

Approved *Ginger Barr*
March 21, 1990 Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Representative Ginger Barr at
Chairperson

1:34 ~~xxx~~ p.m. on February 26, 1990 in room 526-S of the Capitol.

All members were present except:

Representatives Peterson
Ramirez - Excused
Wagnon - Excused

Committee staff present:

Mary Galligan, Kansas Department of Legislative Research
Lynne Holt, Kansas Department of Legislative Research
Mary Torrence, Revisor of Statutes Office
Juel Bennewitz, Secretary to the Committee

Conferees appearing before the committee:

Representative Frank Buehler
Representative Debara Schauf
Greg Dehlinger, Executive Director, Kansas Horseman's Association
Joel Blasi, Havana, Kansas
Scott Blasi, Havana, Kansas
Stace Belt, Lane, Kansas
Shane Stout, Lane, Kansas
Dub Romero, Topeka, Kansas
Kistin Moses, Mulvane, Kansas
Jonathan Small, Greenwood County Fair & Rooks County Free Fair
Whitney Damron, Wichita Greyhound Park (WGP)
Jim Yonally, TRAK East
Denny Burgess, Sunflower Racing, Inc.
Dan Hamer, Executive Director, Kansas Racing Commission (KRC)

HB 2790

Representative Buehler explained the purpose of the bill is to protect young people under age 18 years from the temptations accompanying parimutuel racing, Attachment No. 1.

Committee discussion:

1. Representative Buehler had no objection to those under 18 being employed at a fair association race where no parimutuel was in effect.
2. The profile of those employed would suggest good students with the desire to earn extra money.
3. Those under age 18, working for their parents, are exempted by statute. The bill speaks to employees of a parimutuel track.
4. Employee numbers for those under 18 at parimutuel tracks are:
 - a. Woodlands - 90
 - b. Eureka Downs - 65
 - c. Wichita Greyhound Park - 58The teen employment percent of total employees was not known.
5. Representative Buehler would not extend this to cover those under 18 employed in convenience stores that sell lottery tickets as underage employees are statutorily not permitted to sell lottery tickets.

Representative Schauf testified in opposition to the bill and suggested a change regarding education, Attachment No. 2. She submitted the following:

Certification as an AQHA steward, Attachment No. 2A.
List of licensees under 18 years by track and license type, Attachment No. 2B.
List of KRC occupation licenses, Attachment No. 2C.
Selected rules and regulations from the Oregon Racing Commission, Attachment No. 2D.

Committee discussion:

1. Pay ranges vary but many receive a flat day rate at least equal to minimum wage or minimum wage which requires the use of a time card.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Federal and State Affairs,

room 526-S, Statehouse, at 1:34 ~~am~~/p.m. on February 26, 1990

2. Representative Schauf stated the real business of racing takes place on the "backside" of the track with the care and maintenance of animals and tack. She stated a preference for teens to be employed in that area rather than being allowed to sit in the grandstand where the wagering occurs.
3. American Racing Commissions International (ARCI) set standards for both the dog and horse racing industry. It serves as a clearinghouse for checking licensees for racing violations in other states; set the standard for quality control in drug testing of the animals and makes policy recommendations for member states regarding racing. At its annual meeting in October, 1989, ARCI adopted a model policy to encourage youths under age 18 to complete their education.
4. The minimum age requirement for track jobs is 16 years unless the youth is working for a parent or guardian.

Greg Dehlinger was an opponent of the bill emphasizing the many jobs suitable to teens, Attachment No. 3.

Committee discussion:

1. Mr. Dehlinger stated most of the teen employees use their paychecks for their education. He gave his opinion to be that it was not a "common practice" for the youth to be gambling.
2. Horse racing season is April - October so track employment in that industry for teens is basically summer employment.
3. Representative Schauf explained that the KQHA is the breed registry for horses created by the Parimutuel Act.

Joel Blasi spoke in opposition to the bill discussing his family's involvement in the horse industry, Attachment No. 4.

There was brief discussion on an apparent misunderstanding concerning the requirement a youth be 16 years old to obtain a license and the KRC rules and regulations exempting that requirement if the youth is working for a parent licensed as a trainer or assistant trainer.

Scott Blasi explained his duties as a groom and pony rider and the importance to him of the income, Attachment No. 5.

The job requires approximately 12 hours on race days and 6 hours on other days.

Stace Belt requested the committee vote no on the bill and related his experience in the industry, Attachment No. 6.

Shane Stout spoke in opposition to the bill claiming a financial burden would result to trainers, Attachment No. 7.

Committee discussion:

The committee focused on insurance coverage. Mr. Stout provides coverage on his jockey at his home. At races, the jockey provides his own insurance per mount. Tracks are required to carry some liability and the jockey is covered if he is a member of the Jockey's Guild. Eureka Downs is attempting to develop a better program which would provide medical, as well as disability coverage. Owners pay \$5.00 per race for jockey insurance. Staff was requested to investigate workmen's compensation for jockeys.

Dub Romero explained he is licensed in four other states and opposed the bill stating it would take away "his rights", Attachment No. 8.

Kistin Moses opposed the bill for the impact it would have on trainers and families, Attachment No. 9.

Jonathan Small testified in opposition to the bill noting the adverse effect on the fairs' access to a local manpower pool, Attachment No. 10. Attachment No. 10A is a letter of opposition from James Ochampaugh, Secretary, Rooks County Free Fair.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Federal and State Affairs,
room 526-S, Statehouse, at 1:34 ~~xxx~~/p.m. on February 26, 1990

Committee discussion:

1. The facility license defines who may or may not be at the facility. Traditionally, the definition has been broad and all encompassing.
2. Anyone under 18 in the 63 occupational license categories would be covered under an umbrella policy. Mr. Small stated insurance coverage is under review and he was unable to state if there was a medical pay policy to cover all 63 categories.

Whitney Damron spoke in opposition to the bill though he stated WGP would not object to lowering the age restriction to 16, noting it could cause difficulties for kennel owner/operators, Attachment No. 11.

Jim Yonally testified in opposition to the bill citing the shortage of jobs available to 15-17 year olds in urban areas, Attachment No. 12.

Denny Burgess stated that Sunflower is in the business of entertainment and economic development rather than gambling. He submitted a statement in opposition to the bill and requested it be tabled, Attachment No. 13.

