

OKLAHOMA HORSE RACING COMMISSION

REGULARLY SCHEDULED MEETING JANUARY 14, 2016

MINUTES

CALL TO ORDER/ROLL CALL

Chairman Leonard called the Regularly Scheduled Meeting of the Commission to order at 9:34 a.m. in Track North at Remington Park Racetrack and Casino, Oklahoma City, Oklahoma.

Commission members answering roll call were Commissioners Bollenbach, Harrell, Kirk, Lucas, Marcum, Money, Sanders and Chairman Leonard. Commissioner Goumaz was unable to attend the meeting. Mr. Neal Leader, Commission Counsel, was present as well as the following Commission staff members: Mr. Kelly Cathey, Ms. Mary Ann Roberts, Mr. Mike Dixon, Ms. Mandy Hadley and Ms. Bonnie Morris. Approximately twelve persons attended and signed the registry which is part of the record.

MINUTES

Commissioner Harrell made a motion to approve the drafted Minutes of the November 19, 2015 Regularly Scheduled Meeting as presented. Commissioner Kirk seconded the motion. The vote was recorded as follows:

Aye: Mr. Harrell, Mr. Kirk, Mr. Bollenbach, Mr. Lucas, Ms. Money, Mr. Leonard

Abstain: Mr. Marcum, Mr. Sanders

Commissioner Goumaz was unable to attend the meeting.

The motion passed on a 6-0-2 vote.

Continued Consideration of Request of Oklahoma Quarter Horse Racing Association that Will Rogers Downs Make Deposits of Nomination and Sustaining Funds for Certain Stakes Races and Sponsor Money for Certain Stakes Races Directly to the Horsemen's Bookkeeper's Operating Account as Opposed to First Depositing It Into the Horsemen's Bookkeeper's Holding Trust Account

Since Commissioner Goumaz was unable to attend the Commission meeting, no action was taken on this topic. The topic will be added to a future agenda.

Possible Final Action on Proposed Rule Amendments to Three Racing Rules

Background

At the October 15, 2015 meeting, the Ad Hoc Committee on Rules recommended amendments to the following 3 racing rules to update information and/or delete obsolete language in the regulatory language:

- OAC 325:15-3-4, Application for Organization License
- OAC 325:15-5-10, Grounds for Denial, Refusal, Suspension or Revocation of License
- OAC 325:35-1-37, Agreements to be Filed

At the October meeting, the Commission approved opening the permanent rulemaking process. The Notice of Rulemaking Intent was published in the November 16, 2015 issue of *The Oklahoma Register*.

Because the administrative rules require a minimum of thirty (30) days between the publication of the Notice of Rulemaking Intent and the date for the Public Hearing, the Public Hearing was scheduled for January 4, 2016. No comments were received.

Current Consideration

Commissioner Lucas made a motion to adopt the proposed amendments to the three racing rules. Commissioner Money seconded the motion. The vote was recorded as follows:

Aye: Mr. Lucas, Ms. Money, Mr. Bollenbach, Mr. Harrell, Mr. Kirk,
Mr. Marcum, Mr. Sanders, Mr. Leonard
Commissioner Goumaz was unable to attend the meeting.
The motion passed on an 8-0 vote.

Proposed Opening of the Permanent and Emergency Rulemaking Processes to Consider Rule Amendments for the OHRC Rules of Racing As Proposed by the Ad Hoc Committee on Rules

The Ad Hoc Committee on Rules proposed amendments to OAC 325:25-1-10, Horses Ineligible to Start in a Race, to address the ineligibility of a horse to start in a race if the Owner or Trainer is suspended or ineligible for a license or ineligible to participate under the rules of any Turf Governing Authority or Stud Book Registry.

Members of the Ad Hoc Committee on Rules recommended that the proposed rule amendments be adopted under both emergency and permanent rulemaking processes so that the amendments would take effect on an emergency basis upon gubernatorial approval through September 14, 2017 while the proposed rule amendments would go through the permanent rulemaking process with a possible June or July, 2016 effective date.

Commissioner Lucas made a motion to open the permanent and emergency rulemaking processes to consider proposed amendments to the racing rule as presented by the Ad Hoc Committee on Rules. Commissioner Money seconded the motion. The vote was recorded as follows:

Aye: Mr. Lucas, Ms. Money, Mr. Bollenbach, Mr. Harrell, Mr. Kirk,
Mr. Marcum, Mr. Sanders, Mr. Leonard
Commissioner Goumaz was unable to attend the meeting.
The motion passed on an 8-0 vote.

REPORTS

Meetings will be scheduled shortly for the Ad Hoc Committee on Budget and Finance and the Ad Hoc Committee on Rules.

The Second Regular Session of the 55th Legislature is scheduled to begin its work on Monday, February 1, 2016, 12:00 Noon.

Any Matter Not Known About or Which Could Not Have Been Reasonably Foreseen Prior to Posting the Agenda

There was no such matter.

ANNOUNCEMENTS

The following announcements were made:

1. A Public Hearing is scheduled for Friday, January 15, 2016, for proposed rule amendments to the following three racing rules:
 - OAC 325:25-1-10, Horses Ineligible to Start in a Race
 - OAC 325:30-1-8, Form and Deposit of Claim
 - OAC 325:30-1-9, Errors Which Invalidate Claim
2. The Oklahoma-Bred Advisory Council is scheduled to meet on Wednesday, February 3, 2016, starting at 1:30 p.m. Ms. Schauf advised the Commission that she had requested the meeting be rescheduled to February 10, 2016.
3. The Commission's next regular meeting is scheduled for February 18, 2016 to be held at Remington Park. An agenda topic will be rescheduling the March, 2016 meeting from March 24, 2016 to March 31, 2016.
4. Ms. Sandra Balzer, Assistant Attorney General, was introduced as the new Commission Counsel to begin working with the Commission following Mr. Leader's retirement on March 1, 2016.

Adjournment

The meeting was adjourned at 9:44 a.m.

Approved this 18th day of February, 2016.

Ran Leonard, Chairman

On Behalf of the Commission:

ATTEST:

Kelly G. Cathey, Executive Director
KGC/bjm/1/20/16, 2/11/16, 2/29/16

In compliance with 25 O.S. § 312, the Secretary of State was given notice of this meeting on August 24, 2015.
