

**LOUISIANA STATE RACING COMMISSION**  
**MINUTES – April 15, 2019 Meeting**

*As transcribed by Mary E. Lee DiLeo, Certified Court Reporter*

**COMMISSIONERS IN ATTENDANCE**

Bob F. Wright, *Chairman*  
Judy W. Wagner, *First Vice Chairperson*  
Dr. Patrick Bernard  
Thomas B. Calvert  
Donald "Don" Cravins  
R. Hamilton "Hammy" Davis  
K. R. "Ron" Finkelstein, O.D.  
Benjamin J. Guilbeau, Jr.  
Eric G. Johnson  
Mike R. McHalfey  
Louis Reine  
Kenneth "Kenu" Romero  
Mike Shelton

**ABSENT**

None

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Monday, April 15, 2019 at 9:05 AM in the Queen Anne Ballroom of the Monteleone Hotel, 214 Royal Street, New Orleans, Louisiana. Roll call was taken; a quorum was present.

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Commissioner Davis motions to approve the meeting minutes from the January 28, 2019 meeting; Commissioner Shelton seconds; motion carries.

**I. ASSOCIATION REQUESTS**

**A. BOYD RACING, LLC d/b/a DELTA DOWNS RACETRACK, CASINO & HOTEL**

1. **PROGRESS REPORT**, by *Mr. Chris Warren, Director of Racing*. Mr. Warren informs that Delta Downs' 84-day 2018-2019 Thoroughbred Meet ended on March 12, 2019. He states that the meet ended later than normal due to making up race cancellations as agreed upon with the affected horsemen and the Louisiana Horsemen's Benevolent & Protective Association (LaHBPA). He says that the ADW and OTB handle was up 3.5% and the live handle was up 5.5%. He states that Delta Downs is getting work done to improve the Jock's Room A/C system.

Mr. Warren informs that Delta Downs is applying for earlier starting and ending dates for its 84-day 2019-2020 Thoroughbred Meet after coming to an agreement with Fair Grounds to reduce their overlapping race days. He says that Delta Downs' 46-day 2019 Quarter Horse Meet will start on April 19, 2019 and end on July 6, 2019. He states that Louisiana Showcase Night on July 6, 2019 will feature eight stakes races, including the Lee Berwick Memorial Futurity, with over \$1,000,000 in total purses. He says that their barns are nearly full for the meet. He informs that Delta Downs and Evangeline Downs will offer a special handicapping contest for patrons on Kentucky Derby Day and will give away free Kentucky Derby glasses while supplies last.

Commissioner Wagner asks how many overlapping thoroughbred race days will be affected by the agreement between Delta Downs and Fair Grounds. Mr. Warren responds that Delta Downs will not have race days in March 2020 so that Fair Grounds can hold 20 thoroughbred race days with no overlapping. Commissioner McHalfey asks if Delta Downs is moving its whole thoroughbred meet by a month. Mr. Warren responds that Delta Downs will start a week earlier than usual and will end a week earlier than usual.

**a. Explanation of Tax Election of Boyd Louisiana Racing, LLC – IRS Form 8832.**

Mr. Warren informs that the IRS Form 8832 is a filing to change the tax filing status of Boyd Louisiana Racing, LLC, but does not change management, employees, or the corporation itself.

**b. Update/Discussion of Results of Race 1 of 03/02/19 – Award of purse money after Race 1 was declared official.**

Mr. Warren informs that the placing judges, who have worked together for at least 7 years, erroneously placed the #9 horse as the winner and the #10 horse as second place of Race 1 on March 2, 2019 when the #10 horse actually won and #9 horse came in second. He says that the placing judges realized their error after the race was made official and discussed it with the stewards. He states that Delta Downs announced the placing error to the public and worked with its tote company to recalculate the correct order to pay the bettors who picked the right horse.

Commissioner Wagner asks if Delta Downs paid off wagers on both the incorrect and correct finishes. Mr. Warren responds that they paid on the wagers for the #10 horse to win after publicly announcing the error and paid the wagers for the #9 horse to win until the error was announced. Commissioner Wagner asks if the race was involved in any multi-race wagers. Mr. Warren responds that it was involved in a Daily Double, Pick 3, and Pick 4. He says that the Pick 3 and Pick 4 wagers weren't concluded prior to announcing the error, so only those with the #10 horse would have been paid.

