

OKLAHOMA HORSE RACING COMMISSION

REGULARLY SCHEDULED MEETING February 21, 2008

MINUTES

CALL TO ORDER/ROLL CALL

Vice-Chairman Patrick Grimmett called the February 21, 2008 Regularly Scheduled Meeting of the Commission to order at 9:50 a.m. in the Activity Center of Shepherd Mall, Oklahoma City, Oklahoma. The start of the meeting was delayed due to the inclement weather and the resulting traffic issue.

Commission members answering roll call were Commissioner Bollenbach, Commissioner Bowers, Commissioner Carter, Commissioner Calvert and Vice-Chairman Grimmett. Commissioner Barkett, Chairman Bledsoe and Commissioner Savage were absent from the meeting. Commissioner Smicklas joined the meeting in progress at 10:00 a.m. Mr. Neal Leader, Commission Counsel, was present as well as the following Commission staff members: Mr. Constantin A. Rieger, Mr. Mel Webb, Ms. Sue Chappell, Mr. Mike Corey, Ms. Bonnie Morris and Ms. E J Brees. Approximately eighteen other persons attended and signed the registry which is part of the record.

APPROVAL OF MINUTES

Commissioner Bowers moved to approve the drafted Minutes from the January 24, 2008 Regularly Scheduled Commission Meeting. Commissioner Bollenbach seconded the motion. The vote was as follows:

Aye: Mr. Bowers, Mr. Bollenbach, Mr. Carter, Mr. Grimmett
Abstain: Mr. Calvert
Mr. Smicklas was absent from the vote.
Mrs. Barkett, Mr. Savage and Dr. Bledsoe were absent from the meeting.
The motion passed on a 4-1 vote.

ISSUANCE OF CY 2008 INDEPENDENT TESTING LABORATORY LICENSES FOR GAMING LABORATORIES INTERNATIONAL, INC. AND NICK FARLEY AND ASSOCIATES D/B/A ECLIPSE COMPLIANCE TESTING

At the January 24, 2008 meeting, the Commission took preliminary action to approve CY 2008 Independent Testing Laboratory Licenses for Gaming Laboratories International, Inc. (GLI) and Nick Farley and Associates d/b/a Eclipse Compliance Testing. As directed, Commission Staff drafted License Orders with Findings of Facts, Conclusions of Law and Conditions for consideration at the February 21, 2008 meeting.

At the February 21, 2008 meeting, Commissioner Calvert made a motion to approve the Order as drafted for Gaming Laboratories International, Inc. Commissioner Bowers seconded the motion. The vote was as follows:

Aye: Mr. Calvert, Mr. Bowers, Mr. Bollenbach, Mr. Carter, Mr. Grimmett
Commissioner Smicklas was absent from the vote.
Mrs. Barkett, Mr. Savage and Dr. Bledsoe were absent from the meeting.
The motion passed on a 5-0 vote.

Commissioner Calvert made a motion to approve the Order as drafted for Nick Farley and Associates d/b/a Eclipse Compliance Testing. Commissioner Carter seconded the motion. The vote was as follows:

Aye: Mr. Calvert, Mr. Carter, Mr. Bollenbach, Mr. Bowers, Mr. Grimmett
Mr. Smicklas was absent from the vote.
Mrs. Barkett, Mr. Savage and Dr. Bledsoe were absent from the meeting.
The motion passed on a 5-0 vote.

**CONTINUED CONSIDERATION OF A RENEWAL APPLICATION FOR CY 2008
INDEPENDENT TESTING LABORATORY LICENSE BY BMMTESTLABS**

At the January 24, 2008 meeting, the Commission deferred consideration of BMMTESTLABS' CY 2008 Independent Testing Laboratory License pending receipt of the following additional financial information:

- Audited financial statement from BMM Australia
- Letter from BMM Australia stating its willingness to subsidize BMM North America
- Letter from BMM North America that it is willing to accept financial support from the parent company in Australia
- Absent any support from the parent company, a letter of support from another source such as a line of credit or other financial support

At the February 21, 2008 Commission meeting, updates on financial information were related to the Commission from Mr. Martin Storm, Chief Operating Officer of BMMTESTLABS, regarding its renewal application for a CY 2008 Independent Testing Laboratory License. All of the above-mentioned items were addressed by Mr. Storm to the satisfaction of the Commission.

