

OKLAHOMA HORSE RACING COMMISSION

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REVISED* AGENDA

***REVISED TO CORRECT CALENDAR ON PAGE 8 RE: THE DATE OF THE NEXT MEETING
FOR ANNOUNCING 3-14-19 DEADLINE FOR AGENDA TOPICS**

**Regularly Scheduled Meeting
Thursday, February 21, 2019, 9:30 a.m.**

**Meeting Location:
Agriculture Board Room
Department of Agriculture, Food and Forestry
2800 N. Lincoln Boulevard
Oklahoma City, OK 73105**

Address of the:

OKLAHOMA HORSE RACING COMMISSION
2800 N. LINCOLN BLVD., SUITE 220
OKLAHOMA CITY, OKLAHOMA 73105
(Located in Department of Agriculture, Food and Forestry Building)
TELEPHONE: (405) 522-8167; FAX: (405) 943-6474
WEBSITE: WWW.OHRC.ORG

AGENDA POSTED IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING ACT

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CALL TO ORDER Mr. Lucas, Chair

ROLL CALL Mr. Lucas, Chair

BUSINESS Mr. Lucas, Chair

A. MINUTES

The drafted Minutes of the January 24, 2019 Regularly Scheduled Commission Meeting [Item A.1] will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION.

B. CONTINUED DELIBERATIONS ON THE DISTRIBUTION OF BREAKAGE AND UNCLAIMED TICKET PROCEEDS GENERATED OUTSIDE OF A RACE MEETING

Background

At the January 24, 2019 meeting, the Commission addressed the matter involving the distribution of breakage and unclaimed ticket revenue that remains in question. The Commission stated that, pursuant to the Commission's authority as provided for at 3A, O.S. Section 204, and interpreting OAC 325:75-1-15(b), the calculation to be used in the distribution of breakage and unclaimed ticket proceeds generated outside of a race meeting was 90% Thoroughbred and 10% Quarter Horse, Paint and Appaloosa at Remington Park and at Will Rogers Downs and 42% Thoroughbred, 42% Quarter Horse and 16% Paint and Appaloosa at Fair Meadow Tulsa effective as of January 1st 2011. The Commission directed Commission Legal Counsel to draft an Order for consideration at the February 21, 2019 meeting.

Current Consideration

The Commission will continue deliberations on the matter.

The drafted Order was distributed to the Commissioners prior to the meeting.

Possible Executive Session

Pursuant to 25 O.S. § 307 (B)(8) and 311 (B)(1), an Executive Session may be proposed for the purpose of continued deliberations in an individual proceeding regarding the distribution of breakage and unclaimed ticket revenue generated outside of a race meeting.

1. Motion and Vote to Go Into Executive Session for the Purpose Stated Above
2. Motion and Vote to Reconvene in Open Session

Possible Action:

Possible action may include, but is not limited to: take no action; take final action on the matter; or continue the matter.

C. PROPOSED DELEGATION OF AUTHORITY TO EXECUTIVE DIRECTOR TO APPROVE/DISAPPROVE ANY REFEREE SPLIT LAB ACCREDITED BY THE RACING MEDICATION AND TESTING CONSORTIUM [RMTC]

Under Title 3A, Oklahoma Horse Racing Act, Section 204.B.1., Powers and Duties of the Commission, the Commission may delegate any of its authority to the Executive Director to fully implement and effectuate the purposes of the Act.

The Rules and Medication Committee, along with Commission Staff, recommends the Commission consider delegating authority to the Executive Director to approve/disapprove naming referee split labs on the condition said labs must be accredited by the Racing Medication and Testing Consortium [RMTC] and follow any other requirement made upon the Commission.

The ten laboratories that have earned full RMTC Laboratory Accreditation include:

- Industrial Laboratories
- LGC Science, Inc.
- New York Drug Testing and Research Program
- Ohio Department of Agriculture
- Pennsylvania Equine Toxicology and Research Laboratory
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Truesdail Laboratories, Inc.
- University of California-Davis Kenneth L. Maddy Equine Analytical Chemistry Laboratory
- University of Florida Laboratory
- University of Illinois at Chicago Analytical Forensic Testing Laboratory

To date, the Commission has approved the following referee split laboratories:

- Ohio Department of Agriculture
- Pennsylvania Equine Toxicology and Research Laboratory
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Truesdail Laboratories
- University of Florida Racing Laboratory
- University of Illinois

Possible Action:

Possible action may include, but is not limited to: taking no action; delegating the authority to the Executive Director; not delegating the authority to the Executive Director; or continuing the matter.