**2018-2019 THOROUGHBRED MEET**

**2. REQUEST TO AMEND RACING DATES APPROVED ON APRIL 24, 2018 (R.S. 4:158A) (AS PROVIDED IN AGENDA)**

Commissioner Wagner motions to approve; Commissioner Guilbeau seconds; motion carries.

**2019 QUARTER HORSE MEET**

**3. RACES**

- a. Approval of first condition book for 2019 quarter horse meet.**
- b. Approval of designated races for 2019 quarter horse meet as provided in Agenda.**

Commissioner Guilbeau motions to approve; Commissioner Davis seconds; motion carries.

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Commissioner Reine asks why all of the placing judges are new. Mr. Warren responds that Delta Downs decided to change that whole team after the March 2, 2019 Race 1 placing incident.

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**4. STEWARDS, OFFICIALS & MANAGEMENT**

**a. Approval of officials for 2019 quarter horse meet as provided in Agenda.**

Commissioner Reine motions to approve; Commissioner Guilbeau seconds; motion carries.

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Commissioner McHalfey asks why Delta Downs is moving its meet earlier than usual and how that will affect overlapping race dates and move-in and move-out dates. Mr. Warren responds that the change was an agreement with Fair Grounds and LaHBPA, in which Delta Downs would start and end its thoroughbred meet a week earlier than usual to give Fair Grounds the entire month of March without any in-state competition for its thoroughbred meet in exchange for the Fair Grounds agreeing not to race Friday nights during Delta Downs' thoroughbred meet. He says that the only move-in and move-out issue would be a fast turnaround from Louisiana Downs' thoroughbred meet ending in September to the start of Delta Downs' thoroughbred meet, which they will work out with the LaHBPA.

Commissioner Bernard asks if Evangeline Downs will move race dates or move-in dates at Evangeline Downs earlier to accommodate the horses leaving Delta Downs earlier. Mr. Warren responds that Evangeline Downs is looking at starting its thoroughbred meet within the first two week of April, which will likely give thoroughbred horsemen the opportunity to move-in to Evangeline Downs in March right after Delta Downs' meet.

Commissioner McHalfey asks Mr. Eric Halstrom, Vice President of Operations at Louisiana Downs, if there will be a problem with Delta Downs' proposed thoroughbred dates. Mr. Halstrom responds that he wasn't aware of Delta Downs' earlier start until today but will work with the horsemen and the tracks to make the transitions work. Mr. Roger Heitzmann, Executive Director of the Louisiana Thoroughbred Breeders Associations (LTBA), states that his organization has been trying to get Louisiana racetracks to move their overlapping thoroughbred race dates enough to give each track a featured month without competition, which Delta Downs' proposed thoroughbred dates accomplish, and thanks Delta Downs for their cooperation.

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**2019-2020 THOROUGHBRED MEET**

**5. LICENSE APPROVALS**

**a. Approval for 2019-2020 thoroughbred meet as provided in Agenda.**

**6. RACING DATES (R.S. 4:158A) AND POST TIMES**

**a. Approval for 2019-2020 thoroughbred meet as provided in Agenda.**

**7. WAGERING (LAC 35:XIII.Ch 103-127)**

**a. Approval for wagering format for 2019-2020 thoroughbred meet as provided in Agenda.**

Commissioner Wagner motions to approve Items #5, #6, & #7; Commissioner Davis seconds; motion carries.

**B. THE OLD EVANGELINE DOWNS, LLC****d/b/a EVANGELINE DOWNS RACETRACK & CASINO**

1. **PROGRESS REPORT**, by Mr. Chris Warren, Director of Racing. Mr. Warren informs that Evangeline Downs' 84-day 2019 Thoroughbred Meet started on April 3, 2019 and handle is down 5%. He says that they will start having races on the turf course the week of April 24, 2019 and that the turf is in great condition. He states that people have had only positive comments about the dirt course. He says that most of Evangeline Downs' stalls are occupied but they need more horses to fill stalls at the Training Center at Copper Crowne. He informs that Legends Night is May 25, 2019 and they are trying to get more full fields by moving the usual Legends Night dirt course races to the month before so that horses won't be split between turf and dirt races on Legends Night. He states that Evangeline Downs has worked with local vendors to put advertising in the paddocks and hopes to advertise more vendors in the future.