Commissioner Calvert made a motion to take preliminary action to award a CY 2008 Independent Testing Laboratory License to BMMTESTLABS' with the same conditions as in CY 2007 and instructed Commission Staff to draft an Order with Findings of Facts, Conclusions of Law and Conditions for consideration at the March 27, 2008 meeting. Commissioner Bowers seconded the motion. The vote was as follows:

Aye: Mr. Calvert, Mr. Bowers, Mr. Bollenbach, Mr. Carter, Mr. Grimmett
Abstain: Mr. Smicklas (Mr. Smicklas arrived during the testimony)
Mrs. Barkett, Mr. Savage and Dr. Bledsoe were absent from the meeting.
The motion passed on a 5-1 vote.

**ADOPTION OF AMENDMENT TO COMMISSION-SANCTIONED THRESHOLD DIRECTIVE
REGARDING LEVELS FOR BANAMINE**

At the March 23, 2006 meeting, the Commission adopted a Directive on Commission-Sanctioned Thresholds that had been proposed by the Ad Hoc Committee on Drug Testing Rules to be in compliance with the rule amendments adopted at the same meeting in Chapter 45, Medication and Equine Drug Testing Procedures.

Mr. Constantin Rieger, Commission Executive Director, reported that during the CY 2007 racing season, there were overages for Banamine, an anti-inflammatory drug, from the Commission-sanctioned threshold of 250 ng/ml. Statistical data on Banamine levels for the CY 2007 racing season were presented at the February 21, 2008 meeting, and Commission Staff recommended that the Commission consider amending the Directive on Commission-Sanctioned Thresholds to reduce the ng/ml level of Banamine [Flunixin] to 125 ng/ml.

Commissioner Calvert made a motion to amend the Directive on Commission-Sanctioned Thresholds to change the Banamine level to 100 ng/ml effective June 2, 2008. Commissioner Bowers seconded the motion. The vote was as follows:

Aye: Mr. Calvert, Mr. Bowers, Mr. Bollenbach, Mr. Carter, Mr. Grimmett
Nay: Mr. Smicklas
Mrs. Barkett, Mr. Savage and Dr. Bledsoe were absent from the meeting.
The motion passed on a 5-1 vote.

LEGISLATIVE REVIEW

The Second Regular Session of the 51st Oklahoma Legislature convened on Monday, February 4, 2008. Commission Staff provided an update of proposed legislation that impacts the horse racing industry.

ANY MATTER NOT KNOWN ABOUT OR WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING THE AGENDA

There were no items not known in advance of posting the agenda.

ANNOUNCEMENTS

Dr. Hank Jann, a faculty member at the OSU Center for Veterinary Medicine Health Services, asked trainers to participate in his research on bowed tendons in race horses. An online form at <http://oktendon.com> provides information on a horse's injury with the trainer having the option to include the horse's information or not. Dr. Jann hopes to get information on 1,000 race horses, so the research study is open-ended at this time.

Ms. Debbie Schauf stated that it had been brought to her attention that the online form did not include distances for Quarter Horses. Mr. Rieger said that he would contact Dr. Jann to inform him of the problem.

Upcoming race meetings begin as follows:

Will Rogers Downs: Saturday, February 23, 2008
Spring Meet at Blue Ribbon Downs: Saturday, March 1, 2008
Remington Park, Friday, March 7, 2008

The Oklahoma Quarter Horse Racing Association's annual awards banquet was scheduled for Saturday, February 23, 2008, at the Regal Room at 25 Grand Boulevard, Oklahoma City, Oklahoma.

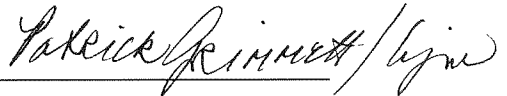
The Commission's next meeting, scheduled for March 27, 2008, will be held at Will Rogers Downs in Claremore.

Mr. Scott Wells, General Manager of Remington Park, announced that a Shawnee Tribe has proposed building a casino in close proximity to Remington Park, and applied to the Federal Government to take land into trust for the purpose of building the casino. Because of the disastrous economic impact a casino so closely located to Remington Park would have on the statewide horse racing industry, Mr. Wells suggested that this is a matter that the industry should watch closely and make its views known.

ADJOURNMENT

By acclamation, the Commission meeting was adjourned at 11:02 a.m.

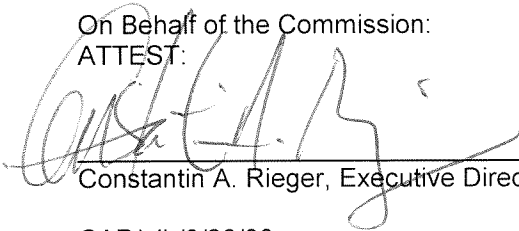
Approved this 27th day of March, 2008.



Patrick Grimmert, Vice-Chairman

On Behalf of the Commission:

ATTEST:



Constantin A. Rieger, Executive Director

CAR/ejb/3/28/08