D. CONTINUED DELIBERATIONS ON REFERRAL BY BOARD OF STEWARDS AT REMINGTON PARK REGARDING STEWARDS' ORDER 18-RP-097

Background

At the January 24, 2019 meeting, the Commission conducted a Referral Hearing on Stewards' Order 18-RP-097 regarding whether any mitigating circumstances existed to merit imposition of a different penalty than the disqualification of the horse and loss of purse.

After hearing argument and evidence, the Commission, finding that there were insufficient circumstances to warrant a lesser penalty, took preliminary action to disqualify the horse and take the purse and directed Commission Legal Advisor to draft an Order for consideration at the February 21, 2019 meeting.

Current Consideration

The Commission will continue deliberations on the matter.

The proposed Order was distributed to the Commissioners prior to the meeting.

Possible Executive Session

Pursuant to 25 O.S. § 307 (B)(8) and 311 (B)(1), an Executive Session may be proposed for the purpose of continued deliberations in an individual proceeding regarding the Referral by the Board of Stewards at Remington Park.

1. Motion and Vote to Go Into Executive Session for the Purpose Stated Above
2. Motion and Vote to Reconvene in Open Session

Possible Action:

Possible action may include, but is not limited to: take no action; take final action on the matter; or continue the matter.

E. POSSIBLE FINAL ACTION ON PROPOSED RULE AMENDMENTS TO FOUR CHAPTERS IN RULES OF RACING UNDER PERMANENT RULEMAKING

Background

At two CY 2018 meetings, the Commission approved opening the permanent rulemaking process to consider proposed amendments to the following chapters in *Rules of Racing*:

- Chapter 1, Commission Powers and Jurisdiction
- Chapter 15, Licensing
- Chapter 20, Racing Officials and Racing Personnel

- Chapter 25, Entries and Declarations
- Chapter 30, Claiming Races
- Chapter 40, Veterinarian Practices and Restrictions
- Chapter 45, Prohibited Practices and Equine Testing
- Chapter 60, Running the Race
- Chapter 65, Pari-Mutuel Wagering
- Chapter 70, Objections and Protests; Hearings and Appeals
- Chapter 75, Oklahoma-Bred Program

Ms. Andrea Bair, Assistant General Counsel for the Department of Agriculture, Food and Forestry, and/or Mr. Kelly Cathey, Commission Executive Director, will present the public comments. Following the Public Hearing, proposed revisions were made to Chapters 20, 45, 60, 70 and 75 by the Ad Hoc Committee on Rules and Medication. Item E.1 contains all proposed amendments.

The Ad Hoc Committee on Rules and Medication unanimously supports all proposed rule amendments.

Current Consideration

The next step in the rulemaking process is the Commission's consideration of adopting the proposed rule amendments in the chapters under the permanent rulemaking process.

Possible Action:

Possible action may include, but is not limited to: take no action; adopt the proposed amendments, in whole or in part; decide not to adopt the proposed amendments; or continue the discussion.

F. LEGISLATIVE REPORT

Chairman Lucas will discuss the bills being tracked during the current Legislative Session, the First Regular Session of the 57th Legislature, that began February 4, 2019.

G. ANY MATTER NOT KNOWN ABOUT OR WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING THE AGENDA

H. ANNOUNCEMENTS

1. The Oklahoma Quarter Horse Racing Association has scheduled its annual awards banquet for Saturday, March 2, 2019 at the Grand Casino and Hotel in Shawnee. The Commission will present the CY 2018 Year-End Awards for Quarter Horses, Paints and Appaloosas.
2. Live racing will return in March, 2019:
 - Remington Park’s Quarter Horse, Paint and Appaloosa race meeting begins March 8, 2019
 - Will Rogers Downs’s Thoroughbred race meeting starts March 25, 2019
3. The Commission’s next regular meeting is scheduled for March 28, 2019 to be held in the Board Room at the Department of Agriculture, Food and Forestry.

ADJOURNMENT..... Mr. Lucas, Chair

PLEASE SEE CALENDAR ON NEXT PAGE

MID-FEBRUARY THROUGH APRIL, 2019 CALENDAR

2/18/19 – HOLIDAY [Presidents' Day]

3/2/19 – Oklahoma Quarter Horse Racing Association's annual awards banquet, Grand Casino and Hotel, Shawnee

3/8/19 – Remington Park's Quarter Horse, Paint and Appaloosa race meeting begins

3/14/19 – Deadline for submitting agenda topics for 3/28/19 Commission meeting

3/25/19 – Will Rogers Downs's Thoroughbred race meeting starts

3/28/19 – Commission Regularly Scheduled Meeting, 9:30 a.m., Board Room of the Department of Agriculture, Food and Forestry, 2800 N. Lincoln Boulevard, Oklahoma City

NO REGULARLY SCHEDULED MEETING IN APRIL, 2019