Commissioner Bernard asks about the turf course condition. Mr. Warren responds that the Bermuda grass is growing, the turf is lush, and there are no bare spots on it.

**2019 THOROUGHBRED MEET****2. RACES**

- a. **Ratification** of designated races for 2019 thoroughbred meet as provided in Agenda.

Commissioner Reine motions to approve; Commissioner Wagner seconds; motion carries.

**3. STEWARDS, OFFICIALS & MANAGEMENT**

- a. **Ratification** of officials for 2019 thoroughbred meet as provided in Agenda.

Commissioners motion to approve; Commissioners second; motion carries.

**2019 QUARTER HORSE MEET****4. LICENSE APPROVALS**

- a. **Approval** for 2019 quarter horse meet as provided in Agenda.

**5. RACING DATES (R.S. 4:158A) AND POST TIMES**

- a. **Approval** for 2019 quarter horse meet as provided in Agenda.

**6. WAGERING (LAC 35:XIII.Ch 103-127)**

- a. **Approval** for wagering format for 2019 quarter horse meet as provided in Agenda.

Commissioner Wagner motions to approve Items #4, #5, & #6; Commissioner Davis seconds; motion carries.

**C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC****d/b/a FAIR GROUNDS RACE COURSE & SLOTS**

1. **PROGRESS REPORT**, by Mr. Jason Boulet, Senior Director of Racing. Mr. Boulet informs that Fair Grounds' 81-day 2018-2019 Thoroughbred Meet ended on March 24, 2019. He states that all-source handle increased by 18.2% but on-track handle decreased by 5%. He says that the rain during this meet decreased the total amount of turf racing days and scared away crowds for some of their big event days, particularly twilight and starlight racing. He informs that Louisiana Derby Day was a huge success with the Governor, Lieutenant Governor, and several Commissioners attending. He states that MSNBC and TVG had live coverage of Louisiana Derby Day and \$18,200,000 was wagered that day, becoming the biggest handle-earning day in the history of Fair Grounds.

Commissioner Calvert asks about the possibility of Fair Grounds hosting the Breeder's Cup. Mr. Boulet responds that Mr. Doug Shipley, President of Fair Grounds, has that goal in mind and they have invited and met with Breeder's Cup officials to show Fair Grounds' capabilities. Commissioner Calvert offers support from the Commission to propose Fair Grounds as a Breeder's Cup venue.

Mr. Boulet informs that *By My Standards*, winner of the Louisiana Derby, and *War of Will*, winner of Lecompte and Risen Star stakes, will represent Fair Grounds in the Kentucky Derby. He thanks Boyd Gaming and the LaHBPA for agreeing to shift Delta Downs' next thoroughbred meet to decrease the number of overlapping race days, which typically leads to higher starters per race and handle. He says that Fair Grounds is planning 5 race days each week in March. He states that Jazz Fest starts April 25<sup>th</sup> and Fair Grounds will continue capital improvements and repairs on the backside.

Commissioner Wagner commends Fair Grounds for working on reducing overlapping race days and asks if any horses from Fair Grounds will be in the Kentucky Oaks. Mr. Boulet responds that *Street Band*, winner of Fair Grounds Oaks will compete in the race. Commissioner Reine commends Fair Grounds for the success of Louisiana Derby Day. Commissioner Romero congratulates Fair Grounds for improving its product every year.

**2019 QUARTER HORSE MEET**

- 2. DEFERRED APPLICATION FOR 2019 QUARTER HORSE MEET (AS PROVIDED IN AGENDA)**
  - a. LICENSE APPROVALS (AS PROVIDED IN AGENDA)**
  - b. RACING DATES (R.S. 4:158A) AND POST TIMES (AS PROVIDED IN AGENDA)**
  - c. WAGERING (LAC 35:XIII.Ch 103-127; AS PROVIDED IN AGENDA)**

Commissioner Reine asks if Fair Grounds met with the LQHBA to work out these application dates. Mr. Boulet responds that Fair Grounds is waiting for the Commission's decision on the quarter horse application based on the Fair Grounds' prior arguments and has not discussed it with LQHBA since the last Commission Meeting.