Committee discussion:

Sunflower Racing, Inc. carries workmen's compensation on its 850 employees. Kennels are contracted by kennel owners and trainers. Mr. Burgess stated he could not speak to what coverage they carry.

Dan Hamer provided a brief review and update of parimutuel racing in Kansas:

- 11/4/86 - Constitutional amendment was approved
- 5/28/87 - Legislation was enabled
- 6/22/88 - 1st approval for racing license received
- 6/2/89 - Considered, reviewed and approved the administrative regulations covering parimutuel
- 7/7/89 - Wichita Greyhound Park began its racing season
- 9/14/89 - Woodlands began its racing season

Since that time approximately \$4,300,000 has been collected in parimutuel tax and \$48,000 in licensing.

Committee discussion:

1. Mr. Hamer will provide the committee information on what safeguards there are to ensure underage teens, primarily jockeys, are covered by insurance.
2. Mr. Hamer will check on why a teen under 16 was unable to obtain a jockey's license while working for his father, a trainer.
3. The members of the KRC are:
Harry Anthony, D.V.M., Chairman
Kay Arvin, Wichita
Bert Cantwell, Kansas City
Phil Martin, Larned
Alfred Schroeder, Madison
4. re: The conflict in racing dates between WGP and Eureka Downs as defined in K.S.A. 74-8804(e). Dr. Anthony explained there has been no final decision concerning race days, the problem being with a Saturday and Sunday matinee being run at Eureka. It will be discussed at the next meeting of the KRC.

HB 2299

Representative Jones moved to recommend the bill favorably. Representative Sprague made a substitute motion to amend the typographical error on line 41 which should be 1898 in order to be consistent with line 44. Representative Jenkins seconded the motion which was then adopted. Representative Jones made a motion to recommend the bill, as amended, favorably, seconded by Representative Ensminger. The motion carried.

Chairman Barr explained Ramon Powers, Executive Director of the Kansas Historical Society requested a bill be introduced to discuss a demolition ordered for a building at Osawatomie State Hospital. Representative Ensminger explained that

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Federal and State Affairs,
room 526-S, Statehouse, at 1:34 ~~xxx~~ p.m. on February 26, 19 90

Senator Doug Walker has introduced a similar bill in the Senate and expressed a preference to see what action is taken on the senator's bill. Representative Charlton moved to introduce the bill, seconded by Representative Bryant. One member expressed concern regarding the condition of the building. Chairman Barr noted demolition funds have been appropriated. No action was taken.

The meeting was adjourned at 2:53 p.m. The next meeting is scheduled for February 27, 1:30 p.m. in Room 526-S.

STATE OF KANSAS

FRANK BUEHLER
REPRESENTATIVE, ONE HUNDRED THIRTEENTH DISTRICT
BARTON COUNTY
P.O. BOX 317
CLAFLIN, KANSAS 67525-0317



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE-CHAIRMAN: JOINT COMMITTEE ON ADMINISTRATIVE
RULES AND REGULATIONS
VICE-CHAIRMAN: PUBLIC HEALTH AND WELFARE
MEMBER: JUDICIARY
LABOR AND INDUSTRY

HB 2790

HB 2790 WAS INTRODUCED AS A RESULT OF OBSERVATION OF RULES AND REGULATIONS BROUGHT BEFORE THE JOINT COMMITTEE ON RULES AND REGULATIONS FOR EXAMINATION. THIS COMMITTEE LEARNED THAT AS OPPOSED TO POPULAR CONCEPT OUR YOUTH ARE NOT BEING PROTECTED AND INSULATED FROM EXPOSURE TO SOME TEMPTATIONS THAT MAY ARISE FROM INVOLVEMENT IN THE ACTIVITIES OF PARIMUTUEL RACING UNDER CURRENT STATUTES.

ACCORDING TO KSA 74-8810, THE ONLY PROHIBITION OF INVOLVEMENT OF THOSE UNDER THE AGE OF 18 IS TO PURCHASE OR SELL A PARIMUTUEL TICKET OR UNDER KSA 41-713 and KSA 41-2610 TO PARTICIPATE IN THE DISPENSING, SALE OR SERVING OF ALCOHOLIC BEVERAGE. THOSE UNDER THE AGE OF 18 CAN DO ANYTHING ELSE IN PARIMUTUEL RACING.

HB 2790 WOULD MAKE CERTAIN THAT THOSE UNDER THE AGE OF 18 YEARS COULD NOT BE EMPLOYED OR HOLD ANY LICENSE IN PARIMUTUEL RACING.

WE ARE GIVING OUR YOUNG PEOPLE VERY BAD SIGNALS. TREATMENT PROGRAMS ARE OFTEN SOUGHT BY TEENAGERS WHO ARE

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 1
February 26, 1990

DEEPLY IN DEBT FROM RISK TAKING, SOMETIMES CONTEMPLATING SUICIDE. THE YOUNG PEOPLE IN TODAY'S SOCIETY DEVELOP ROLE MODELS AND ARE IMPRESSED WITH THE EXCITEMENT OF A WINNING BETTOR AND DO NOT UNDERSTAND THAT IN REALITY THERE ARE FEWER WINNERS THAN LOSERS. THEY DEVELOP AN ATTITUDE OF TRYING FOR THE BIG WIN AND IT NEVER ENTERS THEIR MINDS THAT THEY PROBABLY WILL LOSE.

IN THIS DAY WHEN WE TRY TO IMPRESS OUR YOUTH BY GOOD EXAMPLE AND WE PROHIBIT THEIR ACTIVITIES IN BARS AND SOME OTHER STATES PROHIBIT EVEN THEIR PRESENCE AT A PARIMUTUEL TRACK. IT SEEMS TO ME THAT WE SHOULD MAKE AN EFFORT AT LEAST TO PROTECT OUR YOUTH FROM EXPOSURE TO THE TEMPTATIONS THAT ACCOMPANY PARIMUTUEL RACING.

MADAM CHAIRMAN, I THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE YOUR COMMITTEE AND I WOULD ATTEMPT TO ANSWER QUESTIONS.


