



Oregon Racing Commission
P.O. Box 366
Gresham, OR 97030
ORC.info@orc.oregon.gov
971-673-0213 Fax
www.oregon.gov/racing



COMMISSION MEETING AGENDA
Thursday, June 20, 2024
1:30 p.m.

The Oregon Racing Commission will meet at **1:30 pm on Thursday, June 20th, 2024.** The meeting will be held via Zoom videoconference. You may join the meeting by clicking on the link below, or by calling in. Please be aware if you call in, your phone number will appear as your ID.

Topic: Oregon Racing Commission's Zoom Meeting
Time: June 20, 2024, 01:30 PM Pacific Time (US and Canada)

Join Meeting: [Zoom Link](#)

If you are unable to access this session through a computer, please dial: 1-253-215-8782
Meeting ID: 835 1111 8020
Passcode: 7tjAup

A request for an interpreter or other accommodation for persons with disabilities should be made at least 48 hours before the meeting to Commission staff at: 503-853-5927 or by email at ORC.info@orc.oregon.gov. This proposed agenda is subject to last-minute changes without prior notice.

AGENDA ITEMS

ROLL CALL:

APPROVALS (need to conduct a vote):

- 1) Meeting Agenda
- 2) May Minutes

OLD BUSINESS:

- 3) Director's Report
- 4) Best Practices Committee Report
- 5) ADW Committee Report

NEW BUSINESS:

- 6) Fiscal Year End Review of ADW Licenses:
 - a) AmWest Entertainment, LLC
 - b) eBet Technologies, Inc.
 - c) Game Play Network, Inc.
 - d) NYRA Bets
 - e) TVG
 - f) TwinSpires
 - g) Xpressbet, LLC
- 7) Discussion and possible approval of Totalizer licenses:
 - a) AmTote International
 - b) Colossus Limited
 - c) Global Tote
 - d) I-Neda Ltd
 - e) United Tote
- 8) HRA, LLC Report
- 9) Quarterly Budget Review
- 10) Discussion and possible approval to start the rule making process:
 - a) 462-120-0010 (2) Who must be licensed
- 11) Discussion and possible adoption of the following rules:
 - a) 462-160-0130 – Medication and prohibited substances
 - b) 462-160-0145 – Necropsy – Creates a new rule – Minor changes for clarification.
 - c) 462-210-0040 (1) – Amends funding

PUBLIC COMMENT:

CONTESTED CASES:

Final Order by Default – Vichien Chattong – Kelly Routt, AAG

EXECUTIVE SESSION (closed to the public) – Review of Executive Director

Pursuant to ORS 192.660(2)(i), for the Commission to conduct the annual performance review of the Executive Director.

CONFIRMATION OF NEXT COMMISSION MEETING:

The next commission meeting is scheduled for August 15th, 2024, at 1:30 P.M. via Microsoft Teams.

ADJOURNMENT:

Movement to adjourn.

At any time during the public session, the Commission may go into executive session to consider information or records exempt from disclosure pursuant to ORS 192.660(2)(f), ORS 192.345(2),

OAR 462-220-0070 regarding trade secrets; and/or ORS 192.660(2) (f) and ORS 192.355(9) to consult with counsel concerning written legal advice; and/or ORS 192.660(2)(h) to discuss its legal rights and duties regarding current litigation, or litigation likely to be filed. The Commission may also elect to deliberate on pending contested cases pursuant to ORS 192.690(1). Additional items may be placed on the agenda after the general mailing of the agenda. Calls may be made to the Commission office the week of the meeting to inquire about additions.



Oregon Racing Commission
P.O. Box 366
Gresham, OR 97030
ORC.info@orc.oregon.gov
971-673-0213 Fax
www.oregon.gov/racing



Minutes
Oregon Racing Commission
May 16, 2024

Meeting Detail

The Oregon Racing Commission (ORC) met at 1:30 p.m. Thursday, May 16th, 2024, remotely via Zoom videoconference.

Call to Order and Roll Call

Vice-chair Quinn Berry called the meeting to order at 1:30 p.m. and Karen Parkman conducted roll call.

In Attendance

Commissioners: Quinn Berry, Scott Beckstead, and Lindsay Fowler.

Staff: Executive Director Connie Winn; Karen Parkman, Program and Administrative Coordinator; Kelly Routt, Assistant Attorney General (AAG)

Excused

Chair Margaret Doherty and Commissioner Diego Conde

Approvals:

Meeting Agenda

Action: Approval of the May meeting agenda.

Moved by: Commissioner Fowler

Seconded: Commissioner Beckstead

Vote: Commissioners Berry, Fowler and Beckstead voted AYE, and the motion was carried unanimously (3:0).

Meeting Minutes

Action: Approval of the April meeting minutes.

Moved by: Commissioner Beckstead

Seconded: Commissioner Fowler

Vote: Commissioners Berry, Fowler and Beckstead voted AYE, and the motion was carried unanimously (3:0).

OLD BUSINESS:

Executive Director's report

Executive Director Winn reported that the ORC was the recipient of the Honor Roll Certificate for excellence in reporting accounts receivable. She thanked Karen Parman for her work in that area.

She commended Grants Pass Downs for joining the Thoroughbred After Care Alliance and industry advertisements she has also seen promoting the rehoming of retired racehorses.

The ORC team is preparing for the summer fair meets, which will start in June with the Eastern Oregon Livestock Show (EOLS) in Union.

The ORC has released its annual survey, which will be distributed to industry partners and licensees, and is also available on the ORC website.

Effective July 1, 2024, all ORC meetings will be held on Microsoft Teams. There is a link to download Teams software on the ORC website's homepage. Meeting participants should familiarize themselves with Teams prior to the July meetings.

Budget Committee Report

The Budget Committee met at 9:00 a.m. on Monday, May 13th. This included a high-level overview of the current position in the legislative budget process. There were unexpected pay raises of 6.5% and 6% for the biennium, which exceeded the initial budget allocation of 3% annually. Additionally, budgetary inflation increases for the 2025-2027 biennium have been set at 5%. Due to these increases, there is likely to be a reduction in special payments in the next biennium. Therefore, the ORC is not considering additional allocations from underspent funds for this biennium.

There was discussion concerning potential modifications to handle reporting, which will be further discussed by the ADW committee.

There are 7 legislative concepts proposed for progression which could have positive financial impact if passed. The cost of legislative counsel is currently set at \$225.00 per hour. \$20,000, which was previously unbudgeted, has been allocated for potential cost.

Lastly, the committee discussed the rising costs of jockey insurance. No increase to the allocation for jockey insurance is recommended currently.

Discussion on addition to current rule in process – 462-160-0130 (8) (b) (B) Albuterol – 1 ng/ml.

Director Winn reported that conflicting information was found in the rule. In the past, it was clarified that Clenbuterol and like substances were prohibited in Quarter Horses. There are some subsections in the new rule that do not make that distinction clear, so new language will need to be added for clarification and the specific locations of those changes will be addressed during the rule hearing.

NEW BUSINESS:

Discussion and possible approval to begin the rulemaking process for 462-120-0010 – Who must be licensed.

Director Winn reported that this rule outlines that out of state employees for ADWs who have access to Oregon account holder information must obtain an Oregon license.

Action: Approval to begin the rulemaking process for 462-120-0010.

Moved by: Commissioner Beckstead

Seconded: Commissioner Fowler

Vote: Commissioners Berry, Fowler and Beckstead voted AYE, and the motion was carried unanimously (3:0).

Discussion and possible adoption of the following rules:

A. 462-140-0150 - Address change.

B. 462-130-0010 – Removes contradictory information.

C. 462-220-0030 – Amends retention schedule.

Director Winn reported that 462-140-0150 still had the old Portland address listed. Commissioner Berry stated that Google still has that address listed as well, which will also need to be corrected. 462-130-0010 has not had any changes since proposal. Legal counsel proposed some changes to 462-220-0030, which cleans up the language, but does not change the rule itself. This change makes it so that entities like Google, which require personal information to be disposed of after a certain period, must hold onto the information. This is important to ensure that excluded individuals, such as those with gambling problems, cannot just open new accounts when one is closed.

Action: Approval to adopt 462-140-0150 – address change.

Moved by: Commissioner Fowler

Seconded: Commissioner Beckstead

Vote: Commissioners Berry, Fowler and Beckstead voted AYE, and the motion was carried unanimously (3:0).

Action: Approval to adopt 462-220-0030 – amends retention schedule.

Moved by: Commissioner Fowler

Seconded: Commissioner Beckstead

Vote: Commissioners Berry, Fowler and Beckstead voted AYE, and the motion was carried unanimously (3:0).

Action: Approval to adopt 462-130-0010 – removes contradictory information.

Moved by: Commissioner Beckstead

Seconded: Commissioner Fowler

Vote: Commissioners Berry, Fowler and Beckstead voted AYE, and the motion was carried unanimously (3:0).

Discussion on Jockey Insurance increase.

Director Winn stated that this was already addressed during the Budget Committee report.

Oregon Thoroughbred Owners and Breeders Association (OTOBA) anti-slaughter policy and Off-Track Thoroughbred Scholarship program – Lynelle Fox Smith.

Lynelle Fox Smith, Director of OTOBA, presented the association’s new policy on horse slaughter, which has been approved by their board. This statement has been posted on their website. OTOBA will also be offering a \$1,000 scholarship to a trainer who acquires an Oregon-bred Thoroughbred with at least one career race, to be retrained for a competitive discipline after retiring from racing. The scholarship will be offered for 4 years and will be advertised over the summer. The application deadline for participants is September 30th, 2024.

Commissioner Beckstead commended OTOBA for their work opposing horse slaughter and advocating for second careers. He challenged the Quarter Horse people to follow suit.