Mr. Ryan Robicheaux, President of LQHBA, states opposition to the application because the dates would overlap with and disrupt LQHBA's Yearling Sale and would not give enough time for quarter horses to be able to run in two major races, Lee Berwick Futurity and LQHBA Sale Futurity. He informs that the LQHBA wants the meet to run from August 16, 2019 through September 7, 2019. He announces and introduces Mr. Bruce Salard, who has been hired as the new Executive Director of LQHBA to replace Mr. Tony Patterson, who resigned.

Commissioner Reine motions to deny the proposed 10 quarter horse dates from July 25, 2019 through August 16, 2019; Commissioner McHalfey seconds; motion carries with sole opposition from Commissioner Calvert.

Commissioner Reine asks if Fair Grounds would like to submit amended race dates for its 2019 Quarter Horse Meet application. Mr. Boulet requests to confer with legal counsel and return to this topic later in the meeting. The Commission agrees and moves forward with the Meeting Agenda.

Later in the meeting, the Commission continues discussion of Fair Grounds' 2019 Quarter Horse Meet application. Mr. David Waguespack, counsel for Fair Grounds, states their position that it is unfair that the Commission has put Fair Grounds in a position that legally requires them to set dates that don't overlap with the LQHBA Yearling Sale, with today being the deadline, and summarizes Fair Grounds' concerns with the August and September race dates.

Mr. Boulet informs that Fair Grounds has come to an agreement with LQHBA to propose new race dates for Fair Grounds' 10-day 2019 Quarter Horse Meet, which consists of August 16, 17, 22, 23, 24, 29, 30, & 31 and September 6 & 7 and amend the post time from 12:30pm to 12:00pm. He states that they will work with LaHBPA to come to an agreement on the move-in and move-out dates. Mr. Robicheaux states that the LQHBA is in agreement as stated by Mr. Boulet.

Commissioner Calvert motions to approve Item #2(b) with updated race dates per the agreement between Fair Grounds and LQHBA and the amended post time of 12:00 pm as described by Mr. Boulet; Commissioner Reine seconds; motion carries.

Commissioner Reine motions to approve Items #2(a) and #2(c); Commissioner McHalfey seconds; motion carries.

**3. STEWARD**

a. **Approval** of Noble Hay, Jr. to serve as State Steward for 2019 quarter horse meet.

**2019-2020 THOROUGHBRED MEET**

**4. LICENSE APPROVALS**

a. **Approval** for 2019-2020 thoroughbred meet as provided in Agenda.

**5. RACING DATES (R.S. 4:158A) AND POST TIMES**

a. **Approval** for 2019-2020 thoroughbred meet as provided in Agenda.

**6. WAGERING (LAC 35:XIII.Ch 103-127)**

a. **Approval** for wagering format for 2019-2020 thoroughbred meet as provided in Agenda.

Commissioner Reine motions to approve Items #3, #4, #5, and #6; Commissioner McHalfey seconds; motion carries.

**D. HARRAH'S BOSSIER CITY INVESTMENT COMPANY, LLC**

**d/b/a HARRAH'S LOUISIANA DOWNS**

1. **PROGRESS REPORT**, by Mr. Eric Halstrom, Vice President of Operations. Mr. Halstrom informs that Louisiana Downs' 46-day 2019 Quarter Horse Meet ended with on-track handle up 7% and out-of-state handle up 5% despite a decrease in starters per race. He states that, through coordination with the horsemen, Louisiana Downs had over 200 thoroughbred horses training during the quarter horse meet, which helped horses displaced by last year's closing of Evangeline Training Center. He says that some high-level trainers who enjoyed Louisiana Downs' services are planning to race some horses at its upcoming thoroughbred meet, which should increase Louisiana Downs' total thoroughbred population.

Mr. Halstrom informs that Louisiana Downs is lobbying to legalize OTBs in Caddo and Bossier Parishes and then open two OTBs for which they have already found facilities. He requests the Commission and LaHBPA's support for their OTB initiative. He says

that they have made \$30,000 worth of improvements to their Mound OTB facility and the handle from the quarter horse meet for that OTB is up 27%. He states that Louisiana Downs Hall of Fame will be announced in about a week and, on July 20, 2019, Louisiana Downs will hold fundraisers for its race horse retirement plan with all four Louisiana race tracks. He informs that Caesar's Entertainment will hold a handicapping contest in late June with all four Louisiana race tracks involved.