FRANK BUEHLER

FEBRUARY 23, 1990

FSH
1-2
2-26-90

STATE OF KANSAS

DEBARA K. SCHAUF
REPRESENTATIVE, EIGHTY-FIRST DISTRICT
SEDGWICK AND SUMNER COUNTIES
P.O. BOX 68
MULVANE, KANSAS 67110
(316) 777-4608



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: LABOR AND INDUSTRY
FEDERAL AND STATE AFFAIRS
COMMERCIAL AND FINANCIAL
INSTITUTIONS
JOINT COMMITTEE ON ADMINISTRATIVE
RULES AND REGULATIONS

TESTIMONY ON HB 2790

By: Representative Debbie Schauf

Thank you Madam Chairman and Fellow Members of the Committee. For those of you who are unaware of my interest and involvement in the Parimutual Industry I want to take just a moment to tell you.

I also serve on the joint Rules and Regulations Committee and became very concerned as we reviewed the act about how really little some of us knew about the "operational" end of racing. I have a background and history of involvement in hobbies that related to the industry so when I learned of a "first of it's kind" Racing Officials' Seminar in Great Falls, Montanna last July, I enrolled. This seminar dealt exclusively with horse racing but was different because it incorporated rules of racing for all breeds including Thoroughbreds and Quarter Horses. Attached to my testimony is a certifiante showing successful completion of the course and certification as a racing official. After completing the course, I had an opportunity to work in the racing office at Eureka Downs for about 60 days and get some practical hands-on experience. I was an "adminstrative support" clerk, and the duties included assisting the racing secretary with his duties.

One of the things that I really learned from this experience is that there is a whole dimension of paramutual that we regularly fail to consider. Apart from the issue of "gambling" we are dealing with an industry that contributes significantly to the Kansas economy.

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 2
February 26, 1990

The Kansas Racing Commission furnished me figures for numbers of people licensed at Woodlands, Wichita Greyhound Park, and Eureka for 1989. Those figures indicate over 4,000 licenses. Actually a small percentage of those people were under 18- in fact I have attached to my testimony the number of kids licensed in 1989 at each track by their license classification.

Current law allows the commission to set rules and regulations concerning age of licensees and I have also attached a copy of that rule. I feel it works very well the way it is now, however, I would like to suggest one idea for your consideration.

Several states including Oregon and Kentucky have instituted a new policy that requires anyone under 18 licensed in an occupational capacity to work at the track is required to either have a high school diploma, a GED or participate in an accredited educational program within the last five months.

If we are concerned for our youth and want to encourage their productivity as adults this might be a good way to demonstrate that concern.

Today I have asked several of my young friends who have worked at the track to visit with you about their feelings and experiences. Also we have a couple of horsemen who are going to share their concerns. I certainly hope you will take this opportunity to ask them any questions you may have about their involvement in the industry.

Thank you and I will be happy to stand for question if you wish.

FSF
2-2
2-26-90

Quarter Horse Racing Council Racing Officials Seminar

This Certificate Acknowledges that

DEBARA K. SCHAUF
AQHA APPROVED STEWARD

Participated in and Successfully Completed

A Racing Officials Seminar and Examination

GREAT FALLS, MONTANA
JULY 11-17, 1989

Conducted by the Quarter Horse Racing Council in Conjunction with the American Quarter Horse Association
to Educate and Assist Concerned Racing Officials with all Aspects of the Procedures, Duties and
Responsibilities of the Racing Official and Racing Commissioners as Related to Quarter Horse Racing.



Speakers:

GARY AMUNDSON, UNITED TOTE
DR. J. O. BELDEN, GREAT FALLS RACE TRACK
BUDDY BISHOP, JOCKEY CLUB REGISTRAR
LEO CONNOLLY, NY STATE RACING & WAGERING BOARD
MARIE GREEN, INDUSTRIAL LABORATORIES
DAVE HOOPER, AZ SCHOOL OF RACING
TAYLOR POWELL, JOCKEYS' GUILD
DOUG RAY, AQHA ASSISTANT DIRECTOR
BARRY STONE, AQHA LEGAL COUNSEL
TOM TUCKER, METRAPARK

A handwritten signature in cursive script that reads "Dan Fick".

*Dan Fick, Director of Racing and Racing Council
American Quarter Horse Association*

LICENSEES UNDER EIGHTEEN YEARS OF AGE
EUREKA DOWNS
1989 DATA

<u># Licensed</u>	<u>License Type</u>
2	Administrative Support
7	Adm/Parking Attendant
2	Apprentice Jockey
3	Concession Employee
1	Concession Operator
2	Exercise Person
21	Groom/Hot Walker
2	Jockey
3	Jockey Room Attendant
7	Maintenance
3	Owner
1	Owner/Partner
7	Pony Person
4	Video Operator
TOTAL	<u>65</u>

LICENSEES UNDER EIGHTEEN YEARS OF AGE
ROOKS COUNTY FAIR ASSOCIATION
1989 DATA

<u># Licensed</u>	<u>License Type</u>
5	Concession Employee
TOTAL	<u>5</u>

LICENSEES UNDER EIGHTEEN YEARS OF AGE
WICHITA GREYHOUND PARK
1989 DATA

<u># Licensed</u>	<u>License Type</u>
1	Assistant Trainer
24	Concession Employee
6	Kennel Helper
26	Leadout
1	Paddock Judge
TOTAL	<u>58</u>

LICENSEES UNDER EIGHTEEN YEARS OF AGE
WOODLANDS KENNEL CLUB
1989 DATA

<u># Licensed</u>	<u>License Type</u>
7	Adm/Parking Attendant
1	Assistant Trainer
57	Concession Employee
3	Kennel Helper
13	Leadout
9	Maintenance
TOTAL	<u>90</u>

OCCUPATION LICENSES

112-4-1. Occupation licenses. (a) Before engaging in the following occupations at a racetrack facility, each person shall pay the required fee and secure the appropriate license or licenses from the commission:

