

SENATE AMENDMENTS TO SENATE BILL 747

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

April 6

1 In line 2 of the printed bill, after "racing" insert "; creating new provisions; and amending ORS
2 462.057, 462.062, 462.127 and 462.140".

3 In line 18, after "paid" insert "as follows:

4 "(a) Seventy percent".

5 In line 19, after the period delete the rest of the line and begin a new paragraph and insert:

6 "(b) Eighteen percent to the Oregon Thoroughbred Owners and Breeders Association, Incorpo-
7 rated.

8 "(c) Twelve percent to the Oregon Quarter Horse Racing Association, Incorporated.

9 "(5) An association receiving a payment of moneys under subsection (4) of this section shall
10 use".

11 In line 20, after "benevolent" insert "or educational".

12 In line 24, delete "(5)" and insert "(6)".

13 In line 28, delete "(6)" and insert "(7)".

14 After line 30, insert:

15 "**SECTION 3.** ORS 462.057 is amended to read:

16 "462.057. (1) A race meet licensee designated in subsection (2) of this section shall make pay-
17 ments as follows:

18 "(a) License fee - \$25 per fiscal year payable to the Oregon Racing Commission.

19 "(b) A percentage of gross mutuel wagering shall be paid to the commission as follows:

20 "(A) If the race meet is for horses or mules - one percent.

21 "(B) If the race meet is for greyhounds - 1.6 percent.

22 "(c) If the race meet is for horses or mules and the average daily gross mutuel wagering during
23 the preceding fiscal year exceeded \$150,000, a percentage of the gross mutuel wagering shall be paid
24 as follows:

25 "(A) To purses - such amount, subject to prior approval by the commission, as the race meet
26 licensee and the horse owners, or mule owners if the race is for mules, may agree upon, plus an
27 additional 0.1 percent. The additional 0.1 percent shall not become part of the regular purse account
28 but shall be used only to supplement purses of races consisting exclusively of Oregon bred horses
29 or mules;

30 "(B) To the Oregon Thoroughbred **Owners and** Breeders Association, Incorporated, purse sup-
31 plements for owners of Oregon bred thoroughbred horses - one percent of gross mutuel wagering on
32 thoroughbred horse races, to be apportioned among the owners in the same ratio that each owner's
33 purses for Oregon bred thoroughbred horses for the race meet bears to the total purses for Oregon
34 bred thoroughbred horses for the race meet;

35 "(C) To the [*Racing Division of the Oregon Quarterhorse*] **Oregon Quarter Horse Racing As-**

1 sociation, Incorporated, purse supplements for owners of Oregon bred [*quarterhorses*] **quarter**
2 **horses** - one percent of gross mutuel wagering on [*quarterhorse*] **quarter horse** races, to be appor-
3 tioned among the owners in the same ratio that each owner's purses for Oregon bred
4 [*quarterhorses*] **quarter horses** for the race meet bears to the total purses for Oregon bred
5 [*quarterhorses*] **quarter horses** for the race meet;

6 “(D) To each association of horse or mule owners, trainers or breeders recognized by the com-
7 mission as representing the other breeds of horses or mules not designated in subparagraphs (B) and
8 (C) of this paragraph, purse supplements for owners of other Oregon bred horses or mules, not des-
9 ignated in subparagraphs (B) and (C) of this paragraph, one percent of gross mutuel wagering for
10 races of other horses or mules, to be apportioned among the owners in the same ratio that each
11 owner's purses for other Oregon bred horses or mules for the race meet bears to the total purses
12 for other Oregon bred horses or mules for the race meet;

13 “(E) Subject to prior approval of the commission, each horse or mule owners, trainers or
14 breeders association designated in subparagraphs (B), (C) and (D) of this paragraph may use a por-
15 tion of the purse supplements as operating expenses only for receipt, handling and payment of these
16 funds; and

17 “(F) To a special track fund to be used primarily for improving the race track facilities bene-
18 fitting the horse and mule owners, trainers or breeders in the barn area - 0.2 percent. All such funds
19 shall be retained by the licensee in a separate account from all other funds and no disbursements
20 or transfers shall be made therefrom without prior approval of the commission. All physical im-
21 provements paid from such funds shall satisfy reasonable fire, health, quality and construction
22 standards established or approved by the commission. Unless the commission provides otherwise,
23 such improvements shall be made on the race course where the race meet which created the fund
24 was held.

