee) Deny request for reconsideration of order.
VOTE: 4 Aye, 0 Nay, 1 Excused

5. Proposed Final Order for Carlos B. Moreno

Laura Fine stated she acted as hearings officer for this case. Mr. Moreno clearly admitted violation of the rule. The proposed final order upholds the findings of the board of stewards and recommends a \$250 fine.
ACTION: MOTION(Reid) Uphold the findings of the hearings officer and adopt the proposed final order.
VOTE: 4 Aye, 0 Nay, 1 Excused

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6. Discussion of Potential Simulcast Legislation

Chair Walters requested this item be placed on the agenda to give everyone a status report on this issue. Steve Barham stated this would probably be the biggest issue facing racing this next session. The commission last spring approved a legislative concept to be put in by the Racing Commission which says the state will take over operation of simulcasting and then spread any profits to the various race meets. The commission is not really interested in conducting simulcasting, however, the status quo is not satisfactory. The legislative counsel draft is out, the number is 955, and will be pre-session filed. This process does give the industry a vehicle to look at the simulcasting issue with the legislature just as a simulcasting issue. The draft of this bill should probably be available in January or thereabouts. Mr. Vernon has also talked with people regarding a simulcasting proposal. Over the next few months simulcasting legislation will be taking up more and more time of the commission. No action needs to be taken at this time.

7. Proposed Simulcast Rule Changes

In a prior meeting commission directed staff to prepare a draft rule regarding approval criteria for those signals that are not covered by the Interstate Horseracing Act and to basically even the playing field as to the amount of voice that that class' association would have. There is a draft rule in place. Before anything can be done the commission needs to have notice served that it is looking at implementing a rule. Steve Barham recommended that the notice when served be for rulemaking process with a hearing. If a hearing is held, as a result of the hearing the commission could approve the draft as written, approve with amendments based on information presented at the hearing or simply decide to take no action. With the existing rule, in January race meets are supposed to be submitting their proposals for out-of-state signals during the next year. Steve Barham recommended the commission take action to have notice served to conduct a rulemaking hearing. The hearing would take place in early 1999.

ACTION: MOTION(Towslee) Direct staff to prepare and file notice of proposed rulemaking hearing.
VOTE: 4 Aye, 0 Nay, 1 Excused

There being no further business, the meeting was adjourned.