

Washington Horse Racing Commission
Meeting Minutes
April 12, 2019
9:30 A.M.

Present were: Dr. Everett Macomber, DVM, Chairman attended by conference call; Jeff Colliton, Commissioner; Robert Lopez, Commissioner, excused; Doug Moore, Executive Secretary; Patty Brown, Confidential Secretary. Dr. Claude Ragle, DVM, new Commission appointment, attended by conference call.

Chairman Macomber opened the meeting at 9:30 A.M. and turned the meeting over to Commissioner Colliton.

Item #1. Approval of the meeting minutes of March 15, 2019.

Chairman Macomber moved to approve the minutes as submitted. Commissioner Colliton seconded the motion. Unanimously approved.

Item #2. Commissioners' report.

Commissioner Colliton said he had attended the Association of Racing Commissioners International (ARCI) annual spring meeting held at Santa Anita Race Track, Arcadia, CA along with Commissioner Lopez and Executive Secretary Doug Moore. To his knowledge the administration is still not aware why so many horses went down. He said ninety percent of the discussions were about what happened at Santa Anita; 23 horses suffered catastrophic injuries; actually one was injured in its stall and had to be put down. As regulators we write, enforce and adjudicate rules for the industry; for the riders and the safety of the horse; without this there would be no industry. In all race meetings, well over 100, that I have seen, none of them compared to the last week meeting at Santa Anita. Opening night Tuesday at the ARCI meeting everyone was talking about what happened at Santa Anita and what might happen before the Santa Anita Derby. There is a lot of speculation as to what caused or causes were for the 23 fatalities. No report is out yet. All types of investigations are going on at Santa Anita; whether it was the track condition, trainer background or horse conditions. The pressure to run horse for economic reasons, race day medication, the use of the riding crops, synthetic vs. dirt track, no turf, sealing of track, too many race days for the number of horses on grounds, time between racing and other.

What we do know is that our industry at a major crossroads, uniformity across our jurisdictions, we must have uniformity or someone else will take that away and dictate to us what will happen on our tracks. That time is really here. The Stronach group who owns the two California tracks, there is a push out there to close Santa Anita. There is a push on race day medication, length of time before horse can run after being treated, training days, etc. When a California senator gets involved saying close the track, that's not good. Mr. Ed Martin, President, ARCI wrote a letter, of which Commissioner Colliton read a portion on the Barr Tonka Bill to bring in an outside agency to test for doping. We must figure a

better way to keep “at risk” horses off the track. Think about joining the uniformity medication compact.

Mr. Moore said Commissioner Colliton had stated it pretty well where we are at in our industry. At the Drug Testing Standards and Practices Committee meeting discussed pertinent use of CBD (cannabis oils) as a supplement. He said they are primarily used for the omega three benefits, but there is no research on how it affects horses. The approved level is at 0.3 for THC, but there is no regulation and it's not enforced. Of 84 products that were tested, the results showed that, 36 were under the level on the label, and 26 were over. You cannot count on the label stats. It may result in detection of more than it states on the label. We are urging horsemen to be very cautious with use. ARCI has asked the Scientific Advisory Committee to research any link between Lasix and the recent breakdowns and it was found that there was no correlation of any muscular skeletal problems when using Lasix. There may have been ulterior motive for that accusation. Mr. Moore reported that some racing official language was cleaned up; imposing larger penalties for trainer medications violations; stewards may now give five year penalties and a \$10,000 fines. The section on vet reports dealing with horses shipping in. The rule changed stating that when a trainer ships in, they have to bring with them a fourteen day vet report. It was asked how do you define a procedure; it's anything to do with a horse including x-rays. The report must indicate when and where the procedure was done. A rule may be written to indicate that. Mr. Moore said Biphosphonates were discussed. He indicated that these treatments are being done before the horse ever comes to the race track and this is difficult to address. Of Bisphosphonates products, there are only two that are approved for use on horses. Mr. Moore said the WHRC will be working on a policy as well to deal with this. He said Bisphosphonates are not recommended for use in horses under four years old; they mask problems in young horses. Another discussion on riding crop use and said that the Jockey's Guild is working with language that all stakeholders can live with. The three strike count and give the horse enough chance to respond is the international standard, but with a maximum number of times to use as well, nine is the total number used in most European countries. Mr. Moore said he would be meeting with Emerald Downs' riders next week on usage of the crop. The WHRC rule is outdated; he is working on the three strike count language and language that gives the horse a chance to respond.

Chairman Macomber said these are very useful discussions and it was good that Dr. Ragle was attending. Commissioner Colliton said Dr. Sweeney spoke very highly of Dr. Ragle.

Item #3. Industry reports:

- a. Emerald Downs, Phil Ziegler, President, said he'd been following very closely talk regarding having protocols in place to identify “at risk” horses. Their health and safety is most important. He said there's not a group of folks out there that get along as well as we do. He said they are meeting with the trainer's next week to identify a few things. He said the biggest challenge comes down to money and staffing. He appreciated Dr. Friedman's knowledge on the subject of at risk horse and with the race day inspections. The challenge is when they come in and no one really looks at them. When there is a training fatality it is as important as race fatality. There is a need to look more at ship ins. Mr. Ziegler said he is looking forward to opening day, horse count is up this year, media already positive, hopefully weather will cooperate, and he's ready to get started. Chairman Macomber said he's glad to hear the horse count is up. Mr. Ziegler said the opening day draw is on Wednesday, at 11:30 A.M., media day will be held in the Quarter Chute Café. Mr. Ziegler said he'd heard that the Emerald Racing Club will have a new member. He reported that they have four horses this year. Commissioner Colliton said the

WHRC is very favorably looked at, at the National level; Mr. Moore is a big part of that. Commissioner Lopez was elected Secretary Treasurer which will place him in line to become President of the ARCI.