25 “(d) If the race meet is for greyhounds, a percentage of the gross mutuel wagering shall be paid
26 as follows:

27 “(A) To a special fund to be used primarily for the development and operation of a training
28 track and related facilities upon which to train greyhounds - 0.1 percent. All such funds shall be
29 retained by the licensee in a separate account from all other funds and no disbursements or trans-
30 fers shall be made therefrom without prior approval of the commission. All physical improvements
31 paid from such funds shall satisfy reasonable fire, health, quality and construction standards estab-
32 lished or approved by the commission. Unless the commission provides otherwise, such improve-
33 ments shall be made on the race course of the race meet licensee; and

34 “(B) To the Oregon Greyhound Breeders Association, Incorporated, purse supplements for own-
35 ers of Oregon bred greyhounds - 0.5 percent of gross mutuel wagering, to be apportioned among the
36 owners, in accordance with the rules of the commission and subject to approval by the commission,
37 in the same ratio that each owner's purses for Oregon bred greyhounds for the race meet bears to
38 the total purses for Oregon bred greyhounds for the race meet.

39 “(2) Licensees subject to the provisions of this section are:

40 “(a) The Pendleton Roundup.

41 “(b) The Eastern Oregon Livestock Fair.

42 “(c) The Pacific International Livestock Exposition.

43 “(d) Any county fair.

44 “(e) All other nonprofit, fair-type associations which conducted a licensed race meet in calendar
45 year 1968 or 1969.

1 “(f) The Pine Valley Fair Association.

2 “**SECTION 4.** ORS 462.062 is amended to read:

3 “462.062. (1) All licensees of race meets for horses, except those subject to ORS 462.057, shall
4 make payments as follows:

5 “(a) A license fee of \$100 per racing day to the Oregon Racing Commission.

6 “(b) One percent of gross mutuel wagering to the commission.

7 “(c) A percentage of gross mutuel wagering to a purse account, in such amounts as the race
8 meet licensee and the horse owners may agree upon, subject to approval by the commission. In ad-
9 dition to the amount paid to the regular purse account, 0.1 percent of gross mutuel wagering shall
10 be paid into a separate account and used only to supplement purses of races consisting exclusively
11 of Oregon bred horses. However, subject to prior approval of the commission, a portion of the per-
12 centage of gross mutuel wagering designated by this paragraph may be paid to one or more associ-
13 ations of horsemen for operating expenses and other benefits for horsemen.

14 “(d) Three-quarters of one percent of gross mutuel wagering on thoroughbred horse races to the
15 Oregon Thoroughbred **Owners and** Breeders Association, Incorporated, for purse supplements for
16 owners of Oregon bred thoroughbred horses. The association shall apportion the amount among the
17 owners in the same ratio that each owner’s purses for Oregon bred thoroughbred horses for the race
18 meet bears to the total purses for Oregon bred thoroughbred horses for the race meet.

19 “(e) Three-quarters of one percent of gross mutuel wagering on [*quarterhorse*] **quarter horse**
20 races to the [*Racing Division of the Oregon Quarterhorse*] **Oregon Quarter Horse Racing** Associ-
21 ation, Incorporated, for purse supplements for owners of Oregon bred [*quarterhorses*] **quarter**
22 **horses**. The association shall apportion the amount among the owners in the same ratio that each
23 owner’s purses for Oregon bred [*quarterhorses*] **quarter horses** for the race meet bears to the total
24 purses for Oregon bred [*quarterhorses*] **quarter horses** for the race meet.

25 “(f) Three-quarters of one percent of gross mutuel wagering on races for any breed of horses
26 not designated in paragraph (d) or (e) of this subsection to each horsemen’s association recognized
27 by the commission as representing breeds of horses not designated in paragraph (d) or (e) of this
28 subsection, for purse supplements of owners of other Oregon bred horses. Each association shall
29 apportion the amount among the owners in the same ratio that each owner’s purses for other
30 Oregon bred horses for the race meet bears to the total purses for other Oregon bred horses for the
31 race meet.

32 “(g) Two-tenths of one percent of gross mutuel wagering to a special track fund of the type, and
33 for the uses and purposes, and subject to the conditions set forth in ORS 462.057 (1)(c)(F).

34 “(2) Subject to prior approval of the commission, each horsemen’s association designated in
35 subsection (1)(d), (e) and (f) of this section may use a portion of the purse supplements for operating
36 expenses and other benefits for horsemen.

37 “**SECTION 5.** ORS 462.127 is amended to read:

38 “462.127. Notwithstanding any other provision of this chapter:

39 “(1) The [*Racing Division of the Oregon Quarterhorse*] **Oregon Quarter Horse Racing** Associ-
40 ation, Incorporated, and the Oregon Division Horsemen’s Benevolent and Protective Association,
41 may each be granted up to 15 days of racing per fiscal year at locations approved by the Oregon
42 Racing Commission. Such racing must be sponsored by the [*Racing Division of the Oregon*
43 *Quarterhorse*] **Oregon Quarter Horse Racing** Association, Incorporated, or the Oregon Division
44 Horsemen’s Benevolent and Protective Association, and the net licensee income shall be used only
45 for the payment of purses to horsemen participating at the meeting. The commission shall schedule

1 the racing for the [*Racing Division of the Oregon Quarterhorse*] **Oregon Quarter Horse Racing**
2 Association, Incorporated, and the Oregon Division Horsemen's Benevolent and Protective Associ-
3 ation, in such a manner as to avoid conflict with other race meets previously licensed under ORS
4 462.057. The [*Racing Division of the Oregon Quarterhorse*] **Oregon Quarter Horse Racing** Associ-
5 ation, Incorporated, and the Oregon Division Horsemen's Benevolent and Protective Association,
6 shall make payments as specified in ORS 462.057 (1).