- (1) Administration;
- (2) administrative support;
- (3) admission/parking attendant;
- (4) announcer;
- (5) apprentice jockey;
- (6) assistant manager;
- (7) assistant racing secretary;
- (8) assistant starter;
- (9) assistant trainer;
- (10) authorized agent;
- (11) blacksmith;
- (12) bloodstock agent;
- (13) breed registry;
- (14) brakeman;
- (15) chart writer;
- (16) clerk of scales;
- (17) colors attendant;
- (18) concession employee;
- (19) concession operator;
- (20) director of racing;
- (21) director of security;
- (22) driver;
- (23) exercise person;
- (24) farrier;
- (25) flagman;
- (26) groom/hot walker;
- (27) horseman's bookkeeper;
- (28) identifier;
- (29) jockey;
- (30) jockey agent;
- (31) jockey room attendant;
- (32) kennel helper;
- (33) kennel master;
- (34) kennel owner;
- (35) lead out;
- (36) lure operator;
- (37) maintenance;
- (38) managing owner;
- (39) mutuel employee;
- (40) official;
- (41) outrider;
- (42) owner;
- (43) owner/assistant trainer;
- (44) owner/partner;
- (45) owner/trainer;
- (46) owner/trainer/driver;
- (47) owner by open claim;
- (48) paddock attendant;
- (49) paddock judge;
- (50) patrol judge;
- (51) photo finish operator;
- (52) plater or farrier;
- (53) pony person;
- (54) practicing veterinarian;
- (55) practicing veterinarian assistant;
- (56) program manager;
- (57) promotion manager;
- (58) racing judge;
- (59) racing secretary;
- (60) security;
- (61) stable trainer or agent;
- (62) starter;
- (63) steward;

- (64) supervisor of mutuels;
- (65) testing technician;
- (66) timer;
- (67) selection sheet operator;
- (68) totalisator employee;
- (69) track superintendent;
- (70) trainer;
- (71) valet;
- (72) video operator; and
- (73) any other personnel designated by the commission.

(b) Each applicant for an occupation license shall apply in writing on the application form approved and furnished by the commission.

(c) Each applicant for an occupation license acting as an employer shall submit proof of compliance with the workers compensation act of the state of Kansas, K.S.A. 44-501 *et seq.*

(d) Each authorized agent shall register an authorized agent agreement with the commission and shall pay the required fee for each authorized agent agreement.

(e) Each applicant for an occupation license shall not knowingly provide false information on any occupation license application form.

(f) Each applicant for an occupation license shall not fail to disclose any material fact on any occupation license application form.

(g) No person shall alter or attempt to alter any information contained on an occupation license badge.

(h) Each person who loses a license shall secure a replacement license and shall pay the required fee.

(i) Each required fee shall be paid when the occupation license is issued. Each occupation license issued by the commission shall be valid for the period commencing January 1 and terminating December 31 of the calendar year in which the occupation license is issued.

(j) Each applicant shall submit with the application three complete sets of fingerprint cards approved by the commission. If the fingerprints are not acceptable for processing, each applicant shall be required to resubmit fingerprint cards.

(k) Each applicant for an occupation license must be at least 16 years old. However, this provision shall not preclude dependent children under the age of 16 from working for a parent or guardian when the parent or guardian is licensed as a trainer or assistant trainer and approval has been obtained from the organization licensee. Each licensed trainer or trainer's authorized representative signing a test barn sample tag shall be at least 18 years of age.

(l) A trainer may waive the right to witness the collection of a test sample from a racing animal when the trainer's authorized representative witnessing the collection of the test sample is less than 18 years of age. The trainer shall execute a voluntary and knowing waiver of the right to witness the collection of the test sample prior to the time the trainer is licensed by the commission. Each trainer

waiving the right to witness the collection of a test sample from a racing animal is estopped from later claiming any defect in the process of collecting and identifying the test sample.

(m) Each employer at a racetrack facility shall immediately notify the commission and the organization licensee when a licensee's employment is terminated. Each employer shall make an effort to secure the occupation license from the employee and if the license is secured shall deliver the license to the commission. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1988 Supp. 74-8804; and 74-8816; effective T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended T-_____, _____; amended Oct. 9, 1989.)

462-31-005(1) Each person described below (including corporations or partnerships) must have a valid, active or current temporary or a valid, active or current regular license issued by the Commission before participating in a licensed race meet:

(a) A race meet license is required of any person who conducts pari-mutuel horse racing.

no age limit → (b) A horse owner's license is required of every person who is shown as an owner or lessee on the horse's registration papers or foal certificate, and of every person who has a right to receive any share of a purse of a horse racing in Oregon, and of every person who owns or operates a stable which races horses in a licensed race meet in Oregon, and any person who has a right to receive any part of a stable owner's share of a purse of a horse racing in Oregon. However, a licensed employe of a stable may receive, as part of the employe's compensation, a percentage of the stable's earnings without having a horse owner's license and without being shown on the registration papers. The stable owner must disclose the employes' percentage to the Commission in writing prior to any payment to the employes. A spouse of an owner does not need to be licensed unless the spouse's name appears on the horse's registration papers or foal certificate. No person is eligible for a horse owner's license unless the person has an officially documented ownership interest in a race horse.

(c) A stable name license is required if the stable name appears on the foal certificate or registration papers of any horse racing in Oregon.

3 years { (d) A trainer's license is required of persons employed by a horse owner or stable to condition and care for horses racing in Oregon.

(e) An assistant trainer's license is required of persons who assist trainers. Trainers and assistant trainers must be at least 18 years of age.

16 years (f) A jockey license or apprentice jockey license is required of any person who rides a horse in a race. However, when there is doubt as to a jockey's experience or ability, the Stewards may require an applicant for a jockey license or apprentice jockey license to demonstrate the ability to control a horse and to ride in two or more races before a license is issued. Also, the Starter may require applicants to satisfactorily demonstrate their ability to control horses out of the gate. Notwithstanding ORC 462-31-020 the temporary license may be for a period longer than 10 days in order for the stewards to evaluate the applicant's skill. A jockey or apprentice jockey must be at least 16 years of age. All jockeys must pass physical examinations once a year. A physical examination must include but is not limited to a vision test and urine and/or blood tests. The Stewards may require that any jockey be reexamined and may refuse to allow any jockey to ride until he/she successfully completes such examination. A physical card or physician's release will be seen as initial proof of such examination; however the stewards may require additional information on the examination.

(g) An outrider license is required of any employee of the association who is stationed on horseback around the track.

15 years old (h) An exercise rider license is required of any persons, other than licensed jockeys or apprentice jockeys, who exercise or work out horses.

(i) A pony rider license is required of any person who while on horseback leads horses to and from the stable area and paddock, or from the paddock to the starting gate.

(j) A farrier license is required of any person who performs the usual services of a farrier on a racecourse.

(k) A groom license is required of any person who works for a trainer.