Commissioner Wagner asks how would sports betting legalization and the recommendation to relocate casinos to other parts of the state affect Louisiana Downs' OTB operations. Mr. Mike Rich, President of Louisiana Downs, responds that the currently proposed sports betting legislation doesn't include OTBs. He says that there was a report presented to the Louisiana Gaming Control Board that suggested relocating Boomtown Casino and DiamondJacks Casino out of Bossier City, which would lessen Louisiana Downs' slot machine competition in the market.

Commissioner Reine asks if Caesar's Entertainment being up for sale will have any impact on the race track. Mr. Rich responds that Mr. Carl Icahn has procured three seats on Caesar's Entertainment Board, so changes are happening including a possible new CEO, but that Louisiana Downs is currently conducting business as usual.

Commissioner Romero asks what the horse population is like at Louisiana Downs. Mr. Halstrom responds that they will have 100 to 150 more horses than last year for the thoroughbred meet and are hoping to run nine races on opening day rather than the minimum of seven.

#### 2019 QUARTER HORSE MEET

#### 2. STEWARDS, OFFICIALS & MANAGEMENT

- a. Ratification of \*Michal LeJeune to serve as Placing Judge for 2019 quarter horse meet.  
*\*new official*

Commissioner Wagner motions to approve; Commissioner Davis seconds; motion carries.

#### 2019 THOROUGHBRED MEET

#### 3. RACES

- a. Approval of first condition book for 2019 thoroughbred meet.
- b. Approval of designated races for the 2019 thoroughbred meet as provided in Agenda.

#### 4. STEWARDS, OFFICIALS & MANAGEMENT

- a. Approval of officials for 2019 thoroughbred meet as provided in Agenda.
- b. Approval of Roy Wood, Jr. to serve as State Steward for 2019 thoroughbred meet.

Commissioner McHalfey motions to approve Items #3, & #4; Commissioner Guilbeau seconds; motion carries.

## II. BREEDER UPDATES

### A. LOUISIANA THOROUGHBRED BREEDERS ASSOCIATION (LTBA)

1. PROGRESS REPORT, by Mr. Roger Heitzmann, Secretary-Treasurer. Mr. Heitzmann informs that the racing associations, breeders associations, and LaHBPA have started to hold meetings to discuss ways to improve the racing business in the state, which included the agreement between Delta Downs and Fair Grounds to decrease their overlapping thoroughbred race dates. He says that there have been discussions on

improving breeding in the state by decreasing the overlap of condition books between the race tracks and implementing new races featuring Louisiana stallions. He states that LTBA supports the transfer of purse money from Delta Downs to Evangeline Downs in order to keep horsemen in Louisiana during the summer months, when purses are currently low.

Commissioner Cravins says that the transfer of purse money is a temporary solution to a bigger problem. He suggests that there should be a task force, including members from all parts of the Louisiana racing industry, that conducts a comprehensive study of where the industry is now and what plans should be implemented for its future betterment.

Commissioner McHalfey requests that the Commission set up a task force made up of Commissioners and representatives from the associations, horsemen, and breeders to make agreements that will unify the racing industry on issues like sports betting and race days. Chairman Wright requests Commissioner Cravins to take the lead on organizing the task force. Commissioner Cravins agrees.

**B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)**

- 1. PROGRESS REPORT**, *by Mr. Ryan Robicheaux, President and Mr. Bruce Salard, Executive Director.* Mr. Robicheaux informs that the 2018 LQHBA Yearling Sale made over \$6,500,000, 2018 quarter horse purses totaled over \$21,000,000, and LQHBA Breeder's Awards in 2018 paid over \$5,000,000, which goes to first through fifth place at 25% of the horses' earnings. He states that they accredited over 1,200 Louisiana foals in 2018. He says that they need to improve attendance for quarter horse races at the tracks, and his main goal is to bridge the gap between quarter horse and thoroughbred horsemen through working out their issues and unifying for common goals.

