



Ohio State Racing Commission

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John Kasich
Governor

Robert K. Schmitz
Chairman

Minutes of the OSRC Meeting held November 29, 2018

1-The Ohio State Racing Commission (Commission) held its monthly meeting November 29, 2018 at the Riffe Center, 77 South High Street, Columbus, Ohio, Room 1948, at 10 am.

2-Commission Chairman Robert K. Schmitz called the meeting to order. Commissioners Todd Book, Gary Koch, Greg Simpson and Thomas Winters were present.

3-Commissioner Winters moved to approve the minutes of the October 31, 2018 Commission meeting. Commissioner Book seconded the motion. The motion was unanimously approved.

4-Commissioner Koch moved to approve the ratification of the Executive Director's approvals. Commissioner Simpson seconded the motion. The motion was unanimously approved.

5-Greg Veit discussed the 2019 Ohio Thoroughbred Race Fund. Commissioner Winters moved to approve the 2019 Ohio Thoroughbred Race Fund except for the 2019 stakes race schedule. Commissioner Simpson seconded the motion. The motion was unanimously approved.

6-Executive Director Bill Crawford discussed the 2019 Ohio Standardbred Development Fund. Commissioner Book moved to approve the 2019 Ohio Standardbred Development Fund. Commissioner Koch seconded the motion. The motion was unanimously approved.

7-Executive Director Bill Crawford discussed resolution 2018-14. This resolution would amend rules 3769-5-27 and 3769-15-10 which used the addition of microchips for the identification of horses. Commissioner Winters offered Resolution 2018-14 for consideration. Commissioner Simpson seconded the motion. The motion was unanimously approved. Commissioner Koch moved to approve Resolution 2018-14. Commissioner Book seconded the motion. The resolution was unanimously approved.

8-Dr. James Robertson, Commission consulting veterinarian, gave an update on catastrophic horse fatalities. He stated at Ohio racetracks there were a total of 44 catastrophic breakdowns through November 21, 2018. There were 40 Thoroughbred and 4 Standardbred due to training or racing in 2018.

9-Sherry White, Commission Fiscal Officer, gave her monthly financial report. She stated that Commission revenues are slightly higher. Commission expenses are comparable to last year except for testing costs which have increased about \$50,000. Ms. White stated casino revenue expenditures approved by the Commission in Resolution 2018-13 was dispersed.

10- Four Ohio equine veterinarians discussed Out of Competition Testing. Dr. Barry Carter stated that the Commission needed to look at the models of New Jersey, Indiana and Ontario as guidelines and suggested that the Commission establish a license protocol for training centers. Commission employees could visit a training center to test and examine a racehorse. Doctor Carter stated that out of competition testing would be a deterrent to illicit drug use and blood doping.

Dr. Dan Wilson delivered the concerns of the North American Association of Racetrack Veterinarians. He had two major concerns. One is what would the Commission test for. He believed the ARCI model rule was not practical. The second concern was the procedure to test the horses. He suggested the Commission give 24-hour notice to have a horse tested.

Dr. John Piehowicz stated through the work of this commission he believed that Ohio has the most humane medication policy in the country that it protects the health and welfare of the horse. He asked his thoroughbred and standardbred clients about out of competition testing. The overwhelming majority think out of competition testing is a good idea. Out of competition testing will eliminate suspicions of certain trainers and it will also serve as a deterrent. Racing, like driving, is a privilege.

Dr. Scott Shell stated he is firmly in favor of out of competition testing. Out of competition testing should be for medications that should never be found in any horse. For other drugs such as anabolic steroids a trainer must produce a vet record to show the drug is being used as part of medical treatment.

Dr. John Reichert stated that out of competition is necessary. He believes that most of the horsemen are operating within the rules. Because of the bad apples, out of competition is necessary. The horsemen that Dr. Reichert spoke with are in favor of out of competition testing.

11-Chairman Schmitz stated that he would like representatives with the Ohio Department of Agriculture to comment on out of competition testing at the January 2019 Commission meeting.