PUBLIC COMMENT:

None.

CONTESTED CASES:

None.

EXECUTIVE SESSION (Closed to Public):

Pursuant to ORS 192.660(2)(f) for the purpose of discussing proposed Legislative Concepts, information which is exempt from public disclosure, the ORC entered Executive Session at 1:53 P.M. Vice Chair Berry called the public portion of the meeting back to order at 2:17 P.M.

CONFIRMATION OF NEXT COMMISSION MEETING:

The next commission meeting is scheduled for June 20th, 2024, at 1:30 P.M. remotely via Zoom videoconference.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 2:19 P.M.

Action: Adjourn the meeting.

Moved by: Commissioner Beckstead

Seconded: Commissioner Fowler

Vote: Commissioners Berry, Fowler and Beckstead voted AYE, and the motion was carried unanimously (3:0).



ADVANCED DEPOSIT WAGERING – ANNUAL REVIEW	
Company:	AmWest Entertainment, LLC. / AmWager.com
Date:	30 May 2024
Current License / Expiration	21-600, Valid through 6/30/2026
Audit Status OAR 462-220-0030(10)	Last audit was October 2023, no issues reported.
Oregon Business License OAR 462-220-0030(2)(l)	OR business license 503031-98 is in good standing, expires 3/6/25
Fees and Taxes OAR 462-220-0030(6) OAR 462-220-0040	All fees and taxes owed are up to date.
Bond OAR 462-220-0030(7)(b)	Assurance Bond is on file. Expiration date: 2/8/25
Segregated Funds OAR 462-220-0030(7)(a)	Segregated funds were confirmed during the last audit.
Mitigation for the Effects of Account Wagering OAR 462-220-0030(3)(d)	A 2023-24 agreement with HRA is confirmed. A 2024-25 agreement will be confirmed by ORC prior to July 1, 2024.
Oregon Operational Presence OAR 462-220-0030(9)	AmWest is confirmed to have an operational presence within the State of Oregon.
Track list / Host contracts OAR 462-220-0030(2)(e)	Track lists are on file with the ORC. Host contracts were confirmed during the last audit.
Hub Employee Licensing OAR 462-220-0030(2)(i)	Staff licensing was reviewed and confirmed within the ORC licensing database.
Responsible Wagering OAR 462-220-0030(3)(c)	Responsible wagering components were reviewed during the last audit and found to be acceptable
Affiliate review (if any) OAR 462-220-0030(3)(f)	<ul style="list-style-type: none"> • Onlineracing.tv • Bet.trackinfo.com • Saratogabets.com All sites properly reflect licensee status and have prominent Responsible Wagering components.

No issues noted. AmWest Entertainment remains a licensee in good standing with the Oregon Racing Commission.

Micah Lloyd
 Director of Mutuels, ORC



ADVANCED DEPOSIT WAGERING – ANNUAL REVIEW	
Company:	eBet Technologies, Inc.
Date:	30 May 2024
Current License / Expiration	21-602, Valid through 6/30/2026
Audit Status OAR 462-220-0030(10)	Last audit was August 2023, no issues reported. Next audit scheduled for July 2024.
Oregon Business License OAR 462-220-0030(2)(l)	OR business license 542116-94 is in good standing, expires 8/21/24
Fees and Taxes OAR 462-220-0030(6) OAR 462-220-0040	All fees and taxes owed are up to date.
Bond OAR 462-220-0030(7)(b)	Bond on file, expires 12/21/24
Segregated Funds OAR 462-220-0030(7)(a)	Segregated funds were confirmed during the last audit.
Mitigation for the Effects of Account Wagering OAR 462-220-0030(3)(d)	A 2024-25 agreement with HRA is confirmed.
Oregon Operational Presence OAR 462-220-0030(9)	eBet is confirmed to have an operational presence within the State of Oregon.
Track list / Host contracts OAR 462-220-0030(2)(e)	Track lists are on file with the ORC. Host contracts were confirmed during the last audit.
Hub Employee Licensing OAR 462-220-0030(2)(i)	Staff licensing was reviewed and confirmed within the ORC licensing database.
Responsible Wagering OAR 462-220-0030(3)(c)	Responsible wagering components were reviewed during the last audit and found to be acceptable
Affiliate review (if any) OAR 462-220-0030(3)(f)	<ul style="list-style-type: none"> • Hollywoodraces.com • Horseplayersbet.com • ldabet.com • 123bet.com <p>All sites properly reflect licensee status and have prominent Responsible Wagering components.</p>

No issues noted. eBet Technologies remains a licensee in good standing with the Oregon Racing Commission.

Micah Lloyd
 Director of Mutuels, ORC



ADVANCED DEPOSIT WAGERING – ANNUAL REVIEW	
Company:	Game Play Network
Date:	30 May 2024
Current License / Expiration	23-0501, Valid through 6/30/2028
Audit Status OAR 462-220-0030(10)	Last audit was March 2024, no issues reported.
Oregon Business License OAR 462-220-0030(2)(l)	OR business license 503031-98 is in good standing, expires 3/6/25
Fees and Taxes OAR 462-220-0030(6) OAR 462-220-0040	All fees and taxes owed are up to date.
Bond OAR 462-220-0030(7)(b)	Continuation Bond on file. Expires 12/10/24
Segregated Funds OAR 462-220-0030(7)(a)	Segregated funds were confirmed during the last audit.
Mitigation for the Effects of Account Wagering OAR 462-220-0030(3)(d)	A 2023-24 agreement with HRA is confirmed. A 2024-25 agreement will be confirmed by ORC prior to July 1, 2024.
Oregon Operational Presence OAR 462-220-0030(9)	Game Play Network is confirmed to have an operational presence within the State of Oregon.
Track list / Host contracts OAR 462-220-0030(2)(e)	Track lists are on file with the ORC. Host contracts were confirmed during the last audit.
Hub Employee Licensing OAR 462-220-0030(2)(i)	Staff licensing was reviewed and confirmed within the ORC licensing database.
Responsible Wagering OAR 462-220-0030(3)(c)	Responsible wagering components were reviewed during the last audit and found to be acceptable
Affiliate review (if any) OAR 462-220-0030(3)(f)	N/A

No issues noted. Game Play Network remains a licensee in good standing with the Oregon Racing Commission.

Micah Lloyd
 Director of Mutuels, ORC



ADVANCED DEPOSIT WAGERING – ANNUAL REVIEW	
Company:	NYRA Bets
Date:	30 May 2024
Current License / Expiration	21-603, Good through 6/30/2026
Audit Status OAR 462-220-0030(10)	Last audit was September 2023, no issues reported.
Oregon Business License OAR 462-220-0030(2)(l)	OR business license 1196756-92 is in good standing, expires 3/10/25
Fees and Taxes OAR 462-220-0030(6) OAR 462-220-0040	All fees and taxes owed are up to date.
Bond OAR 462-220-0030(7)(b)	Security bond is on file. Expires 12/31/24.
Segregated Funds OAR 462-220-0030(7)(a)	Segregated funds were confirmed during the last audit.
Mitigation for the Effects of Account Wagering OAR 462-220-0030(3)(d)	A 2023-24 agreement with HRA is confirmed. A 2024-25 agreement will be confirmed by ORC prior to July 1, 2024.
Oregon Operational Presence OAR 462-220-0030(9)	NYRA is confirmed to have an operational presence within the State of Oregon.
Track list / Host contracts OAR 462-220-0030(2)(e)	Track lists are on file with the ORC. Host contracts were confirmed during the last audit.
Hub Employee Licensing OAR 462-220-0030(2)(i)	Staff licensing was reviewed and confirmed within the ORC licensing database.
Responsible Wagering OAR 462-220-0030(3)(c)	Responsible wagering components were reviewed during the last audit and found to be acceptable.
Affiliate review (if any) OAR 462-220-0030(3)(f)	<ul style="list-style-type: none"> • Caesarsracebook.com • Horseracing.betmgm.com • Thorograph.com/nyra All sites properly reflect licensee status and have prominent Responsible Wagering components.

No issues noted. NYRA remains a licensee in good standing with the Oregon Racing Commission.

Micah Lloyd
 Director of Mutuels, ORC



ADVANCED DEPOSIT WAGERING – ANNUAL REVIEW	
Company:	ODS Technologies, LP / TVG.com and racing.fanduel.com
Date:	30 May 2024
Current License / Expiration	21-604, Valid through 6/30/2026
Audit Status OAR 462-220-0030(10)	Last audit was completed 4/4/23, no issues reported. The current audit is ongoing as of the date above.
Oregon Business License OAR 462-220-0030(2)(l)	OR business license 591832-86 is in good standing, expires 8/28/24
Fees and Taxes OAR 462-220-0030(6) OAR 462-220-0040	All fees and taxes owed are up to date.
Bond OAR 462-220-0030(7)(b)	Bond on file, expires 10/12/24
Segregated Funds OAR 462-220-0030(7)(a)	Segregated funds were confirmed during the last audit.
Mitigation for the Effects of Account Wagering OAR 462-220-0030(3)(d)	A 2023-24 agreement with HRA is confirmed. A 2024-25 agreement will be confirmed by ORC prior to July 1, 2024.
Oregon Operational Presence OAR 462-220-0030(9)	TVG is confirmed to have an operational presence within the State of Oregon.
Track list / Host contracts OAR 462-220-0030(2)(e)	Track lists are on file with the ORC. Host contracts were confirmed during the last audit.
Hub Employee Licensing OAR 462-220-0030(2)(i)	Staff licensing was reviewed and confirmed within the ORC licensing database.
Responsible Wagering OAR 462-220-0030(3)(c)	Responsible wagering components were reviewed during the last audit and found to be acceptable
Affiliate review (if any) OAR 462-220-0030(3)(f)	N/A

No issues noted. TVG remains a licensee in good standing with the Oregon Racing Commission.