Mr. Salard informs that LQHBA has donated almost \$600,000 in college scholarships for high school seniors since 2011 and they will advertise future scholarship giveaways on their Facebook page and website. Chairman Wright and Commissioner Reine congratulate Mr. Salard on his new position.

Commissioner Reine motions that the Commission send a letter of commendation and a certificate to Mr. Tony Patterson, former LQHBA Executive Director, to thank him for his contributions to the quarter horse racing industry and wish him well in his future endeavors; Commissioners Cravins and Wagner second; motion carries.

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A 10-minute recess is taken.

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**III. COMMITTEE REPORTS**

**A. MEDICATION COMMITTEE**, *by Committee Chairperson Judy W. Wagner*

Commissioner Wagner requests Dr. Levent Dirikolu, Director of the Equine Medication Surveillance Laboratory (EMSL) at Louisiana State University, to give an update on lab accreditation. Dr. Dirikolu informs that they have sent their application for full accreditation to A2LA and are waiting to hear back about a possible onsite assessment. Commissioner Wagner asks if there is any timeframe for accreditation. Dr. Dirikolu responds that he has not been given a timeframe from A2LA but can inquire about it.



Commissioner Calvert asks how much the EMSL is paying A2LA for accreditation. Dr. Dirikolu responds that they will have to pay \$20,000 for a teleconference and would have another fee if A2LA performs an onsite assessment. Commissioner Reine asks if there are any other accrediting agencies. Dr. Dirikolu says that A2LA is the necessary agency because it gives ISO 17025, which is the main accreditation required by racing labs. Commissioner Calvert suggests that Dr. Dirikolu contact A2LA and request an estimated turnaround time for accreditation. Commissioner Reine suggests that the Commission send a letter to A2LA independently to request the accreditation turnaround time to avoid issues between the EMSL and A2LA.

Commissioner Wagner states that the Commission was given assurances when the current Equine Drug Testing contract was renewed that EMSL would be accredited by June 2019 and that there should at least be some parameters set for a turnaround time. Chairman Wright requests that Commissioner Wagner coordinate with Mr. Gardiner and Dr. Dirikolu on how best to correspond with A2LA.

Commissioner Calvert requests that the Medication Committee explore the use of Albuterol and Clenbuterol in Louisiana and whether or not these medications should be banned in thoroughbred racing. He states that he has heard significant concerns from trainers at Fair Grounds that those medications are being abused and is afraid that unscrupulous horsemen have figured out a way to use the drugs in combination to avoid EMSL detection at their current thresholds. Commissioner Guilbeau suggests asking for comments from everybody in Louisiana racing that has an interest in this issue.

Dr. Dirikolu informs that both Clenbuterol and Albuterol have anabolic effects in both thoroughbreds and quarter horses and that, in 2018, EMSL found 124 positives of the two drugs, 117 in quarter horses and 7 in thoroughbreds. Commissioner Calvert says that those numbers are misleading because the thoroughbred trainers could have been using the two drugs in amounts that detected below their thresholds, which was occurring in California and led to them banning the two drugs. Commissioner Shelton suggests that the Commission consider jail time for horses found with positives to prevent them from racing again right after getting caught.

Mr. Gardiner informs that once the Commission instituted the ban on Clenbuterol in quarter horses, the number of positives have dropped off significantly, but EMSL has started getting Albuterol positives and occasional Clenbuterol positives.

Commissioner Romero suggests that the Commission quadruple fines for medication violations for further deterrence. Commissioner Calvert recommends raising fines after figuring out if the Commission should ban the two drugs.

Commissioner Calvert motions that the Medication Committee investigate and explore whether or not it would be in the best interest of Louisiana horse racing to ban Clenbuterol and Albuterol in thoroughbred racing and to ban Albuterol in quarter horse racing and present its findings at the next Commission Meeting; Commissioners Guilbeau and Romero second; motion carries.

**B. RULES COMMITTEE, by Committee Chairman R. Hamilton "Hammy" Davis**

Commissioner Davis informs that there will be two rules up for discussion and possible notices of intent later on the Agenda.

**C. LEGAL COMMITTEE**, by *Committee Chairman Benjamin J. Guilbeau, Jr.*

No Report.