(l) A veterinarian license is required of any veterinarian licensed by the Oregon Veterinary Medical Examining Board who performs veterinary services on a racehorse.

(m) A valet license is required of every person who assists or attends jockeys in the jockey room.

(n) A morning line odds maker's license is required of any person employed or used by the race meet licensee to establish the final morning line odds in the Daily Racing Program.

(o) Except racing officials, each employe of the race meet licensee and its contractees must have one of the following licenses:

(A) Pari-mutuel employe;

(B) Maintenance employe;

(C) Other association employes/staff

(p) A vendor's license is required of any person who solicits the sale of goods or services (used to feed, care for, or equip horses) to horse owners, stable owners or trainers, if the person wants to enter a restricted area of a

racecourse.

(q) An authorized agent's license is required of authorized agents, as defined in the Definitions.

(r) A jockey agent's license is required of any person who makes engagements for or manages a jockey.

(s) All racing officials shall be licensed under the name of their official position. Employees of the Commission do not need a license.

(2) Working members of the media who are not employed by a race meet licensee do not need to be licensed in order to enter restricted areas. However, they must display a "press" badge at all times when in a restricted area, and must obtain prior approval from the stewards and be escorted while in the restricted area by a Race Meet Licensee representative.

(3) Any applicant for a license, or any licensee, under the age of 18 must show evidence of active participation in a certified education program within the last five months or have a high school diploma.

*Here's the
Education rule*

License Application Procedures; Requirements for Corporations and Partnerships; Stable Name

462-31-010 (1) License applications shall be made on forms furnished by the Commission. An application is not complete until the application form has been filled out and signed by the applicant, the proper fee has been paid, and the applicant has submitted all documentation and information reasonably requested by the Board of Stewards or the Commission. An oral interview may be required. Fingerprints are required of all applicants whose fingerprints are not already on file with the Commission, and updated fingerprints may be required on a case by case basis. Photographs are also required. A trainer may fill out for an owner a license application on which a license can be issued for a period of 30 days, while an application is being completed by the owner for a permanent license, and pay the license fee. All purse money earned will be held until the permanent license is issued or the purse will revert per OAR 462-33-050(3). If a permanent license is not issued within the 30 days the license fee will not be refunded, the trainer and/or owner will be subject to a fine of not more than \$100.00 apiece, and a new license fee will be charged.

(2) The application must show the true name of the applicant, and must also disclose any other name used by the applicant during the past 10 years. An application for an owner's license must identify the true names of all other persons who have any ownership interest, leasehold interest, or investment in any of the applicant's horses which will be racing in Oregon. All applicants should be aware that Oregon law prohibits any person from conducting business in Oregon under an assumed name or under any name other than the real and true name of each person conducting the business or having an interest therein, unless the assumed name is registered with the Corporation Commissioner. Refer to ORS 648.010(1).

(3) Any person who is required to be licensed under more than one category on the application form shall pay an additional fee of \$2 per year for each additional category. All licenses shall be for a three year period or the remaining portion of a three year period, and shall expire on June 30 every three years. The license fee shall be the annual fee for each category in which the person is licensed, multiplied by the number of years remaining in each three year licensing period. If a person is licensed for any part of a fiscal year (July 1 through June 30), the entire annual fee is due for that year. Exception: An Authorized Agent license is only issued for a period of one year.

(4) Dual licenses may be denied if, in the opinion of the Stewards or Commission, there is a conflict of interest in holding more than one license.

(5) Applicants for a trainer's license or assistant trainer's license may be required to pass a written examination given by the Board of Stewards to demonstrate they have the knowledge and ability to handle the duties of their position. Any person who has not been licensed as trainer in Oregon may be required to submit to a barn test by a recognized horsemen's association for the breed with which the applicant wishes to work. The Stewards shall consider any recommendation received from the horsemen's association. Applicants for a trainer's license must have held a license in a backside license category for a period of at least two years prior to being granted a trainer's license. Applicants for an assistant trainer's license must have been licensed in a backside license category for a period of at least one year prior to being granted an assistant trainers license.

(6) Application fees are not refundable after the Commission begins to process the application, even if the license is denied (except race meet licensees, as provided by statute), or a portion of the license is unused.

(7) All corporations, limited partnerships, partnerships (formal) and other entities (except natural persons) which apply for licenses shall attach to the application:

TESTIMONY HB 2790

By: Greg Dehlinger

My name is Greg Dehlinger, I am the Executive Director of the Kansas Horsemen's Association. I am appearing today to oppose House Bill 2790.

I think it very unjust not to allow people under 18 years of age not to be licensed at a race track. Many of the operations at a race track are family oriented. There are a lot of father-son and father-daughter teams that race horses. It would be unfair to disallow this if the son or daughter is 18 years of age.

It costs a lot of money to train and race a horse. Trainers have to pay grooms, jockeys, etc., to help them train the horse. The horse has to be fed, washed, brushed, have its stall cleaned, galloped, watered and walked every day. They need people to help them perform these tasks. A lot of them can be performed by high school age kids. These kids are willing to work for what the trainer can afford to pay them. It benefits the trainer economically as well as benefits the kid from the standpoint that he or she does have a job. They have to show up for work on time everyday and are responsible for taking care of their assigned duties. This keeps them occupied and off the streets where they can get into trouble.

I have been around a race track for a good portion of my life and have seen a lot of kids working that are under 18 years of age. Many of them are more capable than people that are 40 or 50 years old. Most of them are good kids that enjoy what they are doing. Most of them will use this experience as a stepping stone in their life.

Thank you for letting me appear before you today. I will be happy to answer any questions.

TESTIMONY ON HB2790

By: Joel E. Blasi

TO WHOM IT MAY CONCERN:

My name is Joel E. Blasi from Havana, Kansas. I have been training race horses since 1964 with the exception of a couple of years in the early 1970's of managing a cattle ranch in Missouri.

I am very concerned about this bill to raise the age limit to 18 for getting a license at the track. Since my operation is a family operation with three boys and a girl involved in training these horses.

Ray the oldest is 21 years old, is going to KSU and has earned a lot of the money it takes to go to college brushing and riding race horses. At KSU he is able to ride horses when he has time to work around his schooling. His present grade point average is 3.86.

Greg is 20 years old and finishing his second year at Independence Jr. College. He breaks and gallops race horses for me at our training stable and is able to make good money part time this way. His grade point average is 3.92.