Micah Lloyd
 Director of Mutuels, ORC



ADVANCED DEPOSIT WAGERING – ANNUAL REVIEW	
Company:	Churchill Downs Technology Initiatives Company (CDTIC) / TwinSpires.com
Date:	30 May 2024
Current License / Expiration	21-601, Valid through 6/30/2026
Audit Status OAR 462-220-0030(10)	Last audit was November 2023, no issues reported.
Oregon Business License OAR 462-220-0030(2)(l)	OR business license 420453-93 is in good standing, expires 3/14/25
Fees and Taxes OAR 462-220-0030(6) OAR 462-220-0040	Fees and taxes are timely paid.
Bond OAR 462-220-0030(7)(b)	Assurance Bond on file. Expiration date: 7/1/24 Updated Bond will be confirmed by ORC prior to July 1, 2024.
Segregated Funds OAR 462-220-0030(7)(a)	Segregated funds were confirmed during the last audit.
Mitigation for the Effects of Account Wagering OAR 462-220-0030(3)(d)	A 2023-24 agreement with HRA is confirmed. A 2024-25 agreement will be confirmed by ORC prior to July 1, 2024.
Oregon Operational Presence OAR 462-220-0030(9)	CDTIC is confirmed to have an operational presence within the State of Oregon.
Track list / Host contracts OAR 462-220-0030(2)(e)	Track lists are on file with the ORC. Host contracts were confirmed during the last audit.
Hub Employee Licensing OAR 462-220-0030(2)(i)	Staff licensing was reviewed and confirmed within the ORC licensing database.
Responsible Wagering OAR 462-220-0030(3)(c)	Responsible wagering components were reviewed during the last audit and found to be acceptable
Affiliate review (if any) OAR 462-220-0030(3)(f)	<ul style="list-style-type: none"> • TwinSpires.com • BetAmerica.com • Keenlandselect.com • DKhorse.com <p>All sites properly reflect licensee status and have prominent Responsible Wagering components.</p>

No issues noted. Churchill Downs Technology Initiatives Company remains a licensee in good standing with the Oregon Racing Commission.

Micah Lloyd
 Director of Mutuels, ORC



ADVANCED DEPOSIT WAGERING – ANNUAL REVIEW	
Company:	Xpressbet LLC
Date:	30 May 2024
Current License / Expiration	23-0500, Valid through 6/30/2026
Audit Status OAR 462-220-0030(10)	Last audit was March 2023, no issues reported. Next audit scheduled for August 2024.
Oregon Business License OAR 462-220-0030(2)(l)	OR business license 503031-98 is in good standing, expires 3/6/25
Fees and Taxes OAR 462-220-0030(6) OAR 462-220-0040	All fees and taxes owed are up to date.
Bond OAR 462-220-0030(7)(b)	Continuation Bond on file. Expiration date: 8/10/24
Segregated Funds OAR 462-220-0030(7)(a)	Segregated funds were confirmed during the last audit.
Mitigation for the Effects of Account Wagering OAR 462-220-0030(3)(d)	A 2023-24 agreement with HRA is confirmed. A 2024-25 agreement will be confirmed by ORC prior to July 1, 2024.
Oregon Operational Presence OAR 462-220-0030(9)	Xpressbet is confirmed to have an operational presence within the State of Oregon.
Track list / Host contracts OAR 462-220-0030(2)(e)	Track lists are on file with the ORC. Host contracts were confirmed during the last audit.
Hub Employee Licensing OAR 462-220-0030(2)(i)	Staff licensing was reviewed and confirmed within the ORC licensing database.
Responsible Wagering OAR 462-220-0030(3)(c)	Responsible wagering components were reviewed during the last audit and found to be acceptable
Affiliate review (if any) OAR 462-220-0030(3)(f)	<ul style="list-style-type: none"> • Xbselect.com • Drfbets.com • 1stbet.com • Betmix.com • Horsetourneys.com <p>All sites properly reflect licensee status and have prominent Responsible Wagering components.</p>

No issues noted. Xpressbet LLC remains a licensee in good standing with the Oregon Racing Commission.

Micah Lloyd
 Director of Mutuels, ORC

Oregon Racing Commission

PO Box 366
Gresham, OR 97030



Review of Totalizator Application Checklist

**AmTote International
2024-2025 ANNUAL APPLICATION**

**TEMPORARY APPROVAL PENDING FINAL CONFIRMATION OF
APPLICATION.**

Due Diligence Checklist

Overview

The Due Diligence Checklist ensures that important application criteria are reviewed, analyzed, and accepted.

TOTALIZATOR LICENSE APPLICATION CHECKLIST

Totalizator Company registered to do business in Oregon?

- Yes 2232932-91; Exp 03/08/2025.
- No, see conditions or notes below.

Personal History Backgrounds Completed on All Officers and Directors

- Yes**, all backgrounds completed with no adverse information reported.
- No, see conditions or notes below.

License applications and fees remitted for Hub employees.

- Yes, all Oregon hub employees are licensed.
- No, see conditions or notes below.

SOC2 / SSAE Type 2 Report received and reviewed?

- Yes** SSAE 18 Statement of Standards for Attestation
- No

Organization Chart Included?

- Yes
- No, see conditions or notes below.

Listing of Other Operational Jurisdictions Included with Application?

- Yes
- No, see conditions or notes below.

Check included with Application.

-.

No, see conditions or notes below.

Other Notations

Review

A full review of the SSAE accounting report showed no areas of concern.

Review of Application Checklist

Staff Recommendation

- Approve**
 - Approve with conditions.**
 - Disapprove subject to corrections noted on review.**
-

Dawn Rome
Supervisor of Pari-Mutuels

Oregon Racing Commission

PO Box 366

Gresham, OR 97030



Review of Totalizator Application Checklist

**Colossusbets Limited
2024-2025 ANNUAL APPLICATION**

Due Diligence Checklist

Overview

The Due Diligence Checklist ensures that important application criteria are reviewed, analyzed, and accepted.

TOTALIZATOR LICENSE APPLICATION CHECKLIST

Totalizator Company registered to do business in Oregon?

- Yes 1508177-90; Exp 01/16/2025.
- No, see conditions or notes below.

Personal History Backgrounds Completed on All Officers and Directors

- Yes**, all backgrounds completed with no adverse information reported.
- No, see conditions or notes below.

License applications and fees remitted for Hub employees.

- Yes, all Oregon hub employees are licensed.
- No, see conditions or notes below.

SOC2 / SSAE Type 2 Report received and reviewed?

- Yes** SSAE 18 Statement of Standards for Attestation
- No

Organization Chart Included?

- Yes
- No, see conditions or notes below.

Listing of Other Operational Jurisdictions Included with Application?

- Yes
- No, see conditions or notes below.

Check included with Application.

Yes –received via ACH 04/23/24.

No, see conditions or notes below.

Other Notations

Review

A full review of the SSAE accounting report showed no areas of concern.

Review of Application Checklist

Staff Recommendation

- Approve**
 - Approve with conditions.**
 - Disapprove subject to corrections noted on review.**
-

Dawn Rome
Supervisor of Pari-Mutuels

Oregon Racing Commission

PO Box 366
Gresham, OR 97030



Review of Totalizator Application Checklist

Global Tote US, LLC
2024-2025 ANNUAL APPLICATION

TEMPORARY APPROVAL PENDING PAYMENT

Due Diligence Checklist

Overview

The Due Diligence Checklist ensures that important application criteria are reviewed, analyzed, and accepted.

TOTALIZATOR LICENSE APPLICATION CHECKLIST

Totalizator Company registered to do business in Oregon?

- Yes 217009-92; Exp 04/30/2025.
- No, see conditions or notes below.

Personal History Backgrounds Completed on All Officers and Directors

- Yes**, all backgrounds completed with no adverse information reported.
- No, see conditions or notes below.

License applications and fees remitted for Hub employees.

- Yes, all Oregon hub employees are licensed.
- No, see conditions or notes below.

SOC2 / SSAE Type 2 Report received and reviewed?

- Yes** SOC 1 Type 2 Report – SOC for Service Organizations: ICFR
- No

Organization Chart Included?

- Yes
- No, see conditions or notes below.

Listing of Other Operational Jurisdictions Included with Application?

- Yes
- No, see conditions or notes below.

Check included with Application.

- Yes
- No, see conditions or notes below.
PENDING replacement check.

Other Notations

Review

- A full review of the SOC 1 Type 2 report showed no areas of concern.**
-

Review of Application Checklist

Staff Recommendation

- Approve**
 - Approve with conditions.**
 - Disapprove subject to corrections noted on review.**
-

Dawn Rome
Supervisor of Pari-Mutuels

Oregon Racing Commission

PO Box 366

Gresham, OR 97030



Review of Totalizator Application Checklist

**i-Neda Limited
2024-2025 ANNUAL APPLICATION**

Due Diligence Checklist

Overview

The Due Diligence Checklist ensures that important application criteria are reviewed, analyzed, and accepted.

TOTALIZATOR LICENSE APPLICATION CHECKLIST

Totalizator Company registered to do business in Oregon?

- Yes 1694697-99; Exp 08/25/2024.
- No, see conditions or notes below.

Personal History Backgrounds Completed on All Officers and Directors

- Yes**, all backgrounds completed with no adverse information reported.
- No, see conditions or notes below.

License applications and fees remitted for Hub employees.

- Yes, all Oregon hub employees are licensed.
- No, see conditions or notes below.

SOC2 / SSAE Type 2 Report received and reviewed?

- Yes** SSAE 18 Statement of Standards for Attestation
- No

Organization Chart Included?

- Yes
- No, see conditions or notes below.

