



Ohio State Racing Commission

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John Kasich
Governor

Robert K. Schmitz
Chairman

Minutes of the OSRC Meeting held October 27, 2017

1-The Ohio State Racing Commission (OSRC) held its monthly meeting October 27, 2017 at the Riffe Center, 77 South High Street, Columbus, Ohio, Room 1948, at 10 am.

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

3-Commissioner Winters moved to approve the minutes of the meeting held on September 26, 2017. Commissioner Book seconded the motion and the motion was unanimously approved.

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

5-Paul Nix, Ohio Ethics Commission Executive Director, provided a presentation on ethics and ways to improve public confidence and informed those in attendance that Ohio was the first state to create an "ethics law system," created in 1974.

6-Commissioner Book offered Resolution 2017-05 to allow the distribution of casino tax revenue for consideration. Commissioner Winters seconded the motion and the motion was unanimously approved. Commissioner Winters moved to adopt Resolution 2017-05 and Commissioner Koch seconded the motion and the motion was unanimously approved by roll call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Book voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes.

7- Dr. James Robertson, OSRC consulting veterinarian, gave an update on catastrophic horse fatalities from January 1, 2017 to October 20, 2017, stating that there are now a total of 42 catastrophic breakdowns during that time period: 37 Thoroughbred and five Standardbred. Dr. Robertson added that there were a total of 46 catastrophic horse fatalities in 2016.

8-Fiscal Officer Sherry White said that OSRC financials have moderated, falling in line with the last fiscal year. Revenues are up \$37,000 or three percent ahead of this time last year. Overall, however, Ms. White explained that this year's fiscal numbers are nearly identical to this same time one year ago.

9-Chairman Schmitz asked OSRC Executive Director Bill Crawford to discuss the new contract with the Ohio Department of Agriculture for future testing procedures. Mr. Crawford stated that the new contract costs 24% more than the previous contract.

10-There were no public comments.

11-Chairman Schmitz suggested a five minute recess prior to the Medication Forum.

12-The Medication Forum began with Michael Rone, a Thoroughbred trainer who explained that he has been conditioning racehorses for 12 years, and prior to that was a blacksmith. Currently, Mr. Rone said he has 40 to 45 horses in training at Mahoning Valley Race Course and Jack Thistledown, and gallops and shoes his own horses. He described in detail how his horses are athletes similar to human athletes, and that they require treatments which are not “performance-enhancing” but rather, essential to keeping the horses in the condition needed for competitive racing and training.

Mr. Rone added he believes Clenbuterol is a necessity and that a two-week withdrawal time would severely comprise the amount of horses would could enter races. As well, Mr. Rone discussed the benefits of Robaxin for use in training and racing to deal with minor back issues in Thoroughbreds. Additionally, Mr. Rone described the benefits of using Depo-Medrol for joint injections in Thoroughbred and that while only 10 to 15% of his horses require injecting, without this anti-inflammatory agent, it would severely deplete the ability of these horses to recover and race competitively. He also described that it is much easier to keep a horse fit racing every two to three weeks instead of every five to six weeks, and that it is imperative to know that when horsemen inject a joint they always do both corresponding joints, i.e., two ankles, two hocks, two stifles, etc. He added that he does not believe there is abuse of Depo-Medrol.

Mr. Rone also described the benefits of Amicar for use in Thoroughbred racehorses, and that Amicar is better for the treatment of “bleeders” over Lasix for a plethora of reasons, the main one being that Lasix depletes and alters a horse’s electrolyte balance, while Amicar does not.

Virgil Morgan, a Standardbred trainer who has been conditioning horses in Ohio for 34 years, stated that his main concern with medication is with external contamination and described an incident that occurred in 2000 at The Meadows in Meadow Lands, PA, when he and six other trainers were informed that they had come up with morphine positives. On another occasion, Mr. Morgan stated he had a Tramadol positive at Yonkers and at the time, had no knowledge of the medication but because of the trainer responsibility rule, was given a 60-day suspension and \$1,000 fine.

Dr. James Robertson interjected that the testing procedures’ sensitivity is 1,000 times more powerful than it was ten years ago, and to consider how many people in modern times utilize anti-depressive, heart or other medications and what a devastating impact it has on the horseracing industry.

Mr. Morgan continued explaining that when a trainer ships a horse into a track to race, he has no control over what person or horse was in that stall previously, and if that horse or human was treated with a particular medication and then urinates in the stall, that could, conceivably produce a positive test in his horse.

Mr. Morgan then described the different racing schedules between Thoroughbreds and Standardbreds, stating that harness horses typically race four times in five weeks and so the need for intra-articular injections is quite different and necessary more often, in some cases, than with the running horses, and that it is important to differentiate between the breeds. As well, concerning the use of Lasix and Amicar, Mr. Morgan stated that he believes it cruel to not have a horse on these medications when the horse requires it. He also stated that he believes shockwave therapy is beneficial to a horse if used in the correct context with training and racing.