12-There were no public comments.

13-Charles Febus, Ohio Assistant Attorney General, spoke regarding the settlement agreement between Emily Szczepanski and the Commission. Commission staff recommended approval of the settlement agreement. Commissioner Book moved to approve the settlement agreement. Commissioner Simpson seconded the motion. The settlement agreement was unanimously approved.

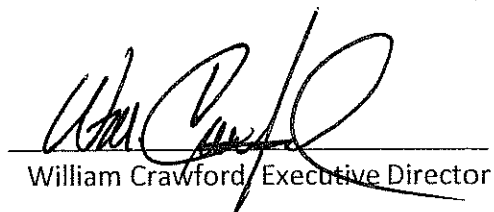
14- There being no further business, Commissioner Winters moved to go into executive session to discuss pending or imminent court actions with our counsel. Commissioner Simpson seconded the motion. The motion was approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Book voted Yes; Commissioner Winters voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes. Chairman Schmitz stated after executive session, the commission would only move to adjourn the meeting. Commissioner Winters moved to go out of executive session. Commissioner Book seconded the motion. The motion was unanimously approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes; Commissioner Book voted Yes.

15-Commissioner Simpson moved to adjourn the meeting. Commissioner Winters seconded the motion and the motion was unanimously approved.

The public meeting adjourned at 11:45 a.m.

Date, Time & Place of Next Meeting
Tuesday, January 29, 2019 @ 10 am
77 South High Street, Room 1948
Columbus, Ohio 43215


Robert K. Schmitz, Chairman


William Crawford, Executive Director

OHIO STATE RACING COMMISSION

RESOLUTION 2018-14

WHEREAS, the Ohio State Racing Commission (“Commission”) has the authority under Revised Code 3769.03 to promulgate administrative rules;

WHEREAS, Revised Code Chapter 106 requires agencies to review administrative rules;

WHEREAS, The Commission desires to amend Rules 3769-5-27, 3769-15-10 to incorporate changes from horsemen associations to identify horses.

NOW, THEREFORE, BE IT RESOLVED Commission Rules 3769-5-27, 3769-15-10 are APPROVED for submission and review for filing with the Common-Sense Initiative Office, when applicable, and the Joint Committee on Agency Rule Review.

Adopted: November 29, 2018

*** DRAFT - NOT YET FILED ***

3769-5-27

Registration with associations.

- (A) No horse may be started in any race unless it be registered and named with the registry office of the "Jockey Club" (New York), or in quarter horse racing, the "American Quarter Horse Association" (Amarillo, Texas). In the event the name of any horse is changed and such change is approved by the registry office, both old and new names shall be carried in the official program until three starts have been made.
- (B) No horse shall be allowed to race unless it has been lip tattooed, microchipped or any other identification method approved by the appropriate breed registry and the commission for comparison with the horses' registration certificate needed to verify the horses' identity.
- (C) No horse shall be allowed to start unless a "Jockey Club," or "American Quarter Horse Association, registration certificate disclosing actual ownership and the horse's winning official record is on file in the office of the racing secretary, except that the stewards may in their discretion, for good cause, waive this requirement if horses are shipped in for stakes or allowance races, early closers or invitationals, and are otherwise properly identified, provided that a written report of such waiver shall be submitted to the racing commission.

*** DRAFT - NOT YET FILED ***

3769-15-10

Registration with associations.

- (A) No horse may be started in any race or qualifying race unless it is registered with the "United States Trotting Association" or "standardbred Canada."
- (B) No horse shall be allowed to start unless a lifetime electronic eligibility from the "United States Trotting Association or a current electronic eligibility from "Standardbred Canada" has been acquired.
- (C) No horse shall be allowed to enter a race or a qualifying race unless it has been lip tattooed, microchipped, freeze branded or any other identification method approved by the appropriate breed registry and the commission for comparison with the horses' registration certificate needed to verify the horses identity, or freeze branded with the proper identification number.