Listing of Other Operational Jurisdictions Included with Application?

- Yes
- No, see conditions or notes below.

Check included with Application.

Yes – paid via wire 04/16/2024.

No, see conditions or notes below.

Other Notations

Review

A full review of the SSAE accounting report showed no areas of concern.

Review of Application Checklist

Staff Recommendation

- Approve**
 - Approve with conditions.**
 - Disapprove subject to corrections noted on review.**
-

Dawn Rome
Supervisor of Pari-Mutuels

Oregon Racing Commission

PO Box 366
Gresham, OR 97030



**Review of Totalizator Application
Checklist**

United Tote Company
2024-2025 ANNUAL APPLICATION

Due Diligence Checklist

Overview

The Due Diligence Checklist ensures that important application criteria are reviewed, analyzed, and accepted.

TOTALIZATOR LICENSE APPLICATION CHECKLIST

Totalizator Company registered to do business in Oregon?

- Yes 188961-83; Exp 02/06/2025
- No, see conditions or notes below.

Personal History Backgrounds Completed on All Officers and Directors

- Yes**, all backgrounds completed with no adverse information reported.
- No, see conditions or notes below.

License applications and fees remitted for Hub employees.

- Yes, all Oregon hub employees are licensed.
- No, see conditions or notes below.

SOC2 / SSAE Type 2 Report received and reviewed?

- Yes** System and Organization Controls (SOC 1) Type 2 Report.
- No

Organization Chart Included?

- Yes
- No, see conditions or notes below.

Listing of Other Operational Jurisdictions Included with Application?

- Yes
- No, see conditions or notes below.

Check included with Application.

Yes – paid via CK 1244346 03/15/24 \$1,000.

No, see conditions or notes below.

Other Notations

Review

A full review of the SOC 1 Type 2 report showed no areas of concern.

Review of Application Checklist

Staff Recommendation

- Approve**
 - Approve with conditions.**
 - Disapprove subject to corrections noted on review.**
-

Dawn Rome
Supervisor of Pari-Mutuels

462-120-0010 (2)

Who Must Be Licensed

ORS 462.020 states: Licensing required for race meets, persons participating in race meets and public training tracks; licensees to observe rules and orders.

(1) No person shall hold any race meet without having first obtained and having in full force and effect a license therefore issued by the commission.

(2) No trainer, jockey, apprentice jockey, horse owner, exercise rider, agent, authorized agent, jockey's agent, stable foreman, groom, valet, veterinarian, horseshoer, steward, stable watchman, starter, timer or other person acting as a participant or official at any race meet, including all employees of the pari-mutuel department, owners and mutuel managers of off-track establishments, employees of multi-jurisdictional simulcasting and interactive wagering totalizator hubs, who work within the State of Oregon, **or has access to account information**, shall participate in race meets without having first obtained and having in full force and effect a license issued by the commission, pursuant to such rules as the commission shall make. The commission by rule may require other employees of a race meet licensee who are engaged in or performing duties at the race course to obtain a license issued by the commission prior to engaging or performing such duties. The commission by rule may also require persons, including corporations, who are not employees of a race meet licensee, but who are authorized to do business at the race course, to obtain a license issued by the commission prior to conducting such business.

(3) No person shall operate a public training track without having first obtained and having in full force and effect a license issued by the commission.

(4) The commission may require each licensee to be fingerprinted and photographed as part of the licensing procedure.

(5) Each person holding a license under this chapter shall comply with all rules and orders of the commission.

(6) Notwithstanding the requirements of subsection (2) of this section, the commission, upon receipt of a written application for a license on forms provided by the commission, may in its sound discretion issue a temporary license valid for a period not to exceed 10 days pending final approval or disapproval of the written application for a license.

Statutory/Other Authority: ORS 462.250

Statutes/Other Implemented: ORS 462.020

Reason for rule: Clarifies who must be licensed

Hearing required: No

FIS No

462-160-0130

Medications and Prohibited Substances

(1) No horse may be administered any substance, other than foods, by any route or method less than 24 hours before the original post time for the race in which the horse is entered except furosemide (by the manner described in these rules) unless approved by a commission veterinarian:

(a) Any licensee of the commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer;

(b) The licensed trainer is responsible for notifying the licensed owner, veterinarian or any other licensed party involved in a positive laboratory finding of any hearings and any resulting action. In addition their presence may be required at any and all hearings relative to the case;

(c) Any veterinarian found to be involved in the administration of any drug with an RCI Classification of 1, 2, or 3, involved in a prohibited practice as outlined in OAR 462-160-0120, or involved in an ORS 462 violation shall be referred to the State Licensing Board of Veterinary Medicine for consideration of further disciplinary action and/or license revocation. This is in addition to any penalties issued by the stewards or the commission;

(d) Any person who the stewards or the commission believe may have committed acts in violation of criminal statutes may be referred to the appropriate law enforcement agency. Administrative action taken by the stewards or the commission does not prohibit a prosecution for criminal acts committed, nor does a potential criminal prosecution stall administrative action by the stewards or the commission;

(e) A licensed trainer shall not benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

(2) Medication Restrictions:

(a) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a race day test, was present in the horse's body on race day. Prohibited substances include:

(A) Drugs or medications for which no acceptable threshold concentration has been established;

(B) Therapeutic medications in excess of established threshold concentrations;

(C) Substances present in the horse in excess of concentrations at which such substances could occur naturally; and

(D) Substances foreign to a horse at concentrations that cause interference with testing procedures.

(b) Except as otherwise provided by this chapter, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this chapter less than 24-hours before post time for the race in which the horse is entered.

(3) Medical Labeling:

(a) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection;

(b) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:

(A) The name of the product;

(B) The name, address and telephone number of the veterinarian prescribing or dispensing the product;

(C) The name of each patient (horse) for whom the product is intended/prescribed;

(D) The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and

(E) The name of the person (trainer) to whom the product was dispensed.

(4) Non-Steroidal Anti-Inflammatory Drugs (NSAIDs):

(a) The use of one of three approved NSAIDs shall be permitted under the following conditions:

(A) Horses on any permitted NSAID will be designated on the overnight and the daily racing program;

(B) No horse utilizing a permitted NSAID may be entered into a race unless the presence of the specific NSAID is stated on the entry form at the time of entry. Errors may be corrected up until scratch time. If no scratch time is used, the stewards may designate a time until which errors may be corrected;

(C) Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection not less than 24-hours before the post time for the race in which the horse is entered:

(i) Phenylbutazone — 2 micrograms per milliliter;

(ii) Flunixin — 20 nanograms per milliliter;

(iii) Ketoprofen — 2 nanograms per milliliter.

(D) These or any other NSAID are prohibited to be administered within the 24-hours before the original post time for the race in which the horse is entered;

(E) The presence of any unapproved NSAID in serum, plasma or urine sample exceeding the established thresholds pursuant to OAR 462-160-0130(8) is not permitted in a race day sample.

(b) Any horse to which an NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of a commission veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s);

(c) When listed to race on a permitted NSAID, the approved laboratory must be able to detect the presence of a permitted NSAID in serum, plasma or urine by the routine methods of detection;

(d) If a permitted NSAID is detected in the urine or in any other specimen taken from a horse not stated to have permitted medication in its system on the entry form and/or program, the violation will result in a penalty to the horse's trainer and may result in loss of purse;

(e) If the same horse has three (3) overages of any NSAID during a 365-day period a commission veterinarian may rule the horse off all NSAIDs for a period of one year (365 days);

(f) The decision of whether to scratch a horse which has been entered incorrectly or is incorrectly treated shall be left to the discretion of a commission veterinarian.

(g) Stacking violation may occur when two or more non-steroidal anti-inflammatory drugs are present at detectable levels.

(h) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection are not permitted.

(5) NSAID Stacking Classification -The presence of more than one NSAID may constitute a NSAID stacking violation consistent with the following restrictions:

(a) Class 1 NSAID Stacking Violation occurs when:

(A) Two non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:

(i) Diclofenac- 5 nanograms per milliliter of plasma or serum;

(ii) Firocoxib- 20 nanograms per milliliter of plasma or serum;

(i)(iii) Flunixin- 20 nanograms per milliliter of plasma or serum;

(ii)(iv) Ketoprofen- 2 nanograms per milliliter of plasma or serum;

(iii)(v) Phenylbutazone- 2 micrograms per milliliter of plasma or serum;

(iv)(vi) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection

(B) Three or more non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:

(i) Diclofenac- 5 nanograms per milliliter of plasma or serum;

(ii) Firocoxib- 20 nanograms per milliliter of plasma or serum;

(i)(iii) Flunixin- 3 nanograms per milliliter of plasma or serum;

(ii)(iv) Ketoprofen- 1 nanograms per milliliter of plasma or serum;

(iii)(v) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum;

~~(iv)~~(vi) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection

(b) Class 2 NSAID Stacking Violation occurs when any one substance noted in subsection (5)(a)(A)(i-v) above is found in excess of the restrictions contained therein in combination with any one of the following substances at levels below the restrictions so noted but in excess of the following levels:

(A) Flunixin- 3 nanograms per milliliter of plasma or serum;

(B) Ketoprofen- 1 nanograms per milliliter of plasma or serum;

(C) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum;

(c) Class 3 NSAID Stacking Violation occurs when any combination of two of the following non-steroidal anti-inflammatory drugs are found at or below the restrictions in Subsection (5)(a)(A)(i-v) above but in excess of the following noted restrictions:

(A) Flunixin- 3 nanograms per milliliter of plasma or serum;

(B) Ketoprofen- 1 nanograms per milliliter of plasma or serum;

(C) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum

(6) Furosemide:

(a) The commission may approve the use of furosemide at any race meet if, in the opinion of the commission, the race meet can provide the necessary qualified staffing, security and for the additional laboratory analysis costs and any other controls necessary to administer a furosemide program.

