

MINUTES OF THE MEETING
SENATE STATE ADMINISTRATION COMMITTEE
APRIL 13, 1977

The meeting was called to order by Senator Towe, Chairman, at 11:25 a.m. in Room 410 of the Capitol Building. Committee members present were Senators Towe, Story, Brown, Jergeson, Roskie, and Rasmussen.

The following items were discussed: Appointment of Dick Heard to
the Board of Horseracing
HB 213
HB 117

APPOINTMENT OF RICHARD HEARD TO BOARD OF HORSE RACING.

Mr. Richard Heard appeared before the committee to answer questions regarding his appointment to the Board of Horse Racing as a hearing had been requested due to objections to the appointment by Fred Schepens, Glendive, Montana.

Mr. Heard made an opening statement in which he stated he would like to answer four charges made against him. First, he stated he is a nominee to the Board representing the breeders and he owns two brood mares of his own. He further stated that geographically he is in a reasonable geographic balance with other members of the Board. Second, answering charges that he had drugged a horse in a race, he stated he owned a horse which had been found to have a positive drug test. State law says the trainer is responsible for that occurrence, not the owner and the trainer of the horse was suspended for thirty days. He further stated he had served as attorney for the Board for several years and felt rather certain that someone had drugged his horse as a means of retaliation as he had prosecuted some individuals during his term as attorney.

Senator Story asked Mr. Heard if it was then untrue that he was prosecuted for using drugs on his horse. Mr. Heard stated absolutely. The trainer was found guilty but no charges can be brought against the owner by law. He further stated he was not even in the same town as the horse and trainer at the time of the race.

Third, he answered the charge of being fired by the Board of Horse Racing by submitting the minutes of the meetings where he resigned from the post voluntarily due to lack of time to attend to the business of the Board and the meetings in which the resignation was accepted. (see attached)

Fourth, Mr. Heard stated he felt he was geographically qualified to serve on the Board as the other members are from Great Falls, Billings, Missoula, and Butte. He is from Columbus.

He stated the Montana Horse Breeders support him and suggested his nomination to the Governor and presented a letter in support of his nomination to the committee.

He stated he has no preference or favorites of breed of horse.

He stated his qualifications for the position which included a long standing interest and experience in working and racing horses.

PROPOSERS

Edgar Brown, Jefferson City, Secretary of the Montana Quarter Horse Association and National Director of the Quarter Horse Association, stated he has known Mr. Heard for many years and supported his appointment.

OTHERS INTERESTED IN THE APPOINTMENT

Senator Flynn, stated he had received a call from Mr. Schepens during which Mr. Schepens stated he had checked with the Jockey Club and they had stated Mr. Heard was not a member.

Senator Olson, submitted evidence showing Mr. Heard was the owner of a horse disqualified because of drugs.

Mr. Heard closed by presenting his Jockey Club papers to the committee. He stated one of his horses is in his name and one is in his son's name.

There being no further proponents or opponents to the appointment, the hearing was closed.

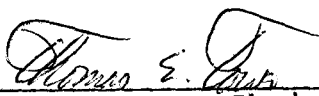
Senator Brown moved the appointment of Richard Heard to the Board of Horse Racing Be Confirmed. THE MOTION CARRIED UNANIMOUSLY.

Senator Jergeson moved the appointment of Martin W. Crennen, Helena, to the Board of Architects, the appointment of Calvin Christian to the Board of Pardons, the appointment of Blanche Blum to the Board of Labor Appeals, and the appointment of Jack Anderson to the Board of Crime Control Be Confirmed. THE MOTION CARRIED UNANIMOUSLY.

Senator Story moved House Bill 213 Be Not Concurred In. THE MOTION CARRIED WITH SENATORS ROSKIE AND BROWN VOTING NO AND THE REST OF THE COMMITTEE VOTING YES.

Senator Jergeson moved House Bill 117 Be Not Concurred In. THE MOTION CARRIED UNANIMOUSLY.

There being no further business, the meeting adjourned to reconvene at the call of the Chairman.



