

LOUISIANA STATE RACING COMMISSION

MINUTES – April 24, 2018 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

K. R. "Ron" Finkelstein, O.D.

Benjamin J. Guilbeau, Jr.

Mike R. McHalfey

Louis Reine

Kenneth "Kenu" Romero

Mike Shelton

APPROVED

At the Commission Meeting on

7/16/18

(Date)



Executive Director

Louisiana State Racing Commission

ABSENT

R. Hamilton "Hammy" Davis

Eric G. Johnson

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Monday, April 24, 2018 at 9:05 AM in the Event Center of the Evangeline Downs Racetrack & Casino, 2235 Creswell Lane Extension, Opelousas, Louisiana. Roll call was taken; a quorum was present.

Commissioners Cravins and Romero motion to approve the meeting minutes from the January 22, 2018 meeting; Commissioner Reine seconds and requests that the statements written on page 9, paragraph 3 be reviewed for accuracy; 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 2017-2018 Thoroughbred Meet ended on March 10, 2018 with total handle up 7%. He states that betting at the ADWs was up and they had higher purses at the end of the meet. He says that they had 826 races during the meet with field size average of 8.77 per race. He states that the snow day race cancellations at the east coast racetracks helped increase Delta Downs' handle tremendously.

Mr. Warren informs that Delta Downs' 46-day 2018 Quarter Horse Meet started on April 20, 2018 with handle up 14% so far after two race days. He says that the Old South Futurity Trials on April 21, 2018 did really well. He states that they took entries for the Laddie and Lassie Futurity Trials and have a total of 28 trials for both races. He informs that the Laddie Futurity will have a record purse over \$360,000. He states that they will invest over \$70,000 in the backside air conditioning units and will invest over \$138,000 in air conditioning units for the grandstand. He says that they will have over \$135,000 in expenditures this summer, including additional railing around the backside to protect horses from ditches.

Commissioner Shelton asks if Delta Downs has any dollar amount for capital expenditures (CapEx) set aside in its budget. Mr. Steve Kuypers, General Manager and Vice President of Delta Downs, responds that Boyd Gaming spent \$700,000 on Delta Downs last year, \$300,000 of which was used to buy a new water truck and a new tractor. He informs that Delta Downs and Evangeline Downs have to submit planned annual expenses to the corporate office in October or November and that each track gets a CapEx budget based on corporate's approval, which the staff can use for repairs and maintenance as needed.

Commissioner Cravins asks if the emergency lighting issues has been addressed. Mr. Kuypers responds that he sent the names of three certified electricians to the Commission as directed and, in April, the Commission picked Lake Charles Electric to inspect Delta Downs' lighting system and back-up. He says that they called the company immediately and have an appointment with the owner of the company on April 25, 2018 to get an inspection as the Commission requested. He states that he will get the inspection report to Mr. Gardiner as soon as they receive it.

Commissioner Finkelstein asks if Boyd Gaming can move money from Delta Downs to Evangeline Downs in order to equalize their purse structures. Mr. Vincent Schwartz, Regional Vice President of Boyd Gaming, responds that they cannot shift purse money under current law but there is legislation being proposed that would allow sharing of purse money from track to track within Louisiana. Commissioner Reine informs that the legislation failed on the Senate floor the first time it was brought up again. He says that the Senate passed the legislation the second time around, so it is now waiting to be heard in committee in the House of Representatives.

Mr. John Duviehl, counsel for the Louisiana Horsemen's Benevolent & Protective Association (LaHBPA), specifies that the bill passed the Senate with one nay vote and the house should vote on the bill next week.