(b) Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of a commission veterinarian or the racing veterinarian for the purpose of removing a horse from the Veterinarian's list ~~or to facilitate the collection of a post-race urine sample,~~ furosemide shall be permitted only if the following process is followed:

(A) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide, the horse may be so entered.

(B) The horse may discontinue from racing on furosemide at the licensed trainer's choice at the time of entry.

(C) Furosemide shall only be administered on association grounds.

~~(D) Upon the request of the regulatory agency designee, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication which may then be submitted for testing.~~

(c) Horses to run with furosemide must be so noted on the entry form at the time of entry. Errors may be corrected up until scratch time. If no scratch time is used, the stewards may designate a time until which errors may be corrected:

(A) Horses entered to race with furosemide will be designated on the overnight and the daily racing program with a "Lasix®" or "L". If the race is the first race the horse is to run in on furosemide, it shall be designated in the daily racing program with a "1-L". If the race is the first race the horse runs without

furosemide after running one or more races with furosemide, it shall be designated in the program by "O-L" or "L-X";

(B) When discovered prior to the race, errors in the listing of furosemide treatments in the program shall be announced to the public.

(d) The use of furosemide shall be permitted under the following circumstances:

(A) Furosemide shall be administered no more than ~~five~~ **four & ½** hours but not less than ~~four~~ **three** hours prior to the original scheduled post time for the race for which the horse is entered.

(B) The furosemide dosage administered shall not exceed ~~300500~~ mg. nor be less than 150 mg.

(C) Furosemide shall be administered by a single, intravenous injection.

(D) The veterinarian treating the horse shall cause to be delivered to a commission veterinarian or designated representative no later than one hour prior to post time for the race for which the horse is entered the following information under oath on a form approved by a commission veterinarian:

(i) The name of the horse, racetrack name, the date and time the furosemide was administered to the entered horse.

(ii) The dosage amount of furosemide administered to the entered horse; and

(iii) The printed name and signature of the attending licensed veterinarian who administered the furosemide.

(iv) Violations of this subsection (subsection (d)) shall result in a fine and scratch from the race the horse was entered to run. Violations may also result in a commission veterinarian ordering the loss of furosemide privileges.

(e) Test results must show a detectable concentration of the drug in the race day serum, plasma or urine sample. If furosemide is not detected in a race day sample, a penalty may be imposed upon the horse's trainer without loss of purse:

(A) Quantification of furosemide in serum or plasma shall be performed. Concentrations of furosemide in serum or plasma shall not exceed 100 nanograms of furosemide per milliliter of serum or plasma. When the concentration of furosemide exceeds 100 nanograms of furosemide per milliliter of serum or plasma, specific gravity of the corresponding urine sample shall be measured.

(B) The specific gravity of race day urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010.

(f) Unauthorized use of furosemide shall result in a penalty to the horse's trainer.

(g) The decision of whether to scratch a horse which has been entered incorrectly or is incorrectly treated shall be left to the discretion of a commission veterinarian.

(h) A commission veterinarian may rule a horse off furosemide if in his/her opinion it is in the horse's best interest, the interest of the citizens of the state or the best interest of horse racing.

(7) Bleeder List:

(a) The commission veterinarians shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by a commission veterinarian.

(b) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to enter for the following time periods:

(A) First incident — 14 days.

(B) Second incident within 365-day period — 30 days.

(C) Third incident within 365-day period — 180 days.

(D) Fourth incident within 365-day period — barred for racing lifetime.

(c) For the purpose of counting the number of days a horse is ineligible to be entered for a race, the day the horse bled externally is the first day of the recovery period.

(d) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by this policy.

(e) A horse may be removed from the Bleeder List only upon the direction of a commission veterinarian;

(f) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to these rules shall be placed on a Bleeder List in this jurisdiction.

(8) Controlled Therapeutic Medications

(a) The following quantitative medications are permissible in test samples up to the stated concentrations in urine:

(A) Acepromazine - metabolite, 2-(1- hydroxyethyl) promazine sulfoxide (HEPS)- 10 ng/ml

(B) Albuterol - 1 ng/ml (in quarter horse and mixed breed races the presence of clenbuterol is prohibited)

(C) Butorphanol - 300 ng/ml

(D) Carboxydetomidine - 2 ng/ml

(E) Clenbuterol - 140 pg/ml (in quarter horse and mixed breed races the presence of clenbuterol is prohibited)

(F) Mepivacaine - metabolite, hydroxymepivacaine -10 ng/ml

(b) The following quantitative medications are permissible in test samples up to the stated concentrations in serum or plasma:

(A) Acepromazine - metabolite, 2-(1- hydroxyethyl) promazine sulfoxide (HEPS)- 10 ng/ml

(B) Albuterol - 1 ng/ml

(C) Betamethasone - 10 pg/ml

(D) ~~(A)~~ Butorphanol - 2 ng/ml

(E) ~~(D)~~ Cetirizine - 6 ng/ml

(F) ~~(E)~~ Cimetidine - 400 ng/ml

(G) ~~(E)~~ Clenbuterol - 2 pg/ml (in quarter horse and mixed breed races the presence of clenbuterol is prohibited)

(H) ~~(G)~~ Dantrolene - 100 pg/ml

(I) ~~(H)~~ Detomidine - 1 ng/ml

(J) ~~(I)~~ Dexamethasone - 5 pg/ml

~~(J) Diclofenac - 5 ng/ml~~

(K) ~~(J)~~ DMSO - 10 mcg/ml

~~(K) Firocoxib - 20 ng/ml~~

(L) Glycopyrrrolate - 3 pg/ml

(M) Guaifenesin - 12 ng/ml

(N) Isoflupredone - 100 pg/ml

(O) Lidocaine - metabolite, 3-OH lidocaine - 20 pg/ml

(P) Mepivacaine LOD

(Q) Methocarbamol - 1 ng/ml

(R) Methylprednisolone - 100 pg/ml

(S) Omeprazole - metabolite, omeprazole sulfide - 10 ng/ml

(T) Prednisolone - 1 ng/ml

(U) Procaine penicillin - 25 ng/ml

(V) Ranitidine - 40 ng/ml

(W) Triamcinolone acetonide - 100 pg/ml

(X) Xylazine - 200 pg/ml

(9) Environmental Contaminants and Substances of Human Use:

(a) The following substances can be environmental contaminants in that they are endogenous to the horse or that they can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases: Polyethylene glycol (PEG), PEG-like substances, Hordenine;

(b) Regulatory thresholds have been set for the following substances: Caffeine — 100 nanograms of caffeine per milliliter of serum or plasma;

(c) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination or inadvertent exposure due to human drug use it should be considered as a mitigating factor in any disciplinary action taken against the affected trainer.

(10) Androgenic-Anabolic Steroids (AAS)

(a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of stanozolol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations equal to or less than the indicated thresholds.

(b) Concentrations of these AAS shall not exceed the following urine threshold concentrations in total (free drug; or metabolite and drug; or metabolite liberated from its conjugates):

(A) 16beta-hydroxystanozolol (metabolite of stanozolol (Winstrol)): 1 ng/ml for all horses regardless of sex.

(B) Boldenone (Equipose® is the undecylenate ester of boldenone) in:

(i) Male horses other than geldings — 15 ng/ml.

(ii) No boldenone shall be permitted in geldings or female horses.

(C) Nandrolone (Durabolin® is the phenylpropionate ester and Deca-Durabolin® is the decanoate ester) in:

(i) Geldings — 1 ng/ml.

(ii) Fillies and mares — 1 ng/ml.

(iii) In male horses other than geldings — forty-five (45) ng/ml of nandrolone metabolite, 5a-oestrane-3β17a-diol

(D) Testosterone in:

(i) Geldings — 20 ng/ml.

(ii) Fillies and mares — 55 ng/ml.

(iii) Male horses other than geldings — Testosterone will not be tested.

(c) All other AAS are prohibited in racing horses.

(d) Race day urine samples collected from intact males must be identified to the laboratory.

(e) Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on the veterinarian's list in order to monitor the concentration of the drug or metabolite in urine. After the urine concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list.

(11) Clenbuterol:

(a) The use of Clenbuterol shall be permitted under the following conditions: A test sample shall not exceed 2 picograms/milliliter (ml) of Clenbuterol in the blood or serum or 140 pg/ml in urine.

(b) Notwithstanding (11)(a), the use of Clenbuterol, albuterol, zilpateral, ractopamine or any analogues thereof in American Quarter Horse racing at recognized race tracks in Oregon is prohibited. All horses entering an official Quarter Horse race will be subject to testing by any biologic method including but not limited to hair, blood, and urine.

Statutory/Other Authority: ORS 462.270(3)

Statutes/Other Implemented: ORS 462.270 & 462.415

Reason for changes:

Change in 6 (d) (B) maximum dosage change from 500 mg to 300 mg. 1. Will not significantly change the effectiveness of the Furosemide program in mitigating the incidence of EIPH (bleeders). 2. Will help horses by reducing the post injection degree of dehydration.

Requires a hearing.

Requires a communication plan.

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462
OREGON RACING COMMISSION

FILED

04/23/2024 1:03 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amends OAR 462-160-0130 prohibited substances

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/20/2024 11:30 AM

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.

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

PO Box 366
Gresham, OR 97030

Filed By:
Karen Parkman
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 06/20/2024

TIME: 11:00 AM - 11:30 AM

OFFICER: Quinn Berry

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-853-5927

CONFERENCE ID: 86073005828

SPECIAL INSTRUCTIONS:

Via ZOOM Passcode: 2hsv13

NEED FOR THE RULE(S)

Continued effort to increase horse safety

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Medication Health and Welfare and Rule advisory committee discussion. Meeting records and documents stored electronically with the agency.