Scott just turned 16 last August 24th and this really put me in a bind a couple of times last year until he could get his license I had horses running three and four races back to back with a couple in the test barn and there simply wasn't enough people to go around. His present grade point average is 3.72.

These boys all have helped with the horses since they were young and a lot since age 10 - 12 on. They gallop from age 14 on and handle them in bathing and grooming to all that needs to be done to these horse. I feel that 16 is a fair age limit for a license.

In the past month I have been at Eureka Downs and Fair Meadows in Tulsa, Oklahoma. I can honestly say that I can't remember seeing anyone that looked young enough to be in high school at these tracks.

I was talking to an administrator and horseman at Caney Valley High School and he said that if they really want to help on the dropout situation they should call in kids driver's license until 18 if they dropout of school.

FS17
4-2
2-26-90

HELLO, MY NAME IS SCOTT BLASI. I AM 16 YEARS OLD. I AM A SOPHMORE AT CANEY VALLEY HIGH SCHOOL. I AM INVOLVED IN FOOTBALL AND BASKETBALL AND I MAINTAIN A 3.72 GPA. I ALSO WORK FOR MY DAD, JOEL BLASI WHO TRAINS RACEHORSES. I AM LICENSED AS A GROOM AND PONY RIDER WHICH ALLOWS ME TO GO AND DO ANYTHING ON THE TRACK FOR MY DAD. I HAVE BEEN AROUND RACEHORSES FOR MY ENTIRE LIFE AND ENJOY IT A LOT. I CAN DO ANYTHING FROM EXERCISE TO PONYING TO WRAPPING LEGS

THIS JOB IS VERY IMPORTANT TO ME BECAUSE IT IS MY ONLY SOURCE OF INCOME. WITHOUT THIS JOB, IT WOULD BE HARD FOR ME TO MAKE MONEY FOR COLLEGE IN THE FUTURE. I HAVE TWO BROTHERS AND THEY HAVE BOTH GONE TO COLLEGE ON THE MONEY THEY HAVE MADE FROM WORKING WITH THE RACE HORSES. THEY ALSO HAVE BEEN AROUND HORSES THEIR ENTIRE LIFE AND WERE LICENSED AT 16. THIS JOB IS ALSO IMPORTANT TO ME BECAUSE IT GIVES ME A CHANCE TO SPEND TIME WITH MY DAD AND MY FAMILY. OUR OPERATION IS A FAMILY OPERATION AND IT WOULD BE TOUGH FOR IT TO WORK IF I WOULD NOT BE LICENSED TO DO WHAT I HAVE TO DO. PLEASE DON'T TAKE MY LICENSE AWAY.

SCOTT BLASI

MY NAME IS STACE BELT. I AM A 17 YEAR OLD SENIOR AT OSAWATOMI HIGH SCHOOL. I'M ON THE ACADEMIC HONOR ROLL WITH A 3.75 GPA. DURING THE WINTER MONTHS I ATTENDED WRESTLING PRACTICE WHERE I ACHIEVED VARSITY WRESTLING STATUS. ALTHOUGH I AM A VERY DEVOTED WRESTLER I ALWAYS LOOK FORWARD TO SPRING. THIS IS THE TIME WHERE I GET TO GO TO THE BARN, AFTER SCHOOL, INSTEAD OF THE WRESTLING ROOM. AT THE BARN I HOLD THE TITLE OF JOCKEY, WHICH I HAVE HELD SINCE MY 16th BIRTHDAY. FOR THREE YEARS BEFORE THIS BIRTHDAY I WORKED WITH HORSES BUT DID NOT RIDE THAT MUCH. THROUGH MY EXPERIENCES AROUND HORSES AND THE PEOPLE ASSOCIATED WITH THE HORSES I FEEL THAT I HAVE OBTAINED MORAL VALUES AND LESSONS THAT HAVE BEEN VERY BENEFICIAL, AND WILL NEVER BE FORGOTTEN. ALONG WITH THE EXPERIENCE I RECEIVE GOOD PAY. THE INCOME IS VITAL FOR THE CONTINUATION OF MY EDUCATION.

IT IS NOT OFTEN YOU CAN FIND A JOB THAT YOU LOVE, BUT I HAVE. I AM ASKING YOU TO VOTE NO ON BILL 2790. I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE.

THANK YOU

TESTIMONY ON HB 2790

BY: Shane Stout

Hello, my name is Shane Stout, I am 28 years old and have been in race training since I was 13 years old. Being a race trainer in high school and training race horses in college was a great value to me as I was growing up. I know it paid my way through college. In college I earned a grade point average of 3.75 and was student vice-president. All the while I was going to school I would work with race horses and go to the track on weekends, which gave me little time to get involved with drugs and other kinds of trouble. The responsibility that experience gave me will last a life time and I feel it better prepared me for life. I hate to think that my children will be deprived of this experience.

Currently I train race horses in Lane, Kansas, and most all of my help comes from high school age kids. My jockey is only 17 years old and I know how much riding means to him. It is helping him save money to attend college in the fall. Without this job he will not be able to make the money he makes now.

When you are a kid and you get up at 6:00 a.m. to go to the track, go to school and back to the track, it gives you little time to get involved with drugs and other means of trouble.

If trainers have to go to hiring people over the age of 18 it will put a real burden on them financially. I have come to find 16-17 year old kids take a lot of pride in taking care of a horse and having the responsibility of that animal. That a lot of the time this is pay enough for them. You can't find too many qualified people to work with horses in the first place, and by taking away these high school kids it will put a real shortage in the job field.

I am asking you to vote No on the Bill 2790 and give my children the same valuable experience that I have had. Thank you and I will be happy to answer any questions you may have.

F3A
7-2
2-26-90

TESTIMONY ON HB 2790

By: Dub Romero

Hello, my name is Dub Romero, I'm 17 years of age.

During the week I attend Silver Lake High School where I am a senior, planning to graduate in May. I am active in sports. In the fall, I played football, which we went undefeated, and received the title of 1989 3A State Champs. In the Spring, I run in track, I was named All-League my sophomore and junior years. While most people my age have the weekend to relax, date or go out with friends, I go to work.