7 "(2) Racing days granted pursuant to this section may not be included in the number of racing
8 days counted for purposes of the 350-day limitation established in ORS 462.125.

9 "**SECTION 6.** ORS 462.140 is amended to read:

10 "462.140. (1) [*No person shall*] **A person may not** conduct or commit, attempt or conspire to
11 conduct or commit pool selling, bookmaking, or circulate handbooks, or bet or wager on any li-
12 censed race meet, other than by the mutuel method. All moneys wagered in Oregon must be ac-
13 counted for through a computerized mutuel wagering system in use by an operating race meet in
14 this state and approved by the Oregon Racing Commission. Wagering into pools outside of Oregon
15 via telephone or other device is prohibited unless the wagering information is transmitted by a
16 licensee that conducts off-race course mutuel wagering pursuant to ORS 462.700 to 462.740.

17 "(2) A race meet licensee may not take more than 22 percent of the gross receipts of any mutuel
18 wagering system subject to approval by the commission.

19 "(3) A race meet licensee shall compute breaks in the mutuel system at 10 cents for each dollar
20 wagered in a specific mutuel pool except, when the breaks in the mutuel system compute to less
21 than 10 cents total for each dollar wagered, the race meet licensee shall compute the breaks on that
22 specific mutuel pool at five cents. When the breaks in the mutuel system compute at 10 cents or
23 more for each dollar wagered, the race meet licensee shall pay in increments of 10 cents for each
24 dollar wagered. When the breaks in the mutuel system compute to less than 10 cents for each dollar
25 wagered, the race meet licensee shall pay five cents for each dollar wagered. For horses, 45 percent
26 of the breaks shall be retained by the licensee. For greyhounds, 33-1/3 percent shall be retained by
27 the licensee. The other 55 percent for horses and 66-2/3 percent for greyhounds shall be paid as
28 follows:

29 "(a) For thoroughbred horse races, to the Oregon Thoroughbred **Owners and** Breeders Associ-
30 ation, Incorporated, to be used by that association subject to prior approval of the commission, in
31 such amounts and for such of the following purposes as the association deems desirable:

32 "(A) For breeders awards;

33 "(B) For stallion awards;

34 "(C) For education of the members of the association and other horsemen regarding the breeding
35 and racing of thoroughbred horses; or

36 "(D) For the promotion and development of thoroughbred horse breeding and racing in Oregon.

37 "(b) For [*quarterhorse*] **quarter horse** races, to the [*Racing Division of the Oregon*
38 *Quarterhorse*] **Oregon Quarter Horse Racing** Association, Incorporated, to be used by that associ-
39 ation subject to prior approval of the commission, in such amounts and for such of the following
40 purposes as the association deems desirable:

41 "(A) For breeders awards;

42 "(B) For stallion awards;

43 "(C) For education of the members of the association and other horsemen regarding the breeding
44 and racing of [*quarterhorses*] **quarter horses**; or

45 "(D) For the promotion and development of [*quarterhorse*] **quarter horse** breeding and racing

1 in Oregon.

2 “(c) For races for any other horses not designated in paragraphs (a) and (b) of this subsection,
3 to each association of horsemen recognized by the commission as representing the other breeds of
4 horses, to be used by that association subject to prior approval of the commission, in such amounts
5 and for such of the following purposes as each recognized association deems desirable:

6 “(A) For breeders awards;

7 “(B) For stallion awards;

8 “(C) For education of the members of the association and other horsemen regarding the breeding
9 and racing of horses; or

10 “(D) For the promotion and development of horse breeding and racing in Oregon.

11 “(d) By a licensee of a race meet for greyhounds:

12 “(A) One-half thereof to augment purses subject to reasonable regulations prescribed by the
13 commission.

14 “(B) The other one-half thereof for benefit and improvement of the breeding, ownership, training
15 and racing of greyhounds in Oregon, subject to reasonable regulations prescribed by the commission.
16 Included, but not by way of limitation, would be payment of purses for maiden graduation or special
17 schooling races without wagering, and construction and operation of one or more appropriate public
18 training facilities within the state. All such funds shall be retained by the licensee in an account
19 separate from all other funds, and no disbursements or transfers shall be made therefrom without
20 prior approval of the commission.”.

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