2018 QUARTER HORSE MEET

2. RACES

- a. **Ratification** of first condition book for 2018 quarter horse meet.
- b. **Ratification** of designated races for 2018 quarter horse meet:

04/20/18	The Old South Derby Trails
04/20/18	Delta Dash
04/21/18	The Old South Futurity Trails
04/21/18	Louisiana Purchase
04/27/18	Lassie Futurity Trials (RG II)
04/28/18	Laddie Futurity Trials (RG II)
05/05/18	OPEN ME A CORONA (RG II)
05/11/18	Delta 550 Championship
05/11/18	The Old South Derby
05/12/18	The Old South Futurity
05/12/18	Mother's Day
05/18/18	Lassie Futurity (RG II)
05/19/18	Vinton
05/19/18	Laddie Futurity (RG II)
06/01/18	Virgil Bond
06/02/18	Develop A Plan (G III)
06/08/18	Vals Fortune (RG II)
06/08/18	Firecracker Derby Trials

- 06/09/18 Firecracker Futurity Trials (G II)
- 06/15/18 Delta Downs Derby Trails (RG III)
- 06/16/18 Lee Berwick Futurity Trials (RG I)
- 06/30/18 Firecracker Derby
- 07/04/18 Firecracker Futurity (G II)
- 07/05/18 Par-A-Dice Stake
- 07/06/18 Miss Polly Classic (G III)
- 07/07/18 Louisiana Juvenile
- 07/07/18 Louisiana Starter
- 07/07/18 Live Oak
- 07/07/18 Flashy Hemp
- 07/07/18 Louisiana Classic (RG II)
- 07/07/18 Flying Breed Stakes
- 07/07/18 Delta Downs Derby (RG III)
- 07/07/18 Lee Berwick Futurity (RG I)

8. STEWARDS, OFFICIALS & MANAGEMENT

a. Ratification of officials for 2018 quarter horse meet (4/20/18 - 7/7/18):

- Chris Warren – Director of Racing
- John Simon – Racing Secretary
- Mohamed Alikhan – Asst. Racing Secretary
- Steve Ruff and Galen Boutte – Association Stewards
- Duane Domingue – Paddock Judge/Alternate Association Steward
- Mark Gilbert, Michael Phillips, & Devin Guillory – Outriders
- Aaron Pelt – Track Superintendent
- *Darrel Bickham – Stall Superintendent
- Jeremy Courville – Starter
- Mayo Newhouse – Clerk of Scales
- Oscar Lopez – Head Clocker
- Melissa Dueitt – Horse Identifier
- TBA – Jocks Room Custodian
- Steve Nick, Phillip Walker, Charles Sonnier & Beverly McNeely – Placing Judges/Racing Office Staff
- *new official*

Commissioner Reine motions to approve Items #2 and #3; Commissioner Guilbeau seconds; motion carries.

Commissioner Reine asks if Delta Downs has an off-track betting location. Mr. Charles Gardiner, Executive Director for the LSRC, responds that Delta Downs does not. Commissioner Reine asks why the Commission is giving Delta Downs the OTB license. Mr. Warren informs that the license is needed for the OTB, located inside the racetrack, even though it is not off the facility. Delta Downs’ OTB collects OTB taxes by statute.

Mr. Ed Fenasci, Executive Director for the LaHBPA, informs that the horsemen requested that Delta Downs start the meet a week earlier on October 10, 2018 but Delta Downs staff responded that they could not accommodate that request. Commissioner Reine asks Mr. Warren to explain why they could not accommodate the LaHBPA’s request. Mr. Warren responds that they would lose revenue if they started earlier because the last week of the proposed racing dates would make nearly \$1,000,000 more per night. He states that the proposed race dates also take into consideration managing their employees’ work schedule gaps between race meets and move-in and move-out dates.

Commissioner Reine asks why the LaHBPA wanted to move the race dates earlier. Mr. Fenasci responds that Delta Downs starting a week earlier would take a week away from competing with Fair Grounds' meet and would provide the horsemen more opportunity to enter in races.

2018-2019 THOROUGHBRED MEET

4. LICENSE APPROVALS

a. Approval for 2018-2019 thoroughbred meet:

1. For 10 year license to own and operate a racetrack, per R.S. 4:158 & R.S. 4:214
2. For 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
3. To serve as concessionaire

Commissioners motion to approve; Commissioners second; motion carries.