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

No Affect

FISCAL AND ECONOMIC IMPACT:

None

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).

None

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

Small businesses were not involved- not needed

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 462-160-0130

RULE SUMMARY: Amends Prohibited Substances

CHANGES TO RULE:

462-160-0130

Medications and Prohibited Substances ¶¶

(1) No horse may be administered any substance, other than foods, by any route or method less than 24 hours before the original post time for the race in which the horse is entered except furosemide (by the manner described in these rules) unless approved by a commission veterinarian:¶¶

(a) Any licensee of the commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer;¶¶

(b) The licensed trainer is responsible for notifying the licensed owner, veterinarian or any other licensed party involved in a positive laboratory finding of any hearings and any resulting action. In addition their presence may be required at any and all hearings relative to the case;¶¶

(c) Any veterinarian found to be involved in the administration of any drug with an RCI Classification of 1, 2, or 3, involved in a prohibited practice as outlined in OAR 462-160-0120, or involved in an ORS 462 violation shall be referred to the State Licensing Board of Veterinary Medicine for consideration of further disciplinary action and/or license revocation. This is in addition to any penalties issued by the stewards or the commission;¶¶

(d) Any person who the stewards or the commission believe may have committed acts in violation of criminal statutes may be referred to the appropriate law enforcement agency. Administrative action taken by the stewards or the commission does not prohibit a prosecution for criminal acts committed, nor does a potential criminal prosecution stall administrative action by the stewards or the commission;¶¶

(e) A licensed trainer shall not benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.¶¶

(2) Medication Restrictions:¶¶

(a) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a race day test, was present in the horse's body on race day.

Prohibited substances include:¶¶

(A) Drugs or medications for which no acceptable threshold concentration has been established;¶¶

(B) Therapeutic medications in excess of established threshold concentrations;¶¶

(C) Substances present in the horse in excess of concentrations at which such substances could occur naturally; and¶¶

(D) Substances foreign to a horse at concentrations that cause interference with testing procedures.¶¶

(b) Except as otherwise provided by this chapter, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this chapter less than 24-hours before post time for the race in which the horse is entered.¶¶

(3) Medical Labeling:¶¶

(a) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal

property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection;¶

(b) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:¶

(A) The name of the product;¶

(B) The name, address and telephone number of the veterinarian prescribing or dispensing the product;¶

(C) The name of each patient (horse) for whom the product is intended/prescribed;¶

(D) The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and¶

(E) The name of the person (trainer) to whom the product was dispensed.¶

(4) Non-Steroidal Anti-Inflammatory Drugs (NSAIDs):¶

(a) The use of one of three approved NSAIDs shall be permitted under the following conditions:¶

(A) Horses on any permitted NSAID will be designated on the overnight and the daily racing program;¶

(B) No horse utilizing a permitted NSAID may be entered into a race unless the presence of the specific NSAID is stated on the entry form at the time of entry. Errors may be corrected up until scratch time. If no scratch time is used, the stewards may designate a time until which errors may be corrected;¶

(C) Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection not less than 24-hours before the post time for the race in which the horse is entered:¶

(i) Phenylbutazone - 2 micrograms per milliliter;¶

(ii) Flunixin - 20 nanograms per milliliter;¶

(iii) Ketoprofen - 2 nanograms per milliliter.¶

(D) These or any other NSAID are prohibited to be administered within the 24-hours before the original post time for the race in which the horse is entered;¶

(E) The presence of any unapproved NSAID in serum, plasma or urine sample exceeding the established thresholds pursuant to OAR 462-160-0130(8) is not permitted in a race day sample.¶

(b) Any horse to which an NSAID has been administered shall be subject to having a blood and/or urine sample(s) taken at the direction of a commission veterinarian to determine the quantitative NSAID level(s) and/or the presence of other drugs which may be present in the blood or urine sample(s);¶

(c) When listed to race on a permitted NSAID, the approved laboratory must be able to detect the presence of a permitted NSAID in serum, plasma or urine by the routine methods of detection;¶

(d) If a permitted NSAID is detected in the urine or in any other specimen taken from a horse not stated to have permitted medication in its system on the entry form and/or program, the violation will result in a penalty to the horse's trainer and may result in loss of purse;¶

(e) If the same horse has three (3) overages of any NSAID during a 365 day period a commission veterinarian may rule the horse off all NSAIDs for a period of one year (365 days);¶

(f) The decision of whether to scratch a horse which has been entered incorrectly or is incorrectly treated shall be left to the discretion of a commission veterinarian.¶

(g) Stacking violation may occur when two or more non-steroidal anti-inflammatory drugs are present at detectable levels. ¶

(h) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection are not permitted.¶

(5) NSAID Stacking Classification -The presence of more than one NSAID may constitute a NSAID stacking violation consistent with the following restrictions:¶

(a) Class 1 NSAID Stacking Violation occurs when: ¶

(A) Two non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions: ¶

(i) ~~Diclofenac- 5 nanograms per milliliter of plasma or serum;¶~~

(ii) ~~Firocoxib- 20 nanograms per milliliter of plasma or serum;¶~~

(iii) Flunixin- 20 nanograms per milliliter of plasma or serum;¶

(iv) Ketoprofen- 2 nanograms per milliliter of plasma or serum;¶

(v) Phenylbutazone- 2 micrograms per milliliter of plasma or serum;¶

(vi) ~~All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection¶~~

(B) Three or more non-steroidal anti-inflammatory drugs are found at individual levels determined to exceed the following restrictions:¶

(i) ~~Diclofenac- 5 nanograms per milliliter of plasma or serum;¶~~

(ii) ~~Firocoxib- 20 nanograms per milliliter of plasma or serum;¶~~

(iii) Flunixin- 3 nanograms per milliliter of plasma or serum;¶

- (iv) Ketoprofen- 1 nanograms per milliliter of plasma or serum;¶
- (viii) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum;¶
- (xiv) All other non-steroidal anti-inflammatory drugs-laboratory concentration of detection¶
- (b) Class 2 NSAID Stacking Violation occurs when any one substance noted in subsection (5)(a)(A)(i-v) above is found in excess of the restrictions contained therein in combination with any one of the following substances at levels below the restrictions so noted but in excess of the following levels:¶
 - (A) Flunixin- 3 nanograms per milliliter of plasma or serum;¶
 - (B) Ketoprofen- 1 nanograms per milliliter of plasma or serum;¶
 - (C) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum;¶
- (c) Class 3 NSAID Stacking Violation occurs when any combination of two of the following non-steroidal anti-inflammatory drugs are found at or below the restrictions in Subsection (5)(a)(A)(i-v) above but in excess of the following noted restrictions:¶
 - (A) Flunixin- 3 nanograms per milliliter of plasma or serum;¶
 - (B) Ketoprofen- 1 nanograms per milliliter of plasma or serum;¶
 - (C) Phenylbutazone- 0.3 micrograms per milliliter of plasma or serum¶
- (6) Furosemide:¶
 - (a) The commission may approve the use of furosemide at any race meet if, in the opinion of the commission, the race meet can provide the necessary qualified staffing, security and for the additional laboratory analysis costs and any other controls necessary to administer a furosemide program;¶
 - (b) Furosemide may be administered intravenously to a horse, which is entered to compete in a race. Except under the instructions of a commission veterinarian or the racing veterinarian for the purpose of removing a horse from the Veterinarian's List or to facilitate the collection of a post-race urine sample, furosemide shall be permitted only if the following process is followed:¶
 - (A) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide, the horse may be so entered.¶
 - (B) The horse may discontinue from racing on furosemide at the licensed trainer's choice at the time of entry.¶
 - (C) Furosemide shall only be administered on association grounds;¶
 - ~~(D) Upon the request of the regulatory agency designee, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication which may then be submitted for testing.¶~~
 - (c) Horses to run with furosemide must be so noted on the entry form at the time of entry. Errors may be corrected up until scratch time. If no scratch time is used, the stewards may designate a time until which errors may be corrected:¶
 - (A) Horses entered to race with furosemide will be designated on the overnight and the daily racing program with a "Lasix" or "L". If the race is the first race the horse is to run in on furosemide, it shall be designated in the daily racing program with a "1-L". If the race is the first race the horse runs without furosemide after running one or more races with furosemide, it shall be designated in the program by "O-L" or "L-X";¶
 - (B) When discovered prior to the race, errors in the listing of furosemide treatments in the program shall be announced to the public.¶
 - (d) The use of furosemide shall be permitted under the following circumstances:¶
 - (A) Furosemide shall be administered no more than ~~five~~ four and a half hours but not less than ~~four~~ three hours prior to the original scheduled post time for the race for which the horse is entered;¶
 - (B) The furosemide dosage administered shall not exceed ~~5~~ 300 mg. nor be less than 150 mg;¶
 - (C) Furosemide shall be administered by a single, intravenous injection;¶
 - (D) The veterinarian treating the horse shall cause to be delivered to a commission veterinarian or designated representative no later than one hour prior to post time for the race for which the horse is entered the following information under oath on a form approved by a commission veterinarian:¶
 - (i) The name of the horse, racetrack name, the date and time the furosemide was administered to the entered horse;¶
 - (ii) The dosage amount of furosemide administered to the entered horse; and¶
 - (iii) The printed name and signature of the attending licensed veterinarian who administered the furosemide;¶
 - (iv) Violations of this subsection (subsection (d)) shall result in a fine and scratch from the race the horse was entered to run. Violations may also result in a commission veterinarian ordering the loss of furosemide privileges.¶
 - (e) Test results must show a detectable concentration of the drug in the race day serum, plasma or urine sample. If furosemide is not detected in a race day sample, a penalty may be imposed upon the horse's trainer without loss of purse:¶
 - (A) Quantification of furosemide in serum or plasma shall be performed. Concentrations of furosemide in serum or plasma shall not exceed 100 nanograms of furosemide per milliliter of serum or plasma. When the concentration

of furosemide exceeds 100 nanograms of furosemide per milliliter of serum or plasma, specific gravity of the corresponding urine sample shall be measured.¶

