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Date

4/8/87

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:00 a.m. ~~p.m.~~ on April 1, 1987 in room 254-E of the Capitol.

All members were present ~~except~~

Committee staff present:

Mary Galligan, Legislative Research
June Windscheffel, Secretary to the Committee

Conferees appearing before the committee:

Mr. Dennis Oelschlager, Executive Secretary, Nebraska Racing Commission.

The Chairman thanked staff for having done a superb job in giving information to the Committee concerning HB 2044, concerning Kansas parimutuel racing act, and referred to a handout before the Committee concerning State Medication Rule Review. This information was compiled by the American Horse Council. (Attachment #1)

There was also a handout from Mr. Wendell E. Maddox, Jr., of The Humane Society of the United States, concerning the opposition of the organization to live lures. (Attachment #2)

Senator Arasmith moved, seconded by Senator Daniels, that the Minutes of March 31, 1987, be approved. The motion carried.

The Chairman welcomed Mr. Dennis Oelschlager, Executive Secretary of the Nebraska Racing Commission, who was kind enough to appear before the Committee at its invitation. He gave a resume of his work, and then gave a history of racing in the State of Nebraska. A copy of his remarks will be attached. (Attachment #3) Mr. Oelschlager answered questions from the Committee which encompassed many subjects.

The Chairman and Committee expressed much appreciation for Mr. Oelschlager's appearance, and his offer of assistance and cooperation.

The meeting was adjourned at noon.

State Medication Rule Review

(Through December 1, 1984)

Compiled by the American Horse Council

4/1/87
Attachment #1

	Race-Day Medication	Race-Day Administration Restrictions	Bute/NSAID Plasma	Trace Levels Urine
Arizona	No	—	2 mcg/ml	—
Arkansas	No	—	—	TCP
California	Lasix	4 hrs/post Detention (S)	5 mcg/ml 1 mcg/ml	(Bute or Naproxen); (Banamine or Arquel)
Colorado	Lasix	4 hrs/post	—	165 mcg/ml
Delaware	Lasix	3 hrs/post Detention (B)	2 mcg/ml	—
Delaware (Harness)	No	—	—	TCP
Florida	Lasix	4 hrs/post Detention (S)	—	110 mcg/ml*
Idaho	Premarin	2 hrs/post	—	165 mcg/ml (Bute); None (other NSAIDs)
Illinois	Lasix	4 hrs/post Detention (S)	2 mcg/ml	—
Kentucky (Thoroughbred)	Lasix Bute	None None	— None	— None
Kentucky (Harness)	Lasix	4 hrs/post	—	TCP
Louisiana	Lasix	4 hrs/post	—	165 mcg/ml
Maine	No	—	—	TCP
Maryland (Thoroughbred)	Lasix	3 hrs/post Detention (B)	2 mcg/ml	—
Maryland (Harness)	No	—	—	TCP
Massachusetts	Lasix Bute	4 hrs/post None	— —	— 165 mcg/ml
Michigan	Lasix Bute	None None	— None	— None
Montana	No	—	—	TCP
Nebraska	Lasix	6 hrs/post	None	None
New Hampshire	Lasix Bute	4 hrs/post None	— None	— None
New Jersey	Lasix	5 hrs/post Detention (B)	TCP	TCP
New Mexico	Lasix	3 hrs/post Detention (B)	5 mcg/ml	—
New York	No	—	2 mcg/ml	—
Ohio (Thoroughbred)	Lasix	4 hrs/post Detention (B)	5 mcg/ml	—
Ohio (Harness)	No	—	5 mcg/ml	—
Oklahoma	No	—	—	TCP
Oregon	Lasix	4 hrs/post	5 mcg/ml 1 mcg/ml	(Bute or Naproxen); (Banamine or Arquel)
Pennsylvania (Thoroughbred)	Lasix	4 hrs/post Detention (B)	2 mcg/ml	—
Pennsylvania (Harness)	No	—	—	TCP
South Dakota	No	—	None	None
Vermont	No	—	—	TCP
Washington	Lasix	4 hrs/post Detention (S)	5 mcg/ml 1 mcg/ml	(Bute or Naproxen); (Banamine or Arquel)
West Virginia	Lasix	4 hrs/post Detention (B)	—	165 mcg/ml
Wyoming	Lasix	4 hrs/post Detention (S)	2 mcg/ml	—

*Warning issued at 110 mcg/ml; fine assessed at 125 mcg/ml; discretionary penalty (fine, suspension) at 140 mcg/ml and above.

NSAID—Non-steroidal anti-inflammatory drug.

TCP—Trace Constitutes Positive (Any trace of medication represents a violation).

Mcg/ml—Micrograms per milliliter.