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

a. Approval for 2018-2019 thoroughbred meet:

1. Thoroughbred racing on the flat
2. 84 thoroughbred race dates (10/17/18 through 3/9/19)

October	17,18,19,20,24,25,26,27,31
November	1,2,3,7,8,9,10,14,15,16,17,20,21,23,24,28,29,30
December	1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29
January	2,3,4,5,9,10,11,12,16,17,18,19,23,24,25,26,30,31
February	1,2,6,7,8,9,13,14,15,16,20,21,22,23,27,28
March	1,2,6,7,8,9
3. Hold minimum of 9 live thoroughbred races daily Wednesday through Saturday with the exception of live racing on Tuesday, November 20, 2018
4. Dark – no live racing on Thursday, November 22, 2018
5. Daily post time 5:25 PM except:

November 20, 2018 and November 21, 2018, 1:35 PM post time.

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

a. Approval for wagering format for 2018-2019 thoroughbred meet:

1. \$1 WPS & Exacta on all races
2. 50¢ Trifecta on all races with 5 or more entries
3. 10¢ Superfecta on all races with 6 or more entries
4. 50¢ Rolling Pick 3 on Race 1 through last race
5. 50¢ Pick 4 on first 4 & last 4 races
6. 50¢ Pick 5 on last 5 races
7. \$1 Rolling Daily Double on first through last races

Commissioner Wagner motions to approve Items #5 and #6; Commissioner Guilbeau 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 2018 Thoroughbred Meet started on April 4, 2018 and total handle is up 8%. He says that they ran a turf race last week and received positive feedback on the turf's condition. He states that the staff worked hard to fix the turf course issues discussed last year and they will have a new irrigation system installed at a cost of over \$70,000. He says that he also received positive feedback on the dirt course.

Mr. Warren informs that Evangeline Downs' two new barns were received well as horses moved in during the last week of March. He states that they have brought new hotwalkers on the backside, installed a new grandstand bar at the horsemen's request, and changed the clubhouse to have a la carte food service except for major days. He informs that they moved Evangeline Downs' Legends Night to May 26, 2018 from its usual 4th of July weekend date in order to increase the gap between the different racetracks' premier Louisiana-bred races.

Commissioner Calvert asks if the turf course will be fine for the entire meet or if there are any concerns of possible race cancellations due to structural problems of the turf. Mr. Warren responds that the turf consultant advised that May is the optimum growing time of the year for the turf and that they do not anticipate any problems because the turf will continue to improve from the great shape it is in so far. He says that the only possibility they anticipate for cancelling the turf races would be severe weather conditions.

Mr. Warren informs that Evangeline Downs put in some new TVs in the grandstand, a new HVAC system in the jock's room, and a new HVAC system in the horsemen's dining area.

Commissioner Reine asks how many stalls have been added with the two new barns. Mr. Warren responds that each barn has 42 stalls for a total of 84 new stalls, not including the recently built 70-stall receiving barn. Commissioner Reine asks how big the stalls are in the new barns. Mr. Warren responds that they are 10-feet wide by 12-foot long, which is larger than the Commission's requirements.

Commissioner Romero thanks Evangeline Downs staff for installing the new, very visible sign for their St. Martinville OTB.

Commissioner Reine asks if Evangeline Downs operates off-track betting and if they have video poker machines. Mr. Warren responds that Evangeline Downs has three OTBs, which all have video poker. Commissioner Reine asks if any of the video poker revenue goes to the purses for their races and how is it divided between thoroughbreds and quarter horses. Mr. Warren responds that half of all video poker revenue goes to their purses, which is split 70% to thoroughbreds and 30% to quarter horses.

2. RECEIVING BARN (LAC 35:III.5708)

- a. **Follow up/Discussion** of stalls at Evangeline Downs.

See the discussion in the above section.

