

LOUISIANA STATE RACING COMMISSION
MINUTES – September 3, 2020 Emergency Meeting
As transcribed by Mary Lee DiLeo, Certified Court Reporter

COMMISSIONERS IN ATTENDANCE

Bob F. Wright, *Chairman*
Dr. Patrick Bernard
Leslie M. Bouie
Thomas B. Calvert
Lane T. Cortez
Donald "Don" Cravins
Eddie J. Delahoussaye
K. R. "Ron" Finkelstein, O.D.
Benjamin J. Guilbeau, Jr.
Mike R. McHalfey
Louis Reine
Deano Thornton

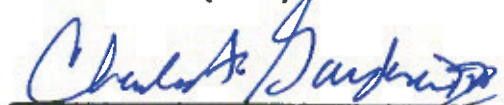
ABSENT
Roy Griggs

APPROVED

At the Commission Meeting of

3-30-2021

(Date)



Executive Director
Louisiana State Racing Commission

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Thursday, September 3, 2020 at 5:05 PM on the Zoom Conference Call. Roll call was taken; a quorum was present.

Commissioner Guilbeau welcomes the newly-appointed Commissioners.

I. ASSOCIATION REQUESTS

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

1. LAHBPA REQUEST

- a. Consideration** of LaHBPA's request for emergency relief by Commission Emergency Order. Please take further notice that the Commission will take evidence pursuant to sworn testimony.

Mr. David Waguespack, Counsel for Fair Grounds, argues that the Commission is an administrative agency that does not have the ability to issue a mandatory injunction, such as the proposed Emergency Order. He states that the Emergency Order would be an unconstitutional taking of Fair Grounds property and would lack due process. He presents Mr. Mick Peterson, Director of the Racetrack Safety Program at the University of Kentucky, Mr. Jason Boulet, Senior Director of Racing at Fair Grounds, Ms. Aimee Killeen, Environmental Compliance Expert for Fair Grounds, and Mr. Doug Shipley, President and General Manager of Fair Grounds as witnesses who provide testimony and are cross-examined as to why the Fair Grounds would not be able to comply with what the LSRC's Emergency Order would request.

Commissioner Cravins asks if the horsemen will compensate the Fair Grounds for stabling and maintenance of the horses if the Emergency Order is approved. Mr. Benard Chatters, President of the Louisiana Horsemen's Benevolent and Protective Association (LaHBPA), responds that LaHBPA and the horsemen are prepared to cover the expenses associated with housing and training between 400 and 500 race horses until Delta Downs is prepared to receive them.

A 5-minute recess is taken.

Mr. Chatters states that he has visited Fair Grounds' backside yesterday and today and that the backside appears well-maintained by adequate staff.

Mr. Bruce Salard, Executive Director of Louisiana Quarter Horse Breeders Association, states that this situation is a Louisiana horse industry issue, rather than a singular breed issue, and that Fair Grounds should step up to help provide relief for displaced horses and horsemen.

Mr. Joe Morris, Senior Vice President of Racing at Caesar's Louisiana Downs, states that Louisiana Downs has about 350 empty stalls that they would be willing to let displaced horses move into, but they don't have any empty groom's quarters to provide, so the LaHBPA would need to make arrangements for that issue.

Commissioner Cortez asks if Delta Downs will be ready to receive thoroughbreds on October 15, 2020 for their race meet. Ms. Janet Boules, Counsel for Delta Downs, responds that it is too dangerous to bring in people to assess right now due to having no utilities, including electricity and water, and that they will have to get the remaining quarter horses out prior to making an assessment for timing. Mr. Chatters states that Louisiana Downs will be able to rent stalls to the displaced horses by that date as a contingency plan.

Commissioner Reine motions to approve the LSRC Emergency Order of September 3, 2020 as drafted; Commissioner Bernard seconds; Poll Vote conducted by Mr. Charles Gardiner III, Executive Director of LSRC, in which Yea means to vote to approve the Emergency Order and Nay means to vote against the Emergency Order; 9 - Yea, 1 - Nay; motion carries.

Mr. Ed Fenasci, Executive Director of LaHBPA, states that LaHBPA objects to Fair Grounds' request for 8 minimum thoroughbred races per day, which is lower than its traditional 9 minimum thoroughbred races per day. He also requests that Fair Grounds' 2019-2020 Thoroughbred Meet purse money not dispersed because of ending early due to the COVID-19 Pandemic should be paid out at their upcoming 2020-2021 Thoroughbred Meet. Commissioner Guilbeau asks that the LaHBPA's request be sent in writing to the Commission. Mr. Chatters agrees.

II. ADJOURNMENT

Commissioner Reine motions to defer Agenda Items A.2. through D.8. to a public LSRC Emergency Meeting to be held at a later date and to adjourn this meeting; Commissioner Cravins seconds; motion carries.



Charles A. Gardiner III
Executive Director