

**OKLAHOMA HORSE RACING COMMISSION**  
**REGULARLY SCHEDULED MEETING**  
**THURSDAY, NOVEMBER 16, 2023, AT 9:30 A.M.**

**MINUTES**

**Call to Order**

Chairman Keith called the meeting to order at 9:31 a.m.

**Roll Call**

Commissioners answering roll call were, Commissioner Murray, Commissioner Brookover, Commissioner Burget, Commissioner Craig, Commissioner Carter, Secretary Anderson, Vice Chairman Pilcher, and Chairman Sanders. Commissioner(s) absent were Commissioner Gilbert.

**A. MINUTES**

The Minutes from the **October 19, 2023**, meeting were considered. Commissioner Brookover moved, and Secretary Anderson seconded to approve the minutes from the October 19, 2023 meeting. The vote was as follows:

Motion passed 7-0-1

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

**B. PETITION FOR APPEAL FILED ON BEHALF OF FELIPE MARTINEZ-MORALES (OWNER/TRAINER)**

**Background**

On June 27, 2023, the Commission received a Petition for Appeal for Order 20-RP-038A, 20-RP-038B, and 20-RP-038C issued by the Board of Stewards at Remington Park, dated June 27, 2023. The Commission received the Petitioners brief filed on July 24, 2023. The Commission received the Response Brief filed on August 10, 2023.

The Board of Stewards found Mr. Martinez-Morales to be in violation of OAC 325:45-1-4 Substance Violations; and OAC 325:35-1-5(a) and 325:45-

1-11(a) Trainer Responsibility, for the presence of clenbuterol, a prohibited substance, in the quarter horse "FAST EDDIE M", following the race held at Remington Park on Sunday, May 3, 2020.

The Board of Stewards fined Mr. Martinez-Morales ten thousand dollars (\$10,000.00) and suspended his Owner/Trainer license for three hundred sixty-five (365) days, less time served of 22 days. The suspension runs from Monday, June 26, 2023 through Sunday, June 2, 2024.

The Stewards further ordered that the quarter horse "FAST EDDIE M" be disqualified from second (2<sup>nd</sup>) place and shall remain unplaced in the sixth (6<sup>th</sup>) race at Remington Park on Sunday, May 3, 2020.

### **Action**

Chairman Sanders advised the matter would be considered. He reminded each party they had fifteen (15) minutes to present their argument and may be questioned by Commissioners, Commission Staff, and Commission Counsel. The Appellant, Mr. Martinez-Morales was represented by legal Counsel, John Mac Hayes who presented and answered questions from the Commissioners. The Appellee, the Oklahoma Horse Racing Commission, was represented by General Counsel, Richard Herren who presented.

Commissioner Brookover moved to go into Executive Session with Commission Legal Advisor, Ms. Batt, and Executive Director Dr. John Chancey. The motion was immediately amended to exclude the Executive Director. Commissioner Murray seconded the motion.

The Oklahoma Horse Racing Commission entered Executive Session at 9:59 am.

Commissioner Carter moved to reconvene Open Session. Secretary Anderson seconded the motion. The vote was as follows:

Motion passed 8-0-0

The Oklahoma Horse Racing Commission returned to Open Session at 10:16 am.

Commissioner Burget moved to affirm Stewards Order 20-RP-038C and request that counsel to the Commission prepare an affirmation order for presentment at the next Commission meeting. Commissioner Murray seconded the motion.

The vote was as follows:

Motion passed 7-0-1

## **C. PETITION FOR APPEAL FILED ON BEHALF OF ETNIEL SANABRIA (OWNER/TRAINER)**

### **Background**

On July 21, 2023, the Commission received a Petition for Appeal for Order 22-RP-099B issued by the Board of Stewards at Remington Park, dated July 17, 2023. The Commission received the Petitioners brief filed on October 25, 2023. The Commission received the Response Brief filed on November 3, 2023.

The Board of Stewards found Mr. Sanabria to be in violation of OAC 325:45-1-4 Substance Violations; and OAC 325:35-1-5(a) and 325:45-1-11(a) Trainer Responsibility, for the presence of d-methamphetamine, a prohibited substance, in the quarter horse "JUST A KVN", following the race held at Remington Park on Thursday, May 26, 2022.

The Board of Stewards fined Mr. Sanabria ten thousand dollars (\$10,000.00) and suspended his Owner/Trainer license for three hundred sixty-five (365) days, less time served of 8 days. The suspension runs from Sunday, July 16, 2023 through Saturday, July 6, 2024.