2018 THOROUGHBRED MEET

3. RACES

- a. **Ratification** of first condition book for 2018 thoroughbred meet.
- b. **Ratification** of designated races for 2018 thoroughbred meet:

05/04/18	Equine Sales Oaks
05/05/18	Equine Sales Derby
05/26/18	Louisiana Legends Cheval
05/26/18	Louisiana Legends Soiree
05/26/18	Louisiana Legends Sprint
05/26/18	Louisiana Legends Mademoiselle
05/26/18	Louisiana Legends Classic

- 05/26/18 Louisiana Legends Distaff
- 05/26/18 Louisiana Legends Starter
- 05/26/18 Louisiana Legends Turf
- 06/22/18 The Spotted Horse
- 06/23/18 Evangeline Mile
- 07/14/18 D.S. "Shine" Young Futurity (Colts & Geldings Division)
- 07/14/18 D.S. "Shine" Young Futurity (Filly Division)

4. STEWARDS, OFFICIALS & MANAGEMENT

a. Ratification of officials for 2018 thoroughbred meet:

- Chris Warren – Director of Racing Operations
- Corey Veazey – Racing Secretary
- Ashley Simon – Assistant Racing Secretary/Stakes Coordinator
- Frank Rudis – Association Steward
- Mark Guidry – Association Steward
- Julie Gipson – Identifier
- Traci Vickers – Paddock Judge
- Bobby Granger – Clerk of Scales
- Vince Cline – Jockey Room Custodian
- Sandra Calais – Claims Clerk/Alternate Placing Judge
- *Tory Hayes – Placing Judge
- Angela Hebert – Placing Judge
- *Grant LaGrange – Placing Judge
- Brett Poole – Clocker
- Russell Comeaux – Starter
- Jacob Deville – Outrider
- Kenneth Gipson – Outrider
- Jonathan Boxie – Outrider
- Dave Correll – Stall Superintendent
- Randall Leger – Track Superintendent
- *new official*

Commissioner Reine motions to approve Items #3 and #4; Commissioner Romero seconds; motion carries.

2018 QUARTER HORSE MEET

5. LICENSE APPROVALS

a. Approval for 2018 quarter horse meet:

1. For 10 year license to own and operate a racetrack, per R.S. 4:158 & R.S. 4:214
2. For 10 year license to own and operate OTB locations, per R.S. 4:211 *et seq.*
3. To serve as concessionaire
4. To operate as official training facility during off-season

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

a. Approval for 2018 quarter horse meet:

1. Quarter horse racing on the flat
2. 46 quarter horse dates (10/3/18 through 12/19/18)
 - October 3,4,5,6,10,11,12,13,17,18,19,20,24,25,26,27,31
 - November 1,2,3,7,8,9,10,14,15,16,17,20,21,23,24,28,29,30
 - December 1,5,6,7,8,12,13,14,15,18,19
3. Hold minimum of 8 live quarter horse races daily (Wednesday through Saturday)
4. Daily post time 5:35 PM

7. WAGERING (LAC 35:XIII.Ch 103-127)**a. Approval for wagering format for 2018 quarter horse meet:**

1. WPS & Exacta on all races
2. Rolling Daily Double beginning with Race 1
3. Trifecta on all races complying with the *Rules of Racing* (§11115)
4. Rolling Pick 3 beginning with Race 2
5. Pick 4 on first 4 and last 4 races
6. Superfecta on all races complying with the *Rules of Racing* (§11701)
7. Pick 5 on last 5 races

Commissioners motion to approve Items #5, #6, and #7; Commissioners second; 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 thanks Boyd Gaming and Evangeline Downs for hosting this meeting. He informs that Fair Grounds' 81-day 2017-2018 Thoroughbred Meet ended on March 31, 2018 with flat handle year over year. He says that on-track handle was down 4% but all-source handle was up 1%. He states that starters per race was the same as last year at 8.25. He says that turf racing was successful with 259 races run out of the offered 305 races. He informs that the freeze in January caused Fair Grounds to be down on many days. He states that the purse competition from Oaklawn Park and Delta Downs was tough on Fair Grounds' field sizes and handle, with Delta Downs offering \$10,000 more for the same open and Louisiana-bred race categories. He says that they finished the meet strong and set a record of over \$13,000,000 handle on Louisiana Derby Day. He informs that the Louisiana Derby ran a week before the Florida Derby, which was a risk but allowed them to stand out as the only big race that day. He says that on-track handle was up over 15% and up 20.4% total handle on Louisiana Derby Day.

