

Washington Horse Racing Commission
Meeting Minutes
Zoom Meeting
October 9, 2020

Present were: Executive Secretary Doug Moore, Confidential Secretary Melanie Bowdish, Deputy Secretary Amanda Benton, Chairman Robert Lopez, Commissioner Everett Macomber, Commissioner Claude Ragle, Ken Doll, Dana Halvorson

Members of the Public attending were: Garrett Cocchiarella, Suzanne Becker, Philip Ziegler, Debbie Pabst, Rosina DePoe, Lanna Allen, Bret Christopherson, Anne Sweet, Dana Halvorson, Mary Ann O'Connell

Item #1. Approval of the meeting minutes of September 11, 2020.

Chairman Lopez moved to approve the minutes as submitted. Chairman Ragle seconded the motion. Unanimously approved.

Approval of the meeting minutes of September 11, 2020.

Chairman Lopez moved to approve the minutes as submitted. Dr. Macomber seconded the motion. Unanimously approved.

Item #2. Commissioner's report.

Chairman Lopez- visited the track on Wednesday to visit staff and see live racing without fans during COVID. Jack and Phil did an excellent job on the COVID case. When he got there they took his temp and asked to see his license. Appreciated the continued effort.

Item #3. Industry Reports

- a. Emerald Downs report - Phil- 3 weeks left until the end of the extended season. Announced a 10% increase in purses over the final 3 weeks. Had a good handle through the season, better than anticipated and ADW wagering remained strong. Along with extra % that was added to the purses there will still be some purse money that will be carried over to 2021. Started beta testing this week for Stride Safe for data collecting regarding equine safety. A program at WSU with Dr. Bailey was also supported. Some talks with Oregon, discussions about the 20-21 Season to coordinate the race meets so as not to overlap each other so horseman can participate at both locations
- a. WHBPA Report—Mary Ann – Excited about the Stridemaster research and help with data collection for them. Taking reservations has been time consuming, Lana Allen is the Horseman's liaison. Arizona WHBPA is hopeful to open the barn area there November 15th. National issues- working with lobbyists on how the proposed federal legislation would negatively affect us. Juggling finances, how to continue with limited finances is difficult.
- b. WTBOA Report - Dana Halvorson- Annual meeting every year. Zoom meeting set up for 10/20/20 at 7pm. In the process of coordinating speakers, hoping to get Phil to speak about the

meet, coordinate interview with David Lambert, Stridemaster membership. Notice will be sent out and will be sent to the commissioners and Mr. Moore.

- c. Sundowns Report – Planning on running next spring. Still looking at their traditional time, depending on crowd and public attendance. First time in a long time to have a carryover in purse money which will allow the full \$15,800 per day to be allotted.

Item #4. Annual review of Source Market Fees – Per WAC 260-49-070

Mr. Moore- Yearly review and distribution of source market fees. Calculated using the same timeframe as owner/breeder awards. Calculate period Sept 1 - Aug.31st there was \$6.971 million source market fees returned to WA state. \$6.1 million went to EMD operating account, \$522,000 WHRC operating account, \$174,286.21 owners/breeders bonus account.

Next year the percentages will change. Won't effect owner/breeder accounts but will effect WHRC and the Racing Assoc. operating accounts.

Dr. Macomber- is this different from what we had last year? Mr. Moore- 37% increase from the same timeframe from the year before. ADW wagering is up but the return is not as much as live betting.

Item #5. Request to appear before the Commission – Cleveland Hammonds

Mr. Moore- Order written in 2007 based on 2 felony convictions.

What is it that you wanted to do? – Owner

Macomber- if he continues to live a good lifestyle

****private session with commissioners****

Commissioners approved to withdraw previous order and approved Mr. Hammonds to be eligible to apply for a license again.

Item #6. Report on Federal Legislation (Informational, possible executive session)

ARCI review of the bill was in commission packet- Would not go in effect until 2022 if passed.

Dr. Ragle- Hard and complicated trying to get bills passed, hard to know when to intervene. Can put a lot of effort in and be put to the wayside.