**D. SECURITY COMMITTEE**, by *Committee Chairman Kenneth "Ken" Romero*

Commissioner Romero informs that it has been reported to him that individuals whose licenses were revoked are not adhering to their ban from the racetracks, backsides, and OTB parlors. He requests that the associations step up their surveillance at the guard gate and keep banned individuals out of the backside. He also requests that Mr. Gardiner notify the State Police to increase their inquiries into banned individuals on the backside to find out why they are back there and to evict them.

**E. RACETRACK/HBPA LIAISON COMMITTEE**, by *Committee Chairman Donald "Don" Cravins*

No Report.

**F. FINANCE COMMITTEE**, by *Committee Chairman Louis Reine*

No Report.

## IV. RULES

**A. DISCUSSION/NOTICES OF INTENT****1. Pick N Wagering**

LAC 35: XIII Chapter 116 – Pick N

§11601. *Description; Selection; Principle* [amend]

§11609. *Procedure* [amend]

§11611. *No Winning Ticket* [repeal]

§11613. *Cancelled Races* [repeal]

§11621. *Scratches and Non-Starters* [repeal]

- Amendments requested by Fair Grounds Race Course & Slots

Repeal of Chapter 110 Pick Five or Pick Six (Rule LAC 35:XIII.11001 and LAC 35:XIII.11003)

- The current Pick Five and Pick Six rules will be replaced by the amended Pick N rule

Commissioner Reine states his concern that the wording of §11625 allows the association to resolve an unforeseen circumstance without any oversight or notifying the Commission. He requests that §11625 should be amended to remove the wording "and/or" and then add "with approval of the Commission."

Commissioner Davis motions to approve the amendments of Rules §11601, §11609, and §11625 with Commissioner Reine's amendment and the repeals of Rules §11611, §11613, §11621, §11001, and §11003 for Notice of Intent; Commissioner Calvert seconds; motion carries.

**2. Ambulance**

LAC 35: III Chapter 57 – Associations' Duties and Obligations

§5713. *Ambulance* [amend]

Commissioner Reine motions to approve §5713 for Notice of Intent; Commissioner Cravins seconds; motion carries.

**V. OTHER**

**A. ANNUAL RENEWAL OF TRAINING TRACK APPLICATIONS:**

1. Review of applications for training track licenses pursuant to LAC 46: XLI.1903-1907.
  - a. Benton Training Center (The Training Center Improvements, Inc.)
  - b. The Training Center at Copper Crowne, LLC
  - c. Folsom Thoroughbred Training Center Owners Association, Inc.

Ms. Loney informs that the applications for the Training Center Improvements, Inc., the Training Center at Copper Crowne, and Folsom Thoroughbred Training Center Owners Association, Inc. have been completed, all information required by the Rules has been submitted, and the applications are before the Commission to renew.

Mr. Merlin Marechal is present to represent Folsom Thoroughbred Training Center Owners Association, Inc.

Commissioner Reine motions to approve all three applications for license; Commissioner Guilbeau seconds; motion carries.

**VI. ADJUDICATIONS**

**A. APPEALS OF CARELESS RIDING VIOLATIONS (LA. REV. STAT. 4:154)**

1. **Paulina R. Ramirez, Apprentice Jockey.**  
Ruling#DD23261 of 01/26/19 – *Careless Riding.*

Appeal Withdrawn. Ms. Ramirez not present for hearing. Commissioner Guilbeau motions to suspend Ms. Ramirez for 7 calendar days from April 24, 2019 through April 30, 2019; if Ms. Ramirez participates in a designated race day not subject to suspension; she shall be required to make up the suspension day on the first following race day after the designated day of racing; Commissioner Reine seconds; motion carries.

2. **Roberto Morales, Jockey.**  
Ruling#DD23280 of 01/31/19 – *Careless Riding.*

Appeal Withdrawn. Mr. Morales not present for hearing. Commissioner Davis motions to suspend Mr. Morales for 10 calendar days from April 20, 2019 through April 29, 2019; if Mr. Morales participates in a designated race day not subject to suspension; he shall be required to make up the suspension day on the first following race day after the designated day of racing; Commissioner Calvert seconds; motion carries.