Thomas E. Towe, Chairman

ROLL CALL

State Administration COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 4/13/77

[illegible]

BOARD OF HORSE RACING
MEETING
OCTOBER 28 and 29, 1976
HELENA, MT.

October 28, 1976 - 8:00 p.m.

Chairman Jim Edwards called the meeting to order at 8:00 p.m. Members present were: Jim Edwards, Don Pimperton, Richard Forster, J. E. Gustin. Member not present was Robert Holland. Others present were Wes Jandt, State Steward and Dixie Heisey, recording secretary.

Meeting with the board, representing the newly formed racing association, to be called Last Chance Racing, were: Harris Greer, Greg Jackson, Bill Hedge, Bob McTaggart. Greg Jackson informed the board that Capital City Racing Assn. had desolved. Mr. McTaggart of the Last Chance Racing informed the board that if they received the dates requested, they would assume the debts owed by Capital City Racing Assn. He explained to the board that approximately 25 businessmen of Helena were loaning \$1,000 each to form the new group. The Last Chance Racing would form a board of directors and hire a Director of Racing who would be completely responsible for running the race meet and the Board of Directors would be strictly advisory. Mr. McTaggart informed the board that if the dates were allotted, they would meet with the directors of Capital City Racing to liquidate that association. The Board of Horse Racing requested that Capital City submit a letter to the board stating that they have desolved. The group was then excused from the meeting with the idea that the board would consider their requests for dates.

Meeting with the board representing the newly formed racing association in Missoula were: Larry Elison, L. Gauthier and L. Johnson. Mr. Elison explained to the board that the Missoula track now has a straight-away and barn facilities. The county will not charge the new association for the use of the track. Mr. Elison informed the board that the bank would loan the group \$30,000 to form the new association. He also informed the board that the group would meet any requirement that the board requests. The Board of Horse Racing informed Mr. Elison that the communications system must be improved and more room behind the starting gate. Mr. Elison assured the board that if they were granted dates they would comply with the racing commissions requirements. The group was dismissed for further discussion by the board.

The Board of Horse Racing reviewed application for race dates for the 1977 race season to be allotted at their October 29, 1976 meeting beginning at 9:00 a.m.

Donald Pimperton made a motion to adjourn the meeting. Mr. Gustin seconded the motion and motion carried. Meeting adjourned at 11:45 p.m.

OCTOBER 29, 1976 - 9:00 a.m.

Chairman Jim Edwards called the meeting to order. All members present except for Bob Holland. Dixie Heisey, recording secretary.

Mr. Gustin made a motion that the board negotiate with Mr. Williams regarding the purchase of his I.D. camera. Mr. Williams is to be reminded that he has \$3,000 worth of the state's video tape which he has been using these past years. Mr. Pimperton seconded the motion and motion carried.

Also, Mr. Williams is to be informed that the board will required standard requirements for cameras on the tracks.

OCTOBER 28 and 29, 1976 continued

There was discussion held on developing an eastern Montana racing circuit consisting of Dodson, Glasgow, Glendive, Baker, Miles City and Forsyth. This will be brought up at the Rocky Mountain Fair meeting.

The board reviewed the letter from the HBPA regarding non-payment of the \$1,084 by Big Sky Racing Association. Mr. Pimperton made a motion that the HBPA be notified that if they feel Big Sky did not comply with the provisions of the contract, that they should turn the matter over to their attorney. Mr. Gustin seconded the motion and motion carried.

Mr. Pimperton made a motion that records in the board office are public information and that any individual or group may come to the office and obtain information. Mr. Forster seconded the motion and motion carried.

There has been mention that not enough information is reaching interested groups in horse racing. Mr. Edwards set up a committee consisting of Don Pimperton, Wes Jandt and Dixie Heisey to compile a newsletter on a quarterly basis and mail to interested parties. The chairman of the board will proof the newsletter before final draft and mailing.

Bob Blair called Mr. Edwards regarding his application for race dates for appaloosa racing in 1978. He stated that his application had been sent in but the office had not received them as of this date. Mr. Pimperton made a motion to grant the 10 days requested in 1978 on a one-time basis. Mr. Gustin seconded the motion and motion carried.