Chairman Chairman Lopez- There is no public hearing in the house so it is moving fast. Letters hand delivered to Senators in D.C. We are trying to delay and asking for public hearings. It is being sold as a compromised bill, it is anything but that.

Mr. Moore- fear is this piece of legislation would be attached to another "must pass bill", they are trying to slow it down. Getting some assistance from our ex-officio members.

Dr. Macomber- Blank check to the authority. Not a satisfactory position.

Bret Christopherson asked what the bill # was. SB4547

Commissioner Ragle- Different one than the one that is in the house. Mr. Moore- it is a companion bill.

Maryann- National HPBA does not support

Item #7. Meeting Dates for 2021

Mr. Moore- Auburn City Council does not foresee public meetings until at least after the first of the year.

Chairman Lopez moved to approve the meeting schedule as submitted. Commissioner Ragle seconded the motion. Unanimously approved.

Item #8. Consideration of rule change, WAC 260-52-045 riding crop

Received an email from PETA. Mr. Moore- we amended our rules this year from no restrictions as to the total number of strikes, only 3 consecutive strikes allowed, California adopted a total of 6 strike rule, New Jersey- no strikes with exception of safety reasons? Grey area, would like to leave to commissioners to make this decision. ARCI- New model rule up for consideration in December, would

change three consecutive strikes to two with a chance to respond. The chance to respond being a minimum of three strides in between, no total count.

Ragle- Is this used in Standard bred racing? Too much lacking in who is going to make the determination on what is safety. Cannot create a rule without having a way to monitor. Who decides the safety aspect?

Chairman Lopez- going to open this rule. Would like to see a study from University of Sydney that was mentioned in the email.

Macomber- how long has it been since we visited this rule? Mr. Moore- last year.

Chairman Lopez- what would be the timeframe to open this up?

Mr. Moore- 101 has already been filed, ARCI model rules committee is expected to act in December or earlier. Ragle agreed to open the rule for consideration. Language out for stakeholders by January.

Chairman Lopez asked for the copy of study from University of Sydney.

Mary Ann- Concerns with opening it up. They, (PETA), don't understand the horses. Motive is to get rid of racing entirely.

Item #9 –Executive Secretary's Report

- a. Wagering Recap (September 2020)
- b. Monthly Financial Statement (August 2020)
- c. Decision packet submissions-

Agency request legislation is still out there, haven't received a formal response. Submitted a decision packet asking for general fund assistance. Updated and resubmitted that. 2 decision packets, salary and benefit assistance for employees vs. equine health and safety funding.

Chairman Lopez- our revenue only comes from handle and licensing. What about asking for instant racing machines? Mr. Moore- that would have to come from the public and would not really be appropriate as agency request legislation.

Item #10 –ARCI Meeting- Travel update

Chairman Lopez- Asked Doug to put on the agenda, both meetings, ARCI Board and Model Rules, will be able to be attended via Zoom. Suggesting we rescind our last decision to send one person and attend via Zoom instead.

Motion to restrict in person travel- Approved.

Item #11 –Discussion Items – Commissioners

Ragle- Looking at the Federal bill the house passed, in section 7 there is a racetrack safety program established that could go beyond medication issues.

Dr. Macomber- Suggested the industry look at Instant racing machines for a possible revenue source.

Chairman Lopez- would like to explore that as well.

Phil- There are two different systems, technology is different, one was deemed illegal in Kentucky. The problem with getting legislative approval would be the machines and how they look and sound. Same issue in Idaho caused their removal. Looking at the Texas legislation which returned a portion of sales tax to the industry, \$3-6 million, not a lot of money for the State, but a lot for racing that could be distributed between the non-profit tracks, the WHRC, WA bred bonus accounts and purse and other items at Emerald Downs.

Item #12. Any other business that may be properly brought before the Commission.

None.

Hearing none, Chairman Chairman Lopez adjourned the Zoom meeting. (10:39 A.M.)

Doug Moore, Executive Secretary