



Minutes
Oregon Racing Commission
November 21, 2024

Meeting Detail

The Oregon Racing Commission (ORC) met at 1:30 PM on November 21, 2024, remotely via Microsoft Teams videoconference.

Call to Order, Roll Call and Mission Statement:

Chair Margaret Doherty called the meeting to order, and Karen Parkman conducted roll call.

In Attendance:

Commissioners: Chair Margaret Doherty, Quinn Berry, Scott Beckstead, and Lindsey Fowler, Dr Harvey Stein DMV.

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

Approvals:

Meeting Agenda

Action: Approval of the November meeting agenda with the suggested revisions.

Moved by: Commissioner Berry

Seconded: Commissioner Fowler

Vote: Commissioners voted AYE, and the motion was carried unanimously (5:0).

Meeting Minutes

Action: Approval of the September meeting minutes.

Moved by: Commissioner Fowler

Seconded: Commissioner Berry

Vote: Commissioners voted AYE, and the motion was carried unanimously (5:0).

OLD BUSINESS

Executive Director's Report:

Director Winn welcomed Dr. Harvey Stein as commissioner and gave a brief background of his experience as a veterinarian in the horse racing industry. She announced that the ORC will be helping facilitate a simulcast symposium roundtable for online wagering companies in Tucson, Arizona in December. Micah Lloyd and Karen Parkman will be working on this together and will report in January.

The National Auditors Committee Training meeting will take place in March. Director Winn and Mr. Lloyd are arranging education and training for all auditors in attendance. Mr. Lloyd helped arrange a guest speaker on the topic of the impact of artificial intelligence on the wagering community.

The Racing Officials Accreditation Program has chosen to host their next steward accreditation program in Grants Pass next summer. Director Winn looks forward to attracting future stewards to Oregon.

Director Winn bid farewell to commissioner Beckstead, who is moving out of state. The ORC thanks Beckstead for his contributions.

The ORC plans to host an in-person meeting in Portland, Oregon in April 2025.

Director Winn shared the results of the recent survey across all state agencies, which reported the Oregon Racing Commission as very strong, especially in terms of overall satisfaction and learning and growth opportunities.

Budget Committee Report – Chair Doherty

Chair Doherty reminded attendees that the budget is on a 2-year cycle. She announced that fees are down due to the closure of Portland Meadows, loss of an ADW, and fewer race days, resulting in a total loss of approximately \$400,000.

In previous years, due to underspent operations expenditures, the ORC has been able to reallocate those underspent dollars back to the industry with an additional payment at the end of the biennium. This year the Governor's office informed the ORC that it can't be done due to a requirement for a higher ending balance this-budget cycle.

Chair Doherty reported that the ORC was still able to save money through contracting services and being prudent with spending. The ORC has 10.64 full time equivalent staffing positions which are not contracted out.

Medication and Safety Committee Report- Commissioner Berry

Commissioner Berry stated that there was great attendance and participation at this month's Medication and Safety Committee meeting, much of which will be covered later in the agenda.

He also announced that all items were agreed upon which should make the process go smoothly.

NEW BUSINESS

Farewell to Commissioner Beckstead

Chair Doherty thanked Commissioner Beckstead for his service on the commission and his commitment to the equine community, including the passion he brought for safety concerns that will remain in effect with the ORC. She wished him luck on future projects.

Commissioner Beckstead replied with his appreciation to the ORC for making him feel welcome. He learned a lot by being on the commission and visiting GPD with Connie. He has moved to Colorado to pursue his passion for equine advocacy through his new position aiding wild horses and the government programs at the Wild Animal Sanctuary's Wild Horse Refuge.

Oath of Office – Dr. Harvey Stein, DVM

Dr. Harvey Stein, DMV took the verbal Oath of Office as commissioner under the direction of Chair Doherty.

Elections for Chair and Vice Chair

Chair Doherty announced that she would be willing to remain as chair if there is no one else interested. As no one raised their hand or stepped up she is the only one on the ballot.

Commissioner Berry announced that he would be happy to serve as vice chair again.

Action: Approve election that Commissioner Doherty remain commission Chair, and Commissioner Berry remain Vice Chair.

Moved by: Commissioner Beckstead

Seconded by: Commissioner Fowler

Vote: The commissioners voted AYE, and the vote was passed unanimously (5:0).

Committee Assignments

- a) **Best Practices/Strategic Planning Committee**
Commissioner Berry (chair) and new commission TBD

- b) **Medication and Safety Committee**
Commissioner Fowler (chair) and commissioner Stein

- c) **Budget Committee**
Chair Doherty (chair) and Commissioner Fowler

- d) **Online and Responsible Wagering Committee**
Commissioner Berry (chair) and Commissioner Stein

Tillamook County Fair Report

VonSeggern was unable to attend the meeting. A written report was submitted.

