

Chapter 462

Racing

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CASE CITATIONS: *Greyhound Park v. Ore. Racing Comm.*, (1958) 215 Or 76, 332 P2d 634.

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462.010

CASE CITATIONS: *Portland v. Duntley*, (1949) 185 Or 365, 203 P2d 640; *Greyhound Park v. Ore. Racing Comm.*, (1958) 215 Or 76, 332 P2d 634; *Oregon Racing Comm. v. Multnomah Kennel Club*, (1966) 242 Or 572, 411 P2d 63.

ATTY. GEN. OPINIONS: Applicability to nonthoroughbred horse racing, 1932-34, p 352; constitutionality of Racing Act under Ore. Const. Art. XV, §4, prohibiting lotteries, 1934-36, p 11; application of ORS 462.273 to member of commission who raises horses to sell, 1964-66, p 422; licensing requirements of dogs kept for racing, (1970) Vol 35, p 292.

462.020

CASE CITATIONS: *Greyhound Park v. Ore. Racing Comm.*, (1958) 215 Or 76, 332 P2d 634.

462.030

ATTY. GEN. OPINIONS: Citizenship of racing officials, managers and supervisors, 1958-60, p 167.

462.057

CASE CITATIONS: *City of Beaverton v. Harris*, (1970) 3 Or App 541, 474 P2d 771.

462.075

CASE CITATIONS: *Greyhound Park v. Oregon Racing Comm.*, (1958) 215 Or 76, 332 P2d 634.

462.100

CASE CITATIONS: *City of Beaverton v. Harris*, (1970) 3 Or App 541, 474 P2d 771.

LAW REVIEW CITATIONS: 4 WLJ 476.

462.110

ATTY. GEN. OPINIONS: Necessity that Oregon State Fair furnish surety bond and carry public liability insurance, 1950-52, p 21.

462.140

NOTES OF DECISIONS

The first sentence read with the title of the Racing Act indicates that the legislature has made bookmaking, pool selling and circulation of handbooks unlawful at all places, including the race track. *Portland v. Duntley*, (1949) 185 Or 365, 203 P2d 640.

Only regulated mutual wagering at a licensed track has been excepted by the Racing Act from operation of the Nuisance Statute. *Id.*

An ordinance making it unlawful to conduct bookmaking establishments, to sell pools or tickets or to gamble in any manner upon animal races, excepting pari-mutuel betting at the track or at meets supervised by the Oregon Racing Commission, did not conflict with any alleged change in the Nuisance Statute or public policy by reason of the Racing Act having made mutual wagering lawful, and such ordinance was valid. *Id.*

ATTY. GEN. OPINIONS: Scheme to bet on golfers in a tournament, 1964-66, p 7.

462.150

NOTES OF DECISIONS

Money received by a licensee on account of outstanding winning tickets is not money from underpayment under this section. *Oregon Racing Comm. v. Multnomah Kennel Club*, (1966) 242 Or 572, 411 P2d 63.

ATTY. GEN. OPINIONS: City withholding of unauthorized tax as "underpayment", 1952-54, p 202.

462.170

ATTY. GEN. OPINIONS: County or other nonprofit fair association as a non-profit organization although profit may result from wagering in connection with races, 1934-36, p 54; day horse racing and evening dog racing at county fairs, 1934-36, p 54; lease of state fairgrounds for a race meet at any time other than the period of the state fair as contravening section, 1936-38, p 116; *George A. White Service Men's Club* as nonprofit charitable corporation authorized to conduct fairs, 1942-44, p 8.

462.250

ATTY. GEN. OPINIONS: Authority of commission to employ personnel at horse races at the state fair, 1950-52, p 380; civil service classification of personnel, 1956-58, p 203.

462.260

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462.273

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462.280

ATTY. GEN. OPINIONS: Keeping and handling of revolving fund for current expenses, 1936-38, p 242; expenditure by county fair board of the fund for the Spring Lamb and Dairy Show, 1946-48, p 378; validity of the distribution and alloca-

tion of moneys paid into the State Treasury by the racing commission, 1952-54, p 90; depositing revenues in the 4-H and F.F.A. Building Investment Amortization Fund, 1956-58, p 125; using show funds for county fair purposes, 1960-62, p 357; distribution of revenues to Oregon State Fair after 1963 amendment, 1962-64, p 334.

462.290

ATTY. GEN. OPINIONS: Distributions as for public purpose, 1952-54, p 90; using show funds for county fair purposes, 1960-62, p 357.