Mr. Boulet states that Fair Grounds' leading trainer was Mr. Brad Cox, who has become known nationwide, and leading rider was Shaun Bridgmohan. He informs that 37 horses that ran at Fair Grounds this past meet moved to and won at Keeneland, one of the top three most competitive meets in the country. He says that 6 out of the 10 trainers and 5 out of the 7 leading riders at Keeneland were at Fair Grounds this past winter, which is a big positive for stall recruitment. He states that two new Fair Grounds OTBs are opening soon, one in Destrehan and one in Meraux.

Mr. Boulet informs that Fair Grounds is planning to renovate the backside's barns, water pipes, and bathrooms prior to the quarter horse coming in July. He says that they have CapEx set for replacing roofing on older barns. He states that the Environmental Protection Agency (EPA) has communicated that Fair Grounds was not being forceful enough to make sure that they were following the compliance rules set by the EPA and the Sewerage and Water Board of New Orleans. He thanks the LaHBPA and the horsemen for their efforts in coordinating and cooperating in compliance with the rules.

Commissioner Wagner states that she hopes that Delta Downs, Fair Grounds, and the LaHBPA will continue to work on strengthening the Louisiana-bred stakes races by coordinating their dates better to avoid overlap. Mr. Boulet informs that they sent an email to the LaHBPA on April 4, 2018, in part concerning the race date overlap issue. He says that, in October, there are two weeks without thoroughbred racing in Louisiana

and the horsemen would be in favor of starting a little earlier at Delta Downs. He states that the two-year-old season starts for many trainers in August and the two-week span would make a difference for Fair Grounds because, when Delta Downs closes, Fair Grounds' starters per race increases. He says that spreading out the races will alleviate the foal crop declining issue.

Commissioner Wagner asks if the Oaklawn Park's meet opening two weeks later than usual will be a positive for Fair Grounds. Mr. Boulet responds that they are excited to have two weeks less competition but also can see the possible downside of some trainers stabling at Fair Grounds who will want to leave when Oaklawn Park opens. Commissioner Calvert encourages Fair Grounds and Delta Downs to continue their stakes race dates negotiations for the good of Louisiana horse racing.

Commissioner Reine asks how many OTBs Fair Grounds runs and how they handle from split video poker money. Mr. Boulet responds that they will have 13 OTBs with the two new additions. He says that video poker revenue for purses goes solely to thoroughbreds because of the timing of the meets on the racing calendar, which is currently being challenged in court.

Mr. Kuypers says that Boyd Gaming will get together to arrange a meeting with Fair Grounds and Louisiana Downs to try to negotiate the race dates. Commissioner Calvert requests that correspondence be sent to Mr. Gardiner to advise the Commission of the status of the racing associations' negotiations. Mr. Boulet responds that he will do so. Chairman Wright suggests that a Commissioner acts as a monitor of and gives input on the race dates negotiations for future meets.

Mr. Boulet informs that video poker law was written before slot machine law, which is why the language and purse splits are different between them. Commissioner Reine asks what, if anything, regulates the purse money split. Ms. Rhea Loney, counsel for the LSRC, responds that the pending lawsuit at the Court of Appeal deals with a dispute over the language of the video poker statute about whether the accrued video poker revenue should be paid out by the Fair Grounds at its quarter horse meets in August or its thoroughbred meets in fall through winter.

Ms. Loney informs that the Commission heard the issue and granted exceptions of no cause and no right of action. She says that the issue went to the Civil District Court and Judge Giarrusso upheld the Commission, which was then brought to the Court of Appeal. She states that the language of the statute was in place before Fair Grounds had a quarter horse meet, so their position is that the accrued money does not apply to the quarter horsemen. She says that the LaHBPA didn't file the lawsuit but a different group of quarter horsemen did. Mr. John Duvieilh, Counsel for the LaHBPA, informs that the Appellate Court is going to hear oral arguments for the case on Monday and they are expecting a decision on the case within 60 days.

Commissioner Wagner asks if the Fair Grounds is abandoning its night racing since they don't have any night post times listed on its application for race dates. Mr. Boulet responds that they have not determined the starlight racing dates yet but will strategize the best Friday nights to pick based on events happening in New Orleans.