My work is different than anyone else's. While they work at McDonalds, and EZ shops, not sure where their future will be, mine is working with race horses. Someday I plan to be a trainer like my mother. There is no gambling difference between the two jobs. The worker at the EZ shop is working around lotto tickets. I am working around betting on races. Eventhough I may be exposed to betting, my purpose is to show how well our horses run and how hard we are trying to win. Though I'm spending up to 18 hours a day with little pay, I get the satisfied feeling just to see that horses run down the track.

If you pass this ruling, Eureka's track would lose 60% of their jockey's. Most of the riders are just beginners under the age of 18.

I was born into a race horse training family. I have been licensed on several tracks in the states of New York, New Mexico, Oklahoma, Nebraska and Kansas. Even at the age of 14, I obtained a grooms license. I was allowed to go anywhere on the track. Now I hear that you are trying to take that right away. Not only would you be taking my rights away, you would also be taking my life with it.

When I'm working on the track, people ask me to help them with a horse in a certain race. They tell me that they trust me with their horse. Like these people trust me with their horse, I put my trust in you, that you won't take my rights and my life away.

FSA
8-2
7-26-90

TESTIMONY ON HB2790

BY: Kistin Moses

My name is Kistin Moses. I live in Mulvane, Kansas. Last summer I worked for the Eureka Downs Racetrack. I was a runner for the jockeys. I went and brought food and drinks for the jockeys.

I also worked for my father, who trains racehorses for a living. I usually helped get the horses ready to race, I helped pony the horses along with helping with the horses in the gates.

I do not think this bill should be passed because this is considered a family business to a lot of trainers. If kids under eighteen cannot work for their parents, it takes part of the family away.

My parents are divorced and I live with my mother. When I go to my father's house on the weekend, he usually spends his time at the track. This is the only time I have to spend with my dad. Racing horses is something we both enjoy and I love being there and having some of the responsibilities.

Working at the racetrack gives kids a chance to have a good summer job that some can even share with their families. Kids are sometimes better help than older adults because we seem to care and pay attention to what we are told to do better than some one older. A lot of kids I know work for very little money or no money at all because we like what we do so well. There are not too many older adults who would just volunteer to help out. My dad, like a lot of other trainers, cannot afford to pay for good help.

A horse trainer has a lot of responsibilities when he races a horse. If something goes wrong it all falls back on the trainer. The owners of the horse want a trainer who will be committed to his profession and be responsible with their horse. I feel that since a trainer has so many responsibilities, he should be able to choose who he wants working for him. If this bill is passed it just makes the trainer's job that much harder.

There is one more thing I would like to point out. I know a lot of people think that a racetrack is a bad place for a kid to be. I grew up around a racetrack and I have seen a lot people helping others out when they need an extra hand. Whenever someone needs something all they have to do is ask and there will be five people in line ready to help. All the people around the racetrack are seen as one big family, eventhough, most of them are competing against one another. I think if this bill were to be passed it would only hurt the racing business rather than help it.

FSA
9-2
2-26-90

JONATHAN P. SMALL, CHARTERED

Attorney and Counselor at Law
Suite 304, Capitol Tower
400 West Eighth Street
Topeka, Kansas 66608
913/234-3686

February 26, 1990

TESTIMONY BEFORE THE
FEDERAL AND STATE AFFAIRS COMMITTEE

I am Jonathan Small appearing here before the Committee today in behalf of the Greenwood County Fair Association, owner and operator of Eureka Downs, the quarter-horse and thoroughbred racing facility located in Eureka, Kansas.

I also represent the Rooks County Free Fair, through the efforts of the Stockton Chamber of Commerce. The Rooks County free Fair owns and operates the harness horse racing facility in Stockton.

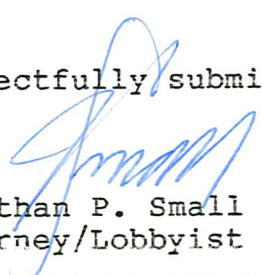
These organizations strongly oppose the provisions of HB 2790. The net effect of this bill will be to deprive a legitimate opportunity to young people who are interested in working with the racing meet. It will also serve to deprive county fair organizations the ability to use available manpower at an effective cost.

The Kansas parimutuel racing act was intentionally designed to prevent any juvenile wagering activity. It was also known that young people hopefully would play an important support role at racing facilities with activities outside the wagering program.

We are not aware of instances where individuals under 18 who work for wages or who are volunteers at the race tracks are reported to have suffered any adverse consequences. Race tracks involved with these young people have not reported any difficulties either.

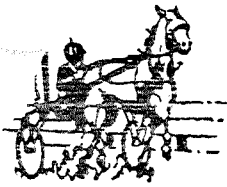
We sincerely believe that HB 2790 will serve no useful purpose, and will only act to limit young people from being involved in a community activity and it will also adversely impact the race tracks' ability to utilize a local, available manpower pool.

Respectfully submitted,


Jonathan P. Small
Attorney/Lobbyist

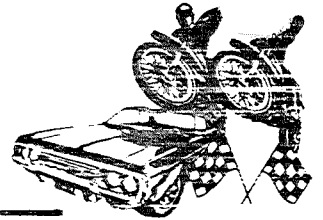
RS0226T1

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 10
February 26, 1990



Rooks County Free Fair

"The Fair of Champions"
Since 1879
Stockton, Kansas 67669



To: Federal and State Affairs Committee
House of Representatives

From: James Ochampaugh
Secretary

Re: 1990 House Bill 2790

PRESIDENT
Freeman Sander
Rt. 2—Box 16
Stockton, Kansas 67669
(913) 425-8558

1ST VICE PRESIDENT
Willard Hale
Woodston, Kansas 67875

2ND VICE PRESIDENT
Gene Hrabe
Stockton, Kansas 67669

SECRETARY
James Ochampaugh
Rt. 2—Box 15
Plainville, Kansas 67663
(913) 434-2672

TREASURER
Derrill Sutor
Zurich, Kansas 67676

ROOKS CO. FREE FAIR
Office—Fairgrounds
(913) 425-7189

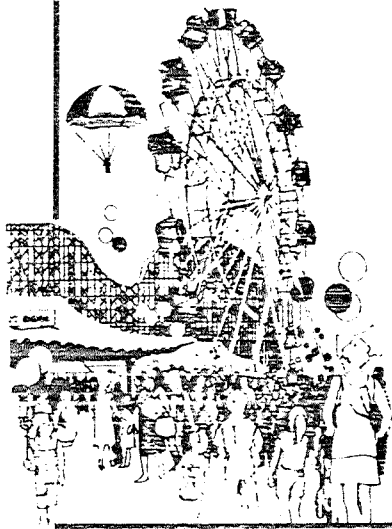
As secretary of the Rooks County Free Fair, I am writing this letter in opposition to the House Bill 2790. The passage of this bill would allow no one under 18 years of age to work inside a pari-mutuel facility.