Mr. Forster made a motion that a duplicate bookkeeping system be set up by the department in order that figures are more readily available to the board. Mr. Gustin seconded the motion and motion carried.

Mr. Carney visited with the board regarding public participation. He explained that they may adopt the department rules or incorporate rules of their own in rules of racing. Mr. Forster made a motion to table any action at this time and refer to the committee above. Motion was seconded by Mr. Gustin.

Motion was made by Mr. Gustin that the revision of the rule book be given to Wes Jandt and Bob Wolfe, with recommendations submitted by Herb Schatz if he so wishes to have in-put. This group is to work with the staff attorney, Tim Meloy. Mr. Forster seconded the motion and motion carried. After revisions have been made, they are to be submitted to the board for their review and approval. The work on the revision is to begin immediately.

Mr. Forster asked the board if they would consider him for security next year rather than his going to the national convention. Mr. Forster was told that when the board considers hiring of personnel for the next race season, they would consider Mr. Forster's request.

The board requested that Neil Heisey build two carrying cases for the micro viewers.

All financial statements submitted by race associations are to be sent to Bob Wolfe for his review and response to the board.

Financial responsibility was discussed for Helena. The following stipulations are to be met by the Last Chance Racing Association.

Don Pimperton made a motion that the board adopt a rule regarding numbers being placed on jockey helmets. Mr. Gustin seconded the motion and motion carried.

The agenda for the Rocky Mountain Fair Assn. meeting on November 11, 1976 was discussed. Mr. Edwards asked that the board members who will be attending let him know which topics they would like to speak on. Ed Carney, Director of the Department will also be attending. Tentatively members who will be attending are: J. E. Gustin, Jim Edwards, Donald Pimperton and Bob Holland.

Mr. Pimperton made a motion that the minutes of the September 24 and 25, 1976 meeting be approved as mailed. Mr. Gustin seconded the motion and it carried.

Dick Heard is to be contacted that the board has accepted his resignation as stated in the minutes of the September 25, 1976 meeting. A copy of the minutes is to be sent to him. He is to be thanked for his time and loyalty to the board during his employment.

Mr. Gustin made a motion that the board buy two microfiche viewers from Northwest Microfilm Co. and to purchase two sets of film from NASRC. Mr. Pimperton seconded the motion and motion carried.

Mr. Pimperton made a motion that a rule be adopted requesting a \$25 complaint filing fee and that the \$25 would be returned if the board felt that the complaint was valid and, even though they might not act on the complaint, if it had merit. Mr. Gustin seconded the motion and motion carried. Mr. Meloy is to draft the proposed rule.

Dick Forster made a motion that the following dates be allotted for the 1977 race season:

Big Sky Racing-Great Falls	May 28, 29, 30, June 4, 5, 11, 12, 18, 19, 25, 26
Last Chance Racing - Helena	May 7, 8, 14, 15, July 2, 3, 4, 9, 10
Cow Capital Turf Club- Miles City	May 7, 8, 14, 15, 20, 21, 22, 28, 29
Dawson County Fair - Glendive	August 27 and 28
Fallon Co. Fair - Baker	August 20 and 21
Chouteau Co. Fair - Ft. Benton	Will not be running
Marias Fair - Shelby	July 21, 22, 23, 24
Missoula Co. Turf Club - Missoula	May 20, 21, 22, 28, 29, 30
Northwest MT Fair - Kalispell	August 12, 13, 14, 17, 18, 19, 20, 21
State Fair - Great Falls	July 16, 17, 29, 30, 31, August 1, 2, 3, 4, 5, 6, 7
Ravalli Co. Fair - Hamilton	September 1, 2, 3, 4
Rosebud Co. Fair - Forsyth	August 23, 24, 25
Western MT Fair - Missoula	August 23, 24, 25, 26, 27, 28
Yellowstone Exhibition - Billings	August 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 26, 27, 28, September 2, 3, 4, 5, 9, 10, 11, 16, 17, 18, 23, 24, 25

Mr. Gustin seconded the motion. Vote went as follows:

Mr. Forster - yes

Mr. Gustin - Yes

Mr. Pimperton - No

Mr. Edwards - yes.

Motion carried.