2018 QUARTER HORSE MEET

2. LICENSE APPROVALS

a. Approval for 2018 quarter horse race meet:

- 1. 10 year license to own and operate a racetrack, per R.S. 4:158 & R.S. 4:214
- 2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
- 3. To serve as concessionaire

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

a. Approval for 2018 quarter horse race meet:

- 1. Quarter horse racing on the flat
- 2. 10 quarter horse dates (8/16/18 through 9/8/18)
 - August 16,17,18,23,24,25,31
 - September 1,7,8
- 3. Hold a minimum of 9 live quarter horse races daily.
- 4. Daily post time 12:30 PM.

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

a. Approval for wagering format for 2018 quarter horse race meet:

- 1. WPS and Exactas on all races
- 2. Trifectas and Superfectas on all races that qualify
- 3. Rolling Pick 3 beginning on Race 1
- 4. Rolling Daily Double beginning on Race 1
- 5. Up to 2 Pick 4's
- 6. Super Hi-Five on last race
- 7. Pick Five ("Black Gold 5") on last 5 races

Commissioners motion to approve Items #2, #3, and #4; Commissioners second; motion carries.

5. STEWARD

a. Approval of Noble Hay, Jr. to serve as State Steward for 2018 quarter horse meet.

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

2018-2019 THOROUGHBRED MEET

6. LICENSE APPROVALS

a. Approval for 2018-2019 thoroughbred meet:

- 1. For 10 year license to own and operate a racetrack, per R.S. 4:158 & R.S. 4:214
- 2. For 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
- 3. To serve as concessionaire

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

a. Approval for 2018-2019 thoroughbred meet:

- 1. Thoroughbred racing on the flat
- 2. 81 thoroughbred race dates (11/17/18 through 3/31/19)
 - November 17,22,23,24,25,29,30
 - December 1,2,6,7,8,9,13,14,15,16,20,21,22,26,27,28,29,31
 - January 1,4,5,6,10,11,12,13,17,18,19,20,24,25,26,27,28,31
 - February 1,2,7,8,9,10,14,15,16,17,18,21,22,23,24,28
 - March 1,2,3,5,7,8,9,10,14,15,16,17,20,21,22,23,24,27,28,29,30,31
- 3. Hold a minimum of 9 live thoroughbred races daily
- 4. Daily post time 1:00 PM except:
 - November 17, 2018, 3:00 PM post time
 - November 22, 2018, 11:00 AM post time

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

- a. Approval for wagering format for 2018-2019 thoroughbred meet:
 1. WPS and Exactas on all races
 2. Trifectas and Superfectas on all races that qualify
 3. Rolling Pick 3 beginning on Race 1
 4. Rolling Daily Double beginning on Race 1
 5. Up to 2 Pick 4's
 6. Super Hi-Five on last race
 7. Pick Five ("Black Gold 5") on last 5 races

Commissioner Calvert motions to approve Items #6, #7, and #8; Commissioner Guilbeau seconds; motion carries.

D. HARRAH'S BOSSIER CITY INVESTMENT COMPANY, LLC**d/b/a HARRAH'S LOUISIANA DOWNS**

1. **PROGRESS REPORT**, by *Mr. Trent McIntosh, Assistant General Manager*. Mr. McIntosh informs that Louisiana Downs' 46-day 2018 Quarter Horse Meet ended on March 21, 2018 and handle was up 8.5%. He says that they advertised and held a community day for the Mardi Gras Futurity Trials in February. He states that they had to move the food trucks, bounce houses, and putt-putt course indoors due to the weather. He says that the event had a nice turnout, though not as big of a crowd as they hoped, and it became the largest handle day on record for Louisiana Downs for quarter horse racing. He informs that Louisiana Downs' 84-day 2018 Thoroughbred Meet starts on May 5, 2018. He says that they have 850 horses on their grounds right now and expect a little over 1,100 horses. He states that new and old horsemen are showing up to Louisiana Downs who did not come for thoroughbred summer racing last year.