The Rooks County Free Fair feels this is step in the wrong direction for pari-mutuel in Kansas, especially for county fairs and part-time tracks. In the county fair setting, children are a big part of the fair clientele.

The Rooks County Free Fair, while hosting the first pari-mutuel event in Kansas, was proud of the fact that pari-mutuel could be placed in a family environment without any adverse effects. Approval of this bill will send an adverse signal to family people in a county fair setting.

During the past two years of pari-mutuel events at our fair, we have tried to acquire help that was over 18 years of age. This has proven to be very difficult. Most kids over 18 have full time employment for the summer or have taken time off to come to the fair. Either way, it was very difficult to fill all positions with this age group. At any part-time facility the wage scale will not attract adults for employment.

One of the main food concessioners at the Rooks County Free Fair is the county-wide 4-H food stand. By interpretation of the law, this stand might not be able to sell food to anyone going into the betting facility.



I can see that dealing with juveniles who have broken the law could be difficult. Maybe a different classification for part-time tracks as opposed to full-time facilities would be in order.

Your consideration for our position in this matter will be greatly appreciated.

Sincerely,

James Ochampaugh
James Ochampaugh, Sec.
Rooks County Free Fair

FS19
10A-2
2-26-90

TESTIMONY
PRESENTED TO THE
HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE
BY
WHITNEY DAMRON
OF
PETE MCGILL & ASSOCIATES, INC.
ON BEHALF OF
WICHITA GREYHOUND PARK
ON FEBRUARY 26, 1990
ON
HB 2790

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 11
February 26, 1990

Good afternoon Chairperson Barr and Members of the Committee:

I am Whitney Damron of PETE MCGILL & ASSOCIATES appearing here today on behalf of Wichita Greyhound Park.

We appreciate the opportunity to appear here today in opposition to HB 2790 as presently drafted, which would prohibit minors from being employed or licensed at a parimutuel facility.

W.G.P. employs approximately 450 full and part-time people. Of those people, no more than 25 - 30 are under the age of 18.

Employees under the age of 18 are located in two primary areas: the valet parking attendants and the leadouts. For those of you who are unfamiliar with a greyhound facility, prior to each race, 8 leadouts will each parade a greyhound before the crowd to give the patrons an opportunity to see the greyhounds as compared to one another.

Although these positions could surely be performed by persons 18 years and older, W.G.P. is very pleased with the job performance of these individuals and we believe we are providing needed jobs to high school aged youths.

FSJ
11-2
2-26-90

We are proud of the quality of facility we have as well as our employees who run the track. We believe that we provide excellent part-time jobs to high school students, both male and female. By law, they are not allowed to wager and such positions could be compared to jobs at ball parks or other sporting events.

Another aspect of this bill which also should be considered is in the area of the kennels. As this bill is written no one under 18 could work at a parimutuel facility whether being paid or not. This would preclude minor children of kennel owners and operators from helping in the family business. As such, a financial burden would fall upon the kennels to hire only older persons, whether they be family or not.

As for the track, we would have no problem with the bill if the age restriction was lowered to 16. Kennel owner/operators may have problems with any age restrictions, however.

I thank you for this opportunity to speak before you today. I would be happy to stand for any questions.

FSA
11-3
2-26-90

TESTIMONY BEFORE THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS
FEBRUARY 26, 1990

Madam Chairman and members of the committee, my name is Jim Yonally, representing TRAK East, the non-profit corporation which holds the organizational license at the Woodlands racing complex in Kansas City, Kansas. We are pleased for this opportunity to express our concerns about HB 2790.

As we understand the bill, it would prohibit anyone under the age of 18 from performing any function, anywhere within the racetrack facility. We believe the sponsor's of this bill are well-intentioned, but we would like to share some thoughts about this proposal.

If any of you have, or have had, in your family children at the ages of 15, 16, or 17 you know how difficult it is for them to find employment in an urban setting. Generally, youngsters have graduated from high school by the time they reach the age of 18, and with a high school diploma, they have the definite advantage over younger kids for the few available jobs. Also, young people at the age of 18, and beyond, are getting more independent. They are making their plans to leave home and attend college, or go into some permanent-type employment and they just are not interested in the kind of jobs which we have to offer.

Passage of this bill would deny employment opportunities to young people who want it, and force us to try to hire older people, most of whom are not interested in our situations.

By way of information, TRAK East employs youngsters under the age of 18 as "lead outs". That is, they lead the greyhounds onto the track for introduction, then to the starting box, and wait until the finish to claim their dog, and return it to the holding area. At no time, are they in an area where there are betting windows available.

Sunflower Racing employs young people, at our facility, who would also be effected by this bill.

I would like to close with a personal reference. I grew up on a small farm in north-central Kansas and we raised a few thoroughbreds. At the age of 9 or 10, I began to travel to the county fairs with our horses. I slept on a cot in the barn area or in the bed of our pickup, walked "hots", fed and watered horses, and removed same after being recycled by the horse. I know the sons and daughters of many owners and trainers still perform still some of these valuable services, and many are not 18 years of age. Finally, "in the old days", I knew lots of jockeys who were not 18, but I have no idea if that is still typical.

We ask that you not take jobs away from young people who want them, and force us to try to hire young people who are not as willing.



TESTIMONY BEFORE THE HOUSE COMMITTEE

ON FEDERAL AND STATE AFFAIRS

February 26, 1990

I'm Denny Burgess representing Sunflower Racing Inc. owner and manager of The Woodlands located in Kansas City, Kansas.

I am appearing in opposition to HB 2790. I believe it is bad public policy to prevent young people who are capable and willing to work from doing so. I am very proud of the young people that we have working at The Woodlands and I don't feel that they should be discriminated against because of their age. I would suggest that this committee table HB 2790 until the year 2790 and the 90 young people working at The Woodlands in 1990 will be very grateful.

Thank You