(B) The specific gravity of race day urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010.¶

(f) Unauthorized use of furosemide shall result in a penalty to the horse's trainer;¶

(g) The decision of whether to scratch a horse which has been entered incorrectly or is incorrectly treated shall be left to the discretion of a commission veterinarian;¶

(h) A commission veterinarian may rule a horse off furosemide if in his/her opinion it is in the horse's best interest, the interest of the citizens of the state or the best interest of horse racing.¶

(7) Bleeder List:¶

(a) The commission veterinarians shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by a commission veterinarian;¶

(b) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to enter for the following time periods:¶

(A) First incident - 14 days;¶

(B) Second incident within 365 day period - 30 days;¶

(C) Third incident within 365 day period - 180 days;¶

(D) Fourth incident within 365-day period - barred for racing lifetime.¶

(c) For the purposes of counting the number of days a horse is ineligible to be entered for a race, the day the horse bled externally is the first day of the recovery period;¶

(d) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by this policy;¶

(e) A horse may be removed from the Bleeder List only upon the direction of a commission veterinarian;¶

(f) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to these rules shall be placed on a Bleeder List in this jurisdiction.¶

(8) Controlled Therapeutic Medications¶

(a) The following quantitative medications are permissible in test samples up to the stated concentrations in urine:¶

(A) Acepromazine - metabolite, 2-(1- hydroxyethyl) promazine sulfoxide (HEPS)- 10 ng/ml¶

(B) Albuterol - 1 ng/ml¶

(C) Butorphanol - 300 ng/ml¶

(D) Carboxydetomidine - 2 ng/ml¶

(E) Clenbuterol - 140 pg/ml (in quarter horse and mixed breed races the presence of clenbuterol is prohibited)¶

(F) Mepivacaine - metabolite, hydroxymepivacaine -10 ng/ml¶

(b) The following quantitative medications are permissible in test samples up to the stated concentrations in serum or plasma:¶

(A) Acepromazine - metabolite, 2-(1- hydroxyethyl) promazine sulfoxide (HEPS)- 10 ng/ml¶

(B) Albuterol - 1 ng/ml¶

(C) Betamethasone - 10 pg/ml¶

(~~B~~D) Butorphanol - 2 ng/ml¶

(~~C~~E) Cetirizine - 6 ng/ml¶

(~~D~~F) Cimetidine - 400 ng/ml¶

(~~E~~G) Clenbuterol - 2 pg/ml (in quarter horse and mixed breed races the presence of¶
clenbuterol is prohibited)¶

(~~F~~H) Dantrolene - 100 pg/ml¶

(G) Detomidine - 1 ng/ml¶

(~~H~~J) Dexamethasone - 5 pg/ml¶

(~~I~~) Diclofenac - 5 ng/ml¶

(~~J~~) DMSO - 10 mcg/ml¶

(~~K~~) Firocoxib - 20 ng/ml¶ (K) DMSO - 10 mcg/ml ¶

(L) Glycopyrrrolate - 3 pg/ml¶

(M) Guaifenesin - 12 ng/ml¶

(N) Isoflupredone - 100 pg/ml¶

(O) Lidocaine - metabolite, 3-OH lidocaine - 20 pg/ml¶

(P) Mepivacaine LOD¶

(Q) Methocarbamol - 1 ng/ml¶

(R) Methylprednisolone - 100 pg/ml¶

(S) Omeprazole - metabolite, omeprazole sulfide - 10 ng/ml¶

(T) Prednisolone - 1 ng/ml¶¶

(U) Procaine penicillin - 25 ng/ml¶¶

(V) Ranitidine - 40 ng/ml¶¶

(W) Triamcinolone acetonide - 100 pg/ml¶¶

(X) Xylazine - 200 pg/ml¶¶

(9) Environmental Contaminants and Substances of Human Use:¶¶

(a) The following substances can be environmental contaminants in that they are endogenous to the horse or that they can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases: Polyethylene glycol (PEG), PEG-like substances, Hordenine;¶¶

(b) Regulatory thresholds have been set for the following substances: Caffeine - 100 nanograms of caffeine per milliliter of serum or plasma;¶¶

(c) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination or inadvertent exposure due to human drug use it should be considered as a mitigating factor in any disciplinary action taken against the affected trainer.¶¶

(10) Androgenic-Anabolic Steroids (AAS)¶¶

(a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of stanozolol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations equal to or less than the indicated thresholds.¶¶

(b) Concentrations of these AAS shall not exceed the following urine threshold concentrations in total (free drug; or metabolite and drug; or metabolite liberated from its conjugates):¶¶

(A) 16beta-hydroxystanozolol (metabolite of stanozolol (Winstrol)): 1 ng/ml for all horses regardless of sex.¶¶

(B) Boldenone (Equipose[®] is the undecylenate ester of boldenone) in:¶¶

(i) Male horses other than geldings - 15 ng/ml.¶¶

(ii) No boldenone shall be permitted in geldings or female horses.¶¶

(C) Nandrolone (Durabolin[®] is the phenylpropionate ester and Deca-Durabolin[®] is the decanoate ester) in:¶¶

(i) Geldings - 1 ng/ml.¶¶

(ii) Fillies and mares - 1 ng/ml.¶¶

(iii) In male horses other than geldings - forty-five (45) ng/ml of nandrolone metabolite, 5a-oestrane-3,17a-diol¶¶

(D) Testosterone in:¶¶

(i) Geldings - 20 ng/ml.¶¶

(ii) Fillies and mares - 55 ng/ml.¶¶

(iii) Male horses other than geldings - Testosterone will not be tested.¶¶

(c) All other AAS are prohibited in racing horses.¶¶

(d) Race day urine samples collected from intact males must be identified to the laboratory.¶¶

(e) Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on the veterinarian's list in order to monitor the concentration of the drug or metabolite in urine. After the urine concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list.¶¶

(11) Clenbuterol:¶¶

(a) The use of Clenbuterol shall be permitted under the following conditions: A test sample shall not exceed 2 picograms/milliliter (ml) of Clenbuterol in the blood or serum or 140 pg/ml in urine.¶¶

(b) Notwithstanding (11)(a), the use of Clenbuterol, albuterol, zilpateral, ractopamine or any analogues thereof in American Quarter Horse racing at recognized race tracks in Oregon is prohibited. All horses entering an official Quarter Horse race will be subject to testing by any biologic method including but not limited to hair, blood and urine.

Statutory/Other Authority: ORS 462.270(3)

Statutes/Other Implemented: ORS 462.270, 462.415

Rule **Adoption**

OAR 462-160—0145 Post Mortem Examination/Necropsies

- (1) All racehorses that die or are euthanized on racetracks or the grounds where racing is conducted **while** under the jurisdiction of the Oregon Racing Commission's (ORC) shall have a post-mortem examination (necropsy) performed by a board-certified veterinarian pathologist at an appropriate facility.
 - (2) After consultation with the State Veterinarian, if it is determined to not be reasonably feasible to transport the racehorse to a board-certified pathologist, the Executive Director may authorize a post-mortem examination/necropsy which will be conducted by the ORC Veterinarian on site.
 - (3) The Oregon Racing Commission will reimburse the racetrack for reasonable costs of transportation and will pay the **board-certified facility** for costs of the necropsy.
 - (4) Relationships and contact information shall be included in the necropsy standard operating procedure.
 - (5) Any Veterinarian performing a necropsy shall not be an Attending Veterinarian of the affected Horse.
-

Reason for the rule:

Necropsies are currently not outlined in rules.

Statutory/Other Authority: ORS 462.270(3)



May 25, 2024

**Re: Proposed Rulemaking / Chapter 462, Oregon Racing Commission
Post-Mortem Examination and Necropsies**

Karen Parkman, Rules Coordinator
Oregon Racing Commission
P.O. Box 366
Gresham, OR 97030

Dear Ms. Parkman and Oregon Racing Commission,

On behalf of the Oregon Veterinary Medical Association, I would like to comment on the proposed rule OAR 462-160-0145 that would require a post-mortem examination and necropsy for racehorses that die or are euthanized associated with events sanctioned by the Oregon Racing Commission.

Requiring a necropsy is a positive step forward. But the rule as proposed appears to be incomplete and raises several questions:

- For clarification, are you proposing that all deaths of horses at a racing facility undergo a necropsy? Or just horses that die – or are euthanized – during a racing event or while training on the grounds of a racetrack?

If it is the former, this can lead to unintentional inflated numbers, as not all causes of death would be related to racing. For example, horses get intestinal obstructions requiring surgery or euthanasia. And horses at Oregon tracks might be euthanized rather than having surgery because of the cost of surgery compared with the economic value of the horse. That can happen anywhere to any horse, including at a racetrack or grounds where racing is conducted, and is unlikely to be a racing associated death.

- Do you want a complete report detailing necropsy findings that also includes analysis of the results? While we believe this is your intention, it is not spelled out. Without collecting and analyzing the reports, the purpose of the necropsies isn't clear, despite it being potentially valuable information.

Our understanding is that necropsies had been required at Portland Meadows before it closed, but the data was seldom, if ever, analyzed. That seems a large missing gap to make it worth the cost of transport and necropsies and to try and reduce horse deaths.