**B. VIOLATIONS OF LAC 95:I.1797 (Equine Positives)**

1. **Guadalupe F. Tristan, Trainer.** (*Adjudication Referred*)  
Ruling#LD23302 of 02/17/19 – *Flunixin & Phenylbutazone (ARCI Category IV; Gross Violation of the Secondary Anti-Stacking Threshold)*

Commissioner Reine motions to uphold the Stewards' ruling, fine Mr. Tristan an additional \$500 (total fine \$1,500), and redistribute the purse; Commissioner Guilbeau seconds.

Commissioner Calvert states that the typical sentencing for this violation seems inadequate considering that Mr. Tristan theoretically could have made up the cost of

the fine with a bet on his horse with 12-to-1 odds and that the horse was allowed to run a week later. Commissioner Guilbeau informs that the Commission has not given suspensions for Category IV violations in the past and that increasing the fine and suspension penalties would be a strong departure from the Commission's previous rulings. Commissioner Calvert says that this quarter horse trainer had Clenbuterol violations, which is currently a major concern of the Commission, and that the Commission should issue more stringent fines and suspensions to send a message that it will not tolerate these violations of the rules.

Commissioner Reine states that the Commission should review the possibility of enhancing penalties and inform the horsemen if that is the will of the majority but that penalizing Mr. Tristan harder as a sudden statement is unfair. Commissioner McHalfey agrees.

Commissioner Calvert makes a substitute motion to uphold the Stewards' ruling, suspend Mr. Tristan for 90 days, fine him an additional \$500 (total fine \$1,500), and redistribute the purse; Commissioner Bernard and Shelton second; Chairman Wright calls for a poll vote in which yea means to vote for the substitute motion and nay means to vote against the substitute motion; Poll Vote: 8-yea; 9-nay; motion fails.

Commissioner Reine motions to uphold the Stewards' ruling, fine Mr. Tristan an additional \$500 (total fine \$1,500), and redistribute the purse; Commissioner McHalfey seconds; motion carries with opposition from Commissioners Calvert and Shelton.

Commissioner Reine requests that Mr. Gardiner sends out a notice that the discussion of possibly adding more severe penalties, including higher fines and added suspension days, occurred at this meeting and will be considered for future horse medication violations. Commissioner Shelton states that there should be discussion about jailing horses that are found with medication positives for 60 days. Chairman Wright requests that the Medication and Rules Committees research changes to the penalty guidelines. Mr. Gardiner says that the Committees can also consider the uniform model rule penalty system to work towards uniformity with national penalty standards which utilizes a points system for medication violations that calls for more severe penalties for those with accumulated points.

**2. Guadalupe Garza, Jr., Trainer.** (*Adjudication Referred/Appeal*)

Ruling#LD23335 of 03/05/19 – *Caffeine (ARCI Category II)*

*Firocoxib (ARCI Category IV; Gross Violation)*

*Flunixin (ARCI Category IV; Ordinary Violation)*

Commissioner Reine motions to uphold the Stewards' ruling, suspend Mr. Garza for 6 months effective April 20, 2019 through October 19, 2019; purse redistributed, and deny him access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Calvert seconds; motion carries.

**3. Josue Huitron, Trainer.** (*Adjudication Appeal*)

Ruling#LD23353 of 03/17/19 – *Albuterol (ARCI Category III)*

**Case continued to next Commission Meeting.**

4. **Joseph M. Davis, Trainer.** (*Adjudication Appeal*)  
Ruling#LD23297 of 02/12/19 – *Albuterol (ARCI Category III)*

**Case continued to next Commission Meeting.**

5. **Eleuterio J. Altamirano, Assistant Trainer/Owner.** (*Adjudication Appeal*)  
Ruling#DD23112 of 11/14/18 – *Caffeine (ARCI Category II)*  
*Mepivacaine (ARCI Category II)*

Appeal withdrawn. Pursuant to a stipulation by all Parties, Commissioner Reine motions to uphold the Stewards' ruling, suspend Mr. Altamirano for 6 months effective May 7, 2019 through November 6, 2019, redistribute the purse, and deny Mr. Altamirano access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Davis seconds; motion carries.

## VII. ADJOURNMENT

Commissioner Wagner motions to adjourn; Commissioner Davis seconds; Chairman Wright adjourns the meeting.



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Charles A. Gardiner III  
Executive Director