Mr. McIntosh informs that, after reevaluating the 2017 Super Derby and speaking with the LaHBPA, the 2018 Super Derby will return to the dirt track and the purse will be raised back up to \$300,000. He says that Super Derby Day will be on the Sunday, September 2, 2018, to make a niche for the stakes races to avoid the other big stakes across the country that will run that same weekend on Saturday and Labor Day Monday. He states that they will likely get a strong handle from the people watching racing around the country that whole Labor Day Weekend as well as the local community.

Mr. McIntosh informs that Louisiana Downs upgraded its tote board with new LED lights and are in the process of finishing the signage, lettering, and painting prior to the upcoming meet. He says that they added fencing and repaired fences. He states that they are purchasing 600 chairs for racing guests throughout the building, two new \$10,000 lawn mowers, approximately 25 air conditioning units for replacement, a John Deere loader, and a new lift. He informs that, after the Commission requested more information about the glass falling in Louisiana Downs' third level seating area, they reached out to THP, an independent structural engineering group from Cincinnati, Ohio, to get their evaluation of any safety issues or concerns regarding Louisiana Downs' glass support structures. He says that THP concluded that they didn't find any safety concerns but the facility and glass structure are 45 years old. He states that Louisiana Downs will add some cabling to secure all of the glass braces and then have torque tests conducted on the bolts that secure the glass braces. He says that they will also replace all of the sealant around the glass panes.

Commissioner McHalfey asks if Louisiana Downs partnered with the Louisiana Quarter Horse Breeders Association (LQHBA) on marketing for the Mardi Gras Futurity Trials. Mr. McIntosh responds that they did have cooperative marketing in giving LQHBA a suite for the day for their guests and partnered to give a donation to a local group. Commissioner McHalfey asks about marketing for Louisiana Downs' thoroughbred opening day and if anything special is planned. Mr. McIntosh responds that they have planned out TV, radio, and print ads planned. He says that they are 90% booked in Harrah's Club and will have fine dining buffet set up for the Sky Room, which has seating for 350 people. He states that they are bringing in Caesar's Entertainment VIPs from around the country and offering them complimentary seats.

Commissioner McHalfey asks how selling boxes and suites has been since changing their racing schedule from weekends to weekdays. Mr. McIntosh responds that they reduced the prices for boxes and suites and they still sell as many as they did for the prior racing schedule. He says that they have sold 15 of the 18 suites on the fourth level and 6 of the 8 sport suites. He states that they intentionally keep those unsold suites to sell to people who want to rent them for a day.

Commissioner McHalfey asks if the drainage issues have been addressed. Mr. McIntosh responds that they have addressed drainage issues as they have for the past three years, which involves blowing out the lines and keeping their lids and baskets intact. He says that the system is set up to meet EPA requirements and they could use more assistance from the horsemen in keeping the drainage clear.

Commissioner McHalfey asks if the Louisiana Downs sign by the interstate is functional after they cleared the land around it to make it visible. Mr. McIntosh says that he will follow up to make sure that it is functional. Commissioner McHalfey asks if Louisiana Downs has any plans to improve customer service, particularly to avoid being short-handed for big crowds. Mr. McIntosh responds that Louisiana Downs addressed the staffing issue firmly and hasn't had that issue since then. He states that their customer service is measured by customer surveys every week and Louisiana Downs is currently the number one rated service property in the entire company.

Commissioner McHalfey asks if Louisiana Downs is planning to run a long weekend of races as discussed at a prior Commission Meeting. Mr. McIntosh responds that they will have a five-day weekend of races around Super Derby Day.

Commissioner Reine asks if Louisiana Downs' change in racing schedule produced the results they expected. Mr. McIntosh responds that Louisiana Downs has had three meets in a row during which Louisiana Downs' handle went up between 8% and 11.5%.

Commissioner Reine informs that horses were scratched from Louisiana Downs' stakes races 24 hours before the race card and alternates weren't offered the opportunity to participate due to the late scratches, which is terrible for the industry. Mr. McIntosh states that those issues were beyond the properties control and it affected both the horsemen and the track itself in what could have been Louisiana Downs' biggest day of the season.