- b. HBPA. Pat LePley, President, from the prospective of HBPA it is very painful to actually see a race tracks administration turn on their horsemen and blame them with no evidence, no connection between Lasix use or medication legally used for breakdowns. He said Mr. Ziegler hit on the one thing different between Washington and California is that in Washington we talk to one another, have a relationship with the WHRC, the Tribe and administration of the Race Track. That is atypical around the USA. California is sole exception to the rule of collaboration between themselves and regulation. Mr. LePley said he will be present for trainer's meeting this week, encouraging the membership to participate and listen and find a better way to recognize at risk horses. He said they are working with the WHRC and jockeys on a whip rule. He said a chance of passage of federal regulation in the house has been sped along because of what happened at Santa Anita. He said he is working and with success, to open a channel with Washington State Legislature, House Commerce and Gaming Committee and that he would be able to meet with those who will listen and support horse racing, not just do away with it. Chairman Macomber said he appreciates all the support and comments.

- c. WTOBA. Dana Halvorson, President, said they've had a sales committee meeting, have very nice pedigree nominations, and should be a very good sale this year. On the Bisphosphonate issue, he said we have no issue here. He said when writing entry forms for the sales, it will include language that this is a banning subject. Mr. Halvorson said he has personally been in the business a long time, he knows the Stronach group and has feared this from the start; single ownerships at race tracks; a disjointed family; he is very suspicious of Belinda Stronach's motives. She has indicated that over the past year or so, selling the property for development was more lucrative. Santa Anita is an iconic race track; it would be a travesty to close that track. California has had the most rain in fifty years in their area and the only stand out of the issues is a sealed track gets hard as cement. The situation has caused this. He felt the three whip rule is good, Lasix is important, when you see a horse bleed out, it is awful. Commissioner Colliton said federal regulation has a better chance of passing now than last year. Anne Sweet, Editor, WTOBA, thanked Commissioner Colliton for his service.

Chairman Macomber thanked everyone for their efforts in communicating to the horsemen; getting to know the representatives he felt we become more involved.

Item #4. ADW License Renewal - NYRA bets.

Mr. Moore presented the renewal application for NYRABets LLC and said staff recommended approval. He said present on the phone were Matthew Feig, Chris Widmar and Nicole Foley to answer any questions. NYRA thanked WHRC staff and the management staff at Emerald Downs. Mr. Ziegler said they have a great partnership with NYRA bets and NYRA will be representing all simulcast interests for Emerald Downs in negotiation and buying of the signals.

Chairman Macomber said thank you with your participation and consolidation in the industry.

Commissioner Colliton moved to approve the renewal application for NYRABets LLC. Chairman Macomber seconded the motion. Unanimously approved.

Item #5. Executive Secretary's report:

- a. Wagering recap. Mr. Moore reviewed the wagering for March 2019. He said for the race year to be up .86 percent; for the fiscal year down 2.84 percent; ADW wagering up 1.6 percent for February.
- b. Monthly Financial Statement (February 2019). Mr. Moore reviewed the revenues and expenditures. The fund balance at the end of February was \$655,394. The WHRC Budget Analyst has submitted projections that show by end of the biennium the fund balance will be down to \$589,932, showing a slight increase from the last report. The cost savings from our salaries and benefits, elimination of certain service contracts and no major equipment purchases were contributing factors. Mr. Moore said he had an agreement with TRPB and ordered two scanners that read the new digital tattoos. By purchasing in bulk the TRPB offered them at a better cost to us. We will need to purchase at least two tablets to download the scanned information. Will need four or five sets of scanners and tablets in total.

Item #6. Discussion items – Commissioners.

Commissioner Colliton asked if tattoos will still be present, Mr. Moore said no, chips only and as of 2020 there will be no more tattoos. The Quarter Horses will still have tattoos, only thoroughbreds will be digitally chipped at this time.

Item #7. Any other business that may be properly brought before the Commission.

Chairman Macomber asked about training for employees, Mr. Moore said in service training will be on April 23rd. The WHRC Stewards are due for CE classes after the season ends. There will be some cost associated with that; Oregon will share half of the cost of the CE Classes.

Mr. Moore asked the Commissioners to approve travel for one or more to attend the Sun Downs Race Meet and the Emerald Downs opening. Chairman Macomber moved to approve attendance at the Sun Downs Race Meet and the Emerald Downs Race Meet. Commissioner Colliton seconded the motion. Unanimously approved. Dr. Ragle newly appointed Commissioner as of April 12, 2019 was also invited to attend Sun Downs and/or Emerald Downs if he could.

Chairman Macomber and Commissioner Colliton welcomed Dr. Ragle to the Commission.

Chairman Macomber thanked Commissioner Colliton for his leadership over the years. Commissioner Colliton thanked everyone for their help and assistance.

Mr. Moore thanked Commissioner Colliton for his leadership and friendship. He said Commissioner Colliton had been on the Commission since 2004 and from 2013 through 2018 he served as Chairman. Mr. Moore presented Commissioner Colliton with a letter of appreciation from Governor Jay Inslee for his service and a plaque of appreciation from the Washington Horse Racing Commission.

Hearing nothing further the meeting was adjourned. 10:42 A.M.

Doug Moore, Executive Secretary