Oregon Quarter Horse Racing Association (OQHRA) Report - Leah Nelson

Leah Nelson reported on behalf of the OQHRA. She stated the association's purpose, which is to advance the breeding, raising, and racing of American Quarter Horses in Oregon. In collaboration with other associations, they have determined the best method for saving horse racing is to increase and stabilize purses at remaining venues so that owners, trainers, and jockeys can depend on a good racing program. The ORC allocated \$224,944 for the 2023-25 biennium, or \$112,472 per fiscal year.

Mrs. Nelson reported that the OQHRA had budget for 60 Quarter Horse races, or 2 races per race day, within the 2023-2024 fiscal year. There were 90 Quarter horse races within that period. The OQHRA spent a total of \$184,700, with \$72,228 of that coming out of their own savings.

She stated that in addition to Oregon horses, trainers and breeders are bringing Quarter Horses from Washington, California, Utah, Idaho, and Arizona. The funds provided for purses by the OQHRA are meant to enhance the total purses for Oregon Quarter Horse races to continue attracting a large participation.

Commissioner Stein asked if she knew how many registered brood mares were in the state of Oregon. Mrs. Nelson replied that the answer would be complicated as the AQHA reports include show horses and racing horses. Dr. Lombard suggested finding out how many Oregon bred 2 years old started last year. Mrs. Nelson stated she would find out and get that information to Director Winn.

Oregon Horsemen's Benevolence and Protection Association (OHBPA) Report - Randy Boden

Randy Boden, Executive Director of the OHBPA, opened by going over purse budgets and allocations from the ORC as well as the OHBPA. Stating that there was great participation by all fair meet directors putting on safe well attended meets. Total purses for the year were \$730,882. He mentioned that the fall meet was well attended by out-of-state horses and trainers and hopes to continue working with their lobbyist to push legislation towards bringing more money into the racing industry.

Oregon Thoroughbred Owners and Breeders Association (OTOBA) Report - Lynnelle Fox Smith

Lynnelle Fox Smith, opened by announcing the recent celebration of OTOBA's 80th birthday, which was founded in 1944 to promote Thoroughbred breeding in Oregon. 2024 has been strong for Oregon Breeding. The purses for Oregon-breds increased by 14% compared to 2023. OTOBA contributed \$14,500 for the fall meets.

Smith expressed concern for the foal numbers in Oregon this year as well as a nationwide decline in Thoroughbred foals in 2023. Confirming that the state bred incentives are crucial. Also presenting challenges for breeders is the fact we have lost 70% of race days. Oregon bred horses are bred to race and they are having to travel much further, more often to get the payouts necessary to continue breeding programs.

Smith stated that Oregon-bred Devil's Harvest won the \$110,000 allowance race at Keeneland. This year the OTOBA worked with commissioner Beckstead to implement a no slaughter policy and started a scholarship program to encourage the rehoming and retiring of off the track thoroughbreds.

Smith shared that the OTOBA was recently contacted by the owner of a retired Oregon-bred Thoroughbred, Prayer Stone. They announced that since his retirement in 2017 he has been trained as a search and rescue horse. He was extensively trained in scent detection locating missing people in the mountains of Washington.

Commissioner Stein asked how many brood mares and stallions are here in Oregon, specifically for racing. Smith answered not enough, stating a handful of stallions and maybe 30 broodmares. She also stated there were only 3 or 4 farms in the state dedicated to Thoroughbred breeding programs.

ORC Budget Review - Connie Winn

Director Winn reiterated the process for the ORC's budget submission. The governor's office is wrapping up the state budget and will come back with how it applies to ORC. She stated there will be a better review in January after the Governor's balanced budget is released.

Director Winn stated that under the special payment's tabs for 2021-2023, major savings were made. The allocated hub funds per CFO recommendation for 2023-25 was \$2.942 million, versus \$3.4 million for 2021-23. However, with additional savings we were able to bring the agencies total budget for 2023-25 up to \$3.2 million in special payments. Inflation was a contributing factor to the budget's outcome. She added that CFO and financial analyst will be asking for 6-7-month cash ending balance.

Horse Racing Association (HRA) Report Rod Lowe-

Rod Lowe, CEO of the HRA, opened by thanking everyone for a successful Fall meet. He stated that there were no jockey injuries, and great weather. One horse was euthanized due to injury and one horse died due to complications from a previous medical issue.

Lowe reported that the major marketing event was the T-Rex races. There were 100 participants in T-Rex costumes, and the money raised went to kids with cancer. They raised a total \$10,691 for charity.

During the 12 days of commercial racing there were 107 races, with 738 starters and 38 scratches. Total purses were \$995,318, a 6% increase from 2023. The total attendance was 21,700 people, a 17% increase compared to 2023. The total on-track handle was \$243,189 and total off-track handle was \$24,451, for a 10% increase from 2023.

ORS 462.405.3 – Temporary Authority of Steward - Connie Winn

Director Winn reported that this rule would enable the ORC to appoint steward authority during the off season if needed for a hearing or inquiry, as all steward positions are now seasonal. This authority would be terminated at the end of April, when the stewards return to on-season schedules.