- Who would be assigned the responsibility for keeping and maintaining necropsy reports? We ask this question because you could have a scenario where some necropsies would be performed by the board-certified pathologists at the Veterinary Diagnostic Laboratory at Oregon State University. It also is conceivable that some horses who were racing in southern Oregon might have necropsies done by the pathologists at UC Davis. And according to the proposal, the State Veterinarian can authorize, if needed, a necropsy on-site. It is unclear, however, where these results would be stored or with whom they might be shared.

Data collected on racehorse deaths needs to be recorded – and we believe that this important information should be kept by one group (i.e., the Oregon Racing Commission, the Oregon Veterinary Diagnostic Laboratory).

The data also needs to be analyzed regularly to determine conditions and activities that may need to be changed and/or corrected. There would be an additional cost to analysis, in addition to the transport and necropsy costs. None of this is addressed in the proposed rule.

One final thought:

Necropsy findings for racehorses have been collected and studied in other states, including California and Kentucky, for many years. In addition, requirements for necropsies of racehorses are part of the recently developed HISA (Horseracing Integrity and Safety Authority) Regulations.

We believe it is important to coordinate efforts in Oregon with what is included in HISA Regulations, even though they might not be required in Oregon, as well as with what has been done for many years in other states. That is likely the best way of getting meaningful data that has the potential to help with preventing racehorse injuries and deaths as well as improving their health and welfare.

Thank you for your time consideration. We appreciate the opportunity to comment.

Sincerely,

Charles

Charles A. Hurty, DVM
President, Oregon Veterinary Medical Association

cc. Connie Winn, Executive Director / ORC
Tom Everman, DVM, Senior Commission Veterinarian / ORC

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462
OREGON RACING COMMISSION

FILED

04/08/2024 12:45 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Establishes rules for necropsy program

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/28/2024 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.

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

PO Box 366
Gresham, OR 97030

Filed By:
Karen Parkman
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 05/16/2024

TIME: 11:00 AM - 11:00 AM

OFFICER: Quinn Berry

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-853-5927

CONFERENCE ID: 84150153555

SPECIAL INSTRUCTIONS:

Passcode: 5HynaU

NEED FOR THE RULE(S)

Establishes rules for necropsy program

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Medication and safety meeting discussion. Documents stored electronically with the Oregon Racing Commission.

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

No affect

FISCAL AND ECONOMIC IMPACT:

none

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 additional costs to comply

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

not needed

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

ADOPT: 462-160-0145

RULE SUMMARY: Adopts rules for necropsy program.

CHANGES TO RULE:

462-160-0145

Post Mortem Examination/Necropsies

(1) All racehorses that die or are euthanized on racetracks or the grounds where racing is conducted under the jurisdiction of the Oregon Racing Commission's (ORC) shall have a post-mortem examination (necropsy) performed by a board-certified veterinarian pathologist at an appropriate facility.¶

(2) After consultation with the State Veterinarian, if it is determined to not be reasonably feasible to transport the racehorse to a board-certified pathologist, the Executive Director may authorize a post-mortem examination/necropsy which will be conducted by the ORC Veterinarian on site.¶

(3) The Oregon Racing Commission will reimburse the racetrack for reasonable costs of transportation and will pay for costs of the necropsy.¶

(4) Relationships and contact information shall be included in the necropsy standard operating procedure.¶

(5) Any Veterinarian performing a necropsy shall not be an Attending Veterinarian of the affected Horse.

Statutory/Other Authority: ORS 462.270, ORS 462.270 (3)

Statutes/Other Implemented: ORS 462.270, ORS 462.270 (3)

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 462
OREGON RACING COMMISSION

FILED

04/08/2024 11:57 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amendment to OAR 462-210-0040 licensees to notify agency of new or modified funding.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/28/2024 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)

Reporting changes to the change in operations

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Audit unit committee. Stored electronically with Agency.

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 implement.

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

Advance Deposit Wagering companies were included in discussion. No other businesses were involved or affected.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 462-210-0040

RULE SUMMARY: Amends OAR 462-210-0040 to require licensees to submit a plan of operation for all new or modified funding sources.

CHANGES TO RULE:

462-210-0040

Operation of an Account ¶¶

(1) The licensee must submit a plan of operation for all new or modified funding sources, technologies, and/or reporting, including a plan of implementation and audit plan, to the Oregon Racing Commission for possible approval.¶¶

(2) The account wagering center may refuse deposits to an account for what it deems good and sufficient reason.¶¶

(23) The account wagering center may suspend any account or close any account at any time provided that when an account is closed, the account wagering center shall, within five business days, return to the account holder all monies then on deposit by sending a check to the principal residence address as listed on the application.¶¶

(34) Credits to an account after the initial establishment of the account may be made as follows:¶¶

(a) Deposits to an account by an account holder shall be made in the following forms:¶¶

(A) Cash deposit made at an approved outlet, or other deposit mechanisms as approved by the commission; or¶¶

(B) Check, money order or negotiable order of withdrawal given or sent to an account wagering center; or¶¶

(C) Charges made to an account holder's credit card or debit card upon the direct and personal instruction of the account holder, which may be given by telephone to the account wagering center by the account holder if the use of the card has been approved by the account wagering center; or¶¶

(D) Transfer by means of an electronic funds transfer from a monetary account controlled by an account holder to his/her account, said account holder to be liable for any charges imposed by the transmitting or receiving entity with such charges to be deducted from the account.¶¶

(E) Funds so deposited will be made available for wagering use in accordance with financial institution funds availability schedules.¶¶

(b) Credit for winnings from wagers placed with funds in an account and credit for account wagers on entries that are scratched shall be posted to the account by the account wagering center.¶¶

(c) For fees for service or other transaction-related charges by the race meet licensee and/or agent of the race meet licensee.¶¶

(45) Debits to an account shall be made as follows:¶¶

(a) Upon receipt by the account wagering center of an account wager, the account wagering center shall debit the account in the amount of the wager; or¶¶

(b) For fees for service or other transaction-related charges by the race meet licensee and/or agent of the race meet licensee; or¶¶

(c) An account wagering center may authorize a withdrawal from an account when one of the following exists:¶¶

(A) The account holder of an account appears personally at the account wagering center and provides the following:¶¶

(i) Proper identification;¶¶

(ii) The correct secure personal identification code; and¶¶

(iii) A properly completed and signed withdrawal slip.¶¶

(B) The account holder sends to the account wagering center a properly completed and signed withdrawal slip.

Upon receipt of a properly completed and signed withdrawal slip, and if there are sufficient funds in the account to cover the withdrawal, the account wagering center shall, within five business days of its receipt, send a check to the account holder. The check shall be payable to the holder of the account and in the amount of the requested withdrawal. If funds are not sufficient to cover the withdrawal, the account holder will be notified in writing and those funds in the account will be withdrawn and sent to the account holder within the five-day time period.

Electronic funds transfers may be used for withdrawals in lieu of a check at the discretion of the account holder and the account wagering center subject to the same conditions described for electronic funds transfer credits described in subsection (34)(a)(D) of this rule.¶¶

(d) The race meet licensee and/or the agent of the race meet licensee may close accounts in which there has been no activity for at least six (6) months, returning funds remaining therein to the account holder at his/her principal residence address.¶¶

(e) In the event an account holder is deceased, funds accrued in the account shall be released to the decedent's legal representative upon receipt of a copy of a valid death certificate, tax releases or waivers, probate court authorizations or other documents required by applicable laws.¶¶

(56) The account wagering center shall not accept wagers from an account holder in an amount in excess of the

account balance.¶

(~~67~~) Checks, money orders and other negotiable instruments shall be posted to the credit of the account holder in accordance with financial institution funds availability schedules.¶

(~~78~~) Monies deposited with the account wagering center for account wagering shall not bear any interest to the account holder.¶

(~~89~~) Account wagers shall be accepted during such time and on such days in such manner as designated by the commission.¶

(~~910~~) Notwithstanding any other rules, the managing employee of the account wagering center may at any time declare the account wagering center closed for receiving wagers on any pari-mutuel pool, race, group of races, or closed for all wagering. Anytime the account wagering center is closed during normal wagering hours by the managing employee a written report must be filed with the commission within forty-eight (48) hours.¶

(~~101~~) The account wagering center has the right at any time and for what it deems good and sufficient reason to refuse to accept all or part of any wager.¶

(~~112~~) Accounts are for the personal use of the account holder. The account holder is responsible for maintaining the secrecy of the account number and secure personal identification code. Except where the account wagering center or its employees or agents act without good faith or fail to exercise ordinary care, the account wagering center shall not be responsible for any loss arising from the use by any other person or persons of an account holder's account. The account holder must immediately notify the account wagering center of a breach of the account's security.¶

(~~123~~) Payment on winning pari-mutuel wagers and credits for account wagers on entries which are scratched shall be posted to the credit of the account holder as soon as practicable after the race is declared official.¶

(~~134~~) Upon request by an account holder the account wagering center shall provide on an annual basis, at no cost, a written statement of an individual's account activity. Unless written notice to the contrary is received by the account wagering center within fourteen (14) days of the date that any statement is sent to an account holder, the statement will be deemed accepted as correct.¶

(~~145~~) The principal residence address provided in writing by the account holder at the time of application is deemed to be the proper address for the purposes of mailing checks, statements of account, account withdrawals, notices, or other appropriate correspondence. The mailing of checks or other correspondence to the address given by the account holder shall be at the sole risk of the account holder.¶

(~~156~~) No employee or agent of the account wagering center shall divulge any confidential information related to the placing of any wager or any confidential information related to the operation of the account wagering center, except to the account holder as required by these rules, the commission, and as otherwise required by state or federal law, or the rules of racing of this state.

Statutory/Other Authority: ORS 462.270(3), 462.700

Statutes/Other Implemented: ORS 462.142