Detention—Horses receiving Lasix must be isolated in a detention barn (B) or supervised in their own stall (S) for the time period indicated following administration of the medication.

Attachment #1
FSA 4/1/87

Obtained by
Phil Wilkes, Staff
Attorney, Dept. of
Revenue, from the
Nat'l Assoc. of State
Racing Commissioners



Midwest Regional Office
Argyle Building
306 East 12th Street
Kansas City, Missouri 64106
(816) 474-0888

4/1/87
Attachment #2

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TESTIMONY PREPARED FOR
THE KANSAS STATE SENATE
COMMITTEE ON FEDERAL AND STATE AFFAIRS

House Bill No. 2044

Pari-Mutuel
Horse and Dog Racing

The Humane Society of The United States

Wendell E. Maddox, Jr.
Regional Director
Midwest Regional Office

March 30, 1987
Topeka, Kansas

Attachment #2
FSA 4/1/87

HONORARY DIRECTORS

Aida Flemming
Virginia Milliken
Andrew Wyeth

National Headquarters:

**The Humane Society
of the United States
2100 L Street, NW
Washington, DC 20037**

The HSUS is opposed to the use of live animals in the training of racing dogs since this training is responsible for the cruel death of over 100,000 animals per year.

It is evident that the use of live lures are still used in great quantities because whenever legislation is introduced to prohibit their use in states where greyhound training is prevalent, greyhound trainers vigorously oppose and lobby against such legislation.

A prohibition on the use of live lures by the state of Kansas was contained in the original H.B.#2044. However, because of the vast amount of money the greyhound proponents have to spend on their lobbying efforts, they were able to influence several members of the house to vote against this provision.

The National Greyhound Association (NGA) has publically stated many times that the use of live lures is an archaic practice and is no longer a common practice in the training of racing greyhounds.

While this committee may not be concerned about the brutality and blatant animal abuse associated with live lure training, legislators in other states have viewed this issue with tremendous concern. When legislators in other states expressed their concerns on this issue they have been repeatedly assured by NGA representatives that such practices are no longer common and that live animal lure training is almost extinct in the greyhound industry throughout the country. It is time for the NGA to confirm or deny whether or not the use of live animals is prevalent in the training of racing greyhounds. Before this committee makes a decision on this issue it is necessary to receive written verification from the NGA establishing their official position so as to preclude the NGA from testifying to one fact in a particular state and then testifying to the contrary in other states which recognize live lure training to be barbaric and inhumane.

Summary of Testimony
Provided by Dennis G Oelschlager
April 1, 1987

Pari-mutuel Horse Racing In Nebraska

Authorized by constitutional ammendment in 1934
Only horse racing permitted, not dog racing
Currently 7 tracks operating - 5 thoroughbred and 3 quarter
horse, no mixed breed racing
All tracks must be operated by not-for-profit organizations
Total pari-mutuel handle in 1986 \$155 million, down from
\$214 million in 1985 primarily due to competition from
dog racing in Council Bluffs, Iowa
Pari-mutuel taxes paid in 1986 \$ 4,938,180

Nebraska State Racing Commission

Three Members
Each serves a three year term
Terms are staggered so that one commission member's term
ends April 1 of each year
Commsioners serve without salary, only actual expenses are
reimbursed

Nebraska Racing Commission Functions

Rules: Promulgate rules governing horse racing
Enforcement: To oversee efforts of officials and security
personnel in enforcement of rules and statutes
Investigations: Investigate major rule violations and
present evidence to Board of Stewards or the Nebraska
Racing Commission
Licensing: Over 10,000 licenses issued to participants in
racing each year
Revenue: Collect and manage revenue from licensing,
admission taxes, fines etc.
Employees: Approximately 10 FTE
Budget: Enfocement fuction of commission costs
approximately \$420,000 per year

*Dennis Oelschlager
April 1, 1987
Attachment #3*

Medication

Nebraska permits the use of phenylbutazone (bute) and furosimide (lasix)
All vet treatments including bute and lasix must be reported daily to the Nebraska Racing Commission office
Recommend that regulation of medication be a matter of Racing Commission rules and not state statute
Nebraska has five to ten positive tests per year for prohibited substances, the majority of which are the result of entering a horse too soon after a legitimate treatment by a veterinarian

Economic Impact

Estimated contributions to the Nebraska economy of more than \$300,000,000 per year. Population of horses involved in the racing industry estimated at 7000.

Agricultural impact: estimated that produce of over 500 quarter-section farms is required to support industry with average cash flow over \$13,000 per farm.

Employment in racing industry estimated at 15,000 jobs mostly part time positions.

*Dennis Oelschlager
April 1, 1987
Attachment #3*