Action: Approval and implementation of ORS 462.405.3.

Moved by: Commissioner Fowler

Seconded by: Commissioner Stein

Vote: The commissioners voted AYE, and the vote was passed unanimously (5:0).

Medication and Safety Committee and recommendations with the possible approval to begin the rule making process for the following:

Commissioner Berry was having technical problems with his microphone. Commissioner Fowler reported for him.

a) NSAID use – Not allowed within 48 hours of race start.

Commissioner Fowler stated that all vets in attendance agreed that NSAIDS should be given no closer than 48 hours prior to the start of the horse's race, but the allowed doses should not change.

Action: Approval to begin the rule making process for changes to the current NSAID rule.

Moved by: Commissioner Fowler

Seconded by: Commissioner Berry

Vote: The commissioners voted AYE, and the vote was passed unanimously (5:0).

- b) **Discontinuation of the use of certain treatments within 48 hours of start of race:**
i) Lasers ii) Nebulizers iii) Electro-magnetic boots iv) Whirlpool boots v) Acupuncture

Commissioner Fowler reported there was a long discussion on these practices, but the consensus was that none are truly performance enhancing. There were no strong feelings regarding any specifically.

- c) **Approval to start rule making process to change Coggin's rule.**

Commissioner Fowler reported that most of the vets felt sticking with the state's 12-month Coggin rule was sufficient.

Commissioner Stein stated he feels it should be required every 6 months. The concept is to eliminate outbreaks of Equine Infectious Anemia. He stated that this is an area where we really don't want mistakes, as every case is a dead horse. Even if the positive cases in the US are low, it is not worth the risk. He stated that if cost is the concern with requiring retesting every 6 months, then maybe the commission should make it easier to access by assisting with the fees.

Director Winn stated that because Oregon races are seasonal, most racehorses are getting Coggins right before they arrive at the track, and it would last through the season. So, she is not sure it makes sense to require twice a year. She added that the committee discussed and agreed that the rule should include all horses on the track to be required to have negative Coggins, not just the racehorses. Director Winn stated that it is up to the commissioners if they wanted to vote now or later.

The Commissioners agreed in favor of requiring a new Coggins test every 6 months for all horses on the grounds.

Action: Approve the rule making process begin for a new Coggins rule.

Moved by: Commissioner Fowler

Seconded by: Commissioner Stein

Vote: The commissioners voted AYE, and the vote was passed unanimously (5:0).

Approval of the Meeting Calendar for 2025

Micah Lloyd brought to the commission's attention that the years listed are 2024, which needs to be edited to state 2025. However, the listed dates are corrected. He also reminded the commissioners that there are two in-person meetings. The one in April will take place in Portland, and the September meeting will take place in Grants Pass on a Tuesday rather than Thursday.

Action: Approve the 2025 meeting calendar with the revisions to the listed year.

Moved by: Commissioner Stein

Seconded by: Commissioner Fowler

Vote: The commissioners voted AYE, and the vote was passed unanimously (5:0).

Discussion for approval of rule as corrective action 462-220-0020 (6),(7)

Micah Llyod

Micah Llyod reported that there are two rules in question. They both have been passed by the commission previously, but they stepped on each other when they went to secretary of state. This is a temporary rule to correct the wording so that the first rule can be reinstated.

Action: Approve temporary rule 462-220-0020 (6) and (7)

Moved by: Commissioner Beckstead

Seconded by: Commissioner Stein

Vote: The commissioners voted AYE, and the vote was passed unanimously (5:0).

Discussion and possible approval to begin the rule making process for 462-200-0675 – Best X of Y Micah Llyod-

Micah Llyod summarized that this rule creates a bet type where only horses that finish in the top are eligible for payout all other wages are refunded lower payout lower risk. This was brought forward as a request by one of the ADWs. This is a request to start the rule making process.

Action: Approval to begin the rulemaking process for 462-200-0675 – Best X of Y.

Moved by: Commissioner Fowler

Seconded by: Commissioner Stein

Vote: The commissioners voted AYE, and the vote was passed unanimously (5:0).

PUBLIC COMMENT:

Dr. Lombard asked for clarification that the motion on the NSAID rule was only to change the timing from 24 to 48 hours, but not change the current thresholds for dosages. Chair Doherty confirmed that was correct.

Leah Nelson expressed concerns about requiring a new Coggins every 6 months when the race season is only 5 months long. Commissioner Stein clarified that it only applies to horses on the track, not horses back at their home barn. Commissioner Fowler added that if a horse is on the racetrack, it must have a current Coggins in the past 6 months. Nelson responded she was okay with that.

CONTESTED CASES

None.

CONFIRMATION OF THE NEXT MEETING:

The next commission meeting is scheduled for January 16th, 2025, at 1:30 P.M. remotely via Microsoft Teams videoconference.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 3:05 P.M. by Chair Doherty.