13-There being no further business, Commissioner Winters moved to go into executive session to consider the hiring, promotion or compensation of public employees. Commissioner Book seconded the motion and the motion was approved via roll call vote: Chairman Schmitz voted Yes; Commissioner Winters voted Yes; Commissioner Book voted Yes; Commissioner Koch voted Yes; Commissioner Simpson voted Yes. The public meeting adjourned at 11:52 a.m.

Date, Time & Place of Next Meeting

December 12, 2017 @ 10 am
77 South High Street, Room 1948
Columbus, Ohio 43215

Robert K. Schmitz, Chairman

William Crawford, Executive Director

Ohio State Racing Commission Resolution 2017-05

WHEREAS, Article 15.06 of the Ohio Constitution establishes that three percent of the tax on gross casino revenue shall be distributed to the Ohio State Racing Commission ("Commission") to support purses, breeding programs, and operations at all existing commercial horse racetracks permitted as of January 1, 2009;

WHEREAS, Ohio Revised Code section 3769.03 grants the Commission general authority to act in the best interest of the state and take discretionary action;

WHEREAS, Ohio Revised Code section 5753.03 grants the Commission appropriation authority to distribute casino tax revenue;

WHEREAS, the Commission has solicited and received public comments on the potential distribution of casino tax revenue;

WHEREAS, the Commission has received a distribution of casino tax revenue on October 15, 2017, in the amount of **one million nine hundred eighty-nine thousand sixteen dollars and ninety-five cents (\$1,989,016.95)**;

WHEREAS, the Commission desires to make distributions of casino tax revenue in the amount of **one million nine hundred eighty-nine thousand sixteen dollars and ninety-five cents (\$1,989,016.95)**;

NOW, THEREFORE, BE IT RESOLVED by the Commission that casino tax revenue received by the Commission be distributed as follows, for the purposes specified:

- (A) Three hundred seventy-seven thousand nine hundred thirteen dollars and twenty-two cents (\$377,913.22) to the **Ohio Thoroughbred Race Fund** to be used to fund purses and/or support the breeding of thoroughbred horses in Ohio;
- (B) Three hundred seventy-seven thousand nine hundred thirteen dollars and twenty-two cents (\$377,913.22) to the **Ohio Standardbred Development Fund** to be used to fund purses and/or support the breeding of harness horses in Ohio;
- (C) Seventy-four thousand five hundred eighty-eight dollars and fourteen cents (\$74,588.14) to **Miami Valley Gaming & Racing** to be used to support commercial operations;
- (D) Seventy-four thousand five hundred eighty-eight dollars and fourteen cents (\$74,588.14) to **Northfield Park** to be used to support commercial operations;
- (E) Seventy-four thousand five hundred eighty-eight dollars and fourteen cents (\$74,588.14) to **Belterra Park** to be used to support commercial operations;

(continued)

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- (F) Seventy-four thousand five hundred eighty-eight dollars and fourteen cents (\$74,588.14) to **Scioto Downs** to be used to support commercial operations;
- (G) Ninety-nine thousand four hundred fifty dollars and eighty-two cents (\$99,450.82) to the operating fund of the **Ohio State Racing Commission** to be used to provide compensation to administrative staff that support the Ohio Standardbred Development Fund and the Ohio Thoroughbred Race Fund; and for costs and fees associated with the commercial operations of racing at Miami Valley Gaming & Racing, Northfield Park, Belterra Park, and Scioto Downs;
- (H) Seventy-five thousand six hundred eighty-two dollars and twenty-six cents (\$75,682.26) to **Hollywood Gaming at Mahoning Valley Race Course** to be used to support the thoroughbred purse pool;
- (I) Seventy thousand ten dollars and seventy-four cents (\$70,010.74) to **Belterra Park** to be used to support the thoroughbred purse pool;
- (J) Seventy-three thousand eight hundred twenty-two dollars and seventy-five cents (\$73,822.75) to **JACK Thistledown** to be used to support the thoroughbred purse pool;
- (K) One hundred twelve thousand three hundred fourteen dollars and seventy-one cents (\$112,314.71) to **Miami Valley Gaming & Racing** to be used to support the harness racing purse pool;
- (L) Three hundred six thousand nine hundred twelve dollars and ninety-five cents (\$306,912.95) to **Northfield Park** to be used to support the harness racing purse pool;
- (M) Eighty-eight thousand eight hundred eighty-four dollars and eighty-two cents (\$88,884.82) to **Hollywood Gaming at Dayton Raceway** to be used to support the harness racing purse pool; and
- (N) One hundred seven thousand seven hundred fifty-eight dollars and eighty-two cents (\$107,758.90) to **Scioto Downs** to be used to support the harness racing purse pool.

Adopted: **October 27, 2017**