The Stewards further ordered that the quarter horse "JUST A KVN" be disqualified from first (1<sup>st</sup>) place and shall remain unplaced in the third (3<sup>rd</sup>) race at Remington Park on Thursday, May 26, 2022.

### **Action**

Chairman Sanders advised the matter would be considered. He reminded each party they had fifteen (15) minutes to present their argument and may be questioned by Commissioners, Commission Staff, and Commission Counsel. The Appellant, Mr. Sanabria was represented by legal Counsel, John Mac Hayes who presented and answered questions from the Commissioners. The Appellee, the Oklahoma Horse Racing Commission, was represented by General Counsel, Richard Herren who presented.

Secretary Anderson moved to go into Executive Session with Commission Legal Advisor, Ms. Batt. Vice Chairman Pilcher seconded the motion. The vote was as follows:

Motion passed 8-0-0

The Oklahoma Horse Racing Commission entered Executive Session at 10:37 am.

Secretary Anderson moved to reconvene Open Session. Vice Chairman Pilcher seconded the motion. The vote was as follows:

Motion passed 8-0-0

The Oklahoma Horse Racing Commission returned to Open Session at 10:49 am.

Commissioner Burget moved to affirm Stewards Order 22-RP-099C and request Counsel to the Commission prepare an affirmation order for presentment at the next Commission meeting. Secretary Anderson seconded the motion. The vote was as follows:

Motion passed 8-0-0

**D. POSSIBLE ACTION ON PROPOSED RULE AMENDMENTS TO CERTAIN CHAPTERS IN RULES OF RACING AND RULES OF RACETRACK GAMING UNDER PERMANENT RULEMAKING**

**Background**

the Commission approved the permanent rulemaking process to consider proposed amendments to open certain chapters in *Rules of Racing and Racetrack Gaming*: Changes are proposed in the following chapters:

**Rules of Racing:**

**Chapter 1-Commission Powers and Jurisdiction**

**Chapter 15- Occupation Licensing**

**Chapter 20- Racing Officials and Racing Personnel**

**Chapter 25- Entries and Declarations**

**Chapter 30- Claiming Races**

**Chapter 35- General Conduct**

**Chapter 40-Veterinarian Practices and Restrictions**

**Chapter 45-Prohibited Practices and Equine Testing**

**Chapter 60-Running The Race**

**Chapter 70- Objections and Protest; Hearings and Appeals**

**Chapter 75- Oklahoma- Bred Program**

**Action**

Commissioner Burget moved. Chairman Sanders seconded the motion.  
The vote was as follows:

Motion passed 8-0-0

**E. ANY MATTER NOT KNOWN ABOUT OR WOULD NOT HAVE BEEN REASONABLY FORSEEN PRIOR TO POSTING THE AGENDS 25O.S. § 311 (A)(10)**

**F. ANNOUNCEMENTS**

**11/23/2023- 11/24/2023-** Thanksgiving Holiday

**\*\*There is no December 2023 Regularly Scheduled Meeting\*\***

**12/15/2023-** Remington Park's Thoroughbred Race Meet is scheduled to conclude

**12/25/2023- 12/26/2023-** Christmas Holiday

**01/01/2024-** New Years Day Holiday

**01/04/2024-** Agenda Topic Submission Deadline for January 18, 2024 Meeting

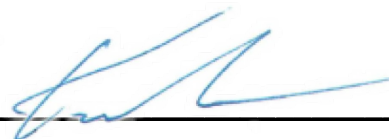
**01/15/2024-** Martin Luther King, Jr. Holiday

**01/18/2024-** Regularly Scheduled Commission Meeting

**G. ADJOURNMENT..... Chairman Sanders**

Chairman Sanders adjourned the meeting at 10:55 a.m.

Approved this 18th day of January 2024.



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Chairman Keith Sanders

On the behalf of the Commission:

ATTEST:



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Dr. John Chancey, Executive Director & Director of Equine Welfare

JC/wu/11/16/2023

In conformity with the Oklahoma Open Meeting Act, advance notice of this regular Commission meeting was originally transmitted to the Oklahoma Secretary of State on January 13<sup>th</sup>, 2023; and public notice of this meeting, together with the agenda was posted in prominent view in the lobby of the Department of Agriculture, Food and Forestry, Oklahoma City on October 13<sup>th</sup>, 2023. The announcement of the CY 2023 Commission meetings was posted on the OHRC website on September 7, 2022. The agenda for this meeting was posted on the OHRC Website, [www.ohrc.ok.gov](http://www.ohrc.ok.gov), on November 9, 2023.