Commissioner McHalfey asks if the purses are going up with the handle increases. Mr. McIntosh responds that Louisiana Downs gave over \$200,000 more purse money in 2017 than in 2016 and this year's purses are projected to be flat.

2018 THOROUGHBRED MEET

2. REQUEST TO AMEND RACING DATES (R.S. 4:158A) TO OMIT AUGUST 29, 2018 AND ADD SEPTEMBER 2, 2018 (IN BOLD BELOW)

a. Approval for 2018 thoroughbred meet:

1. 84 thoroughbred race dates (5/5/18 through 9/26/18):

May	5,7,8,9,12,14,15,16,19,21,22,23,26,28,29,30
June	2,4,5,6,9,11,12,13,16,18,19,20,23,25,26,27,30
July	2,3,4,7,9,10,11,14,16,17,18,21,23,24,25,28,30,31
August	1,4,6,7,8,11,13,14,15,18,20,21,22,25,27,28, 29
September	1,2,3,4,5,8,10,11,12,15,17,18,19,22,24,25,26

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

3. RACES

a. Approval of first condition book for 2018 thoroughbred meet.

b. Approval of designated races for the 2018 thoroughbred meet:

- 08/04/18 Louisiana Cup Juvenile
- 08/04/18 Louisiana Cup Juvenile Fillies
- 08/04/18 Louisiana Cup Filly and Mare Sprint
- 08/04/18 Louisiana Cup Sprint
- 08/04/18 Louisiana Cup Turf Classic
- 08/04/18 Louisiana Cup Distaff
- 08/04/18 Super Derby Prelude
- 09/02/18 Unbridled
- 09/02/18 River Cities
- 09/02/18 Happy Ticket
- 09/02/18 Sunday Silence
- 09/02/18 Super Derby
- 09/02/18 A.L. "Red" Erwin Sales Graduate
- 09/02/18 Elge Raspberry Sales Graduate

4. STEWARDS, OFFICIALS & MANAGEMENT

a. Approval of officials for 2018 thoroughbred meet:

- Trent McIntosh – Assistant General Manager
- David Heitzmann – Racing Secretary
- Russell Ramstad – Assistant Racing Secretary
- Joseph Peluso – Paddock Judge
- Charles Magee – Association Steward
- Constantin Rieger – Association Steward
- Jimmy Cordell – Starter
- Richard Miguez – Clerk of Scales
- Arnold Mueller - Custodian
- Ronald Ramstad – Placing Judge
- Koleen Karlin – Placing Judge
- Trudy Sistrunk – Placing Judge
- Tammy Peck – Horse Identifier
- Natalie Glyshaw – Program Coordinator/Claims
- Betty Fetters – Clocker
- Melvin Holland – Clocker
- Juan Roman – Outrider
- Laura Hollowoa – Outrider

Commissioner Reine motions to approve Items #3 and #4; Commissioner Shelton seconds; motion carries.

b. **Approval of Roy Wood, Jr. to serve as State Steward for 2018 thoroughbred meet.**

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

II. DISCUSSION

A. AMERICAN QUARTER HORSE ASSOCIATION (AQHA)

1. **Presentation on the issue of Clenbuterol in Quarter Horse Racing by AQHA Chief Racing Officer, Ms. Janet VanBebber.**

Ms. VanBebber thanks the Commission for inviting her to speak. She informs that she trained quarter horses for many years and was the leading trainer in 2009 at every quarter horse meet in Louisiana. She says that she used Clenbuterol regularly in her stable but the issue now is how the compounded products are abused. She states that a side effect of Clenbuterol in race horses is that it builds bone mass and acts like a steroid, so horsemen that look for an unfair advantage will abuse the product by using more of it.

She informs that the AQHA's stance is to make Clenbuterol a prohibited substance for the quarter horse industry because there is a great number of quarter horse men abusing it and the compounded product can't be regulated. She states that they were successful at the Association of Racing Commissioners International (ARCI) convention in 2017 where they list Clenbuterol as a prohibited substance for quarter horses in their model rules, which has also been adopted by many racing jurisdictions.

Ms. VanBebber says that a Louisiana horsemen told her that the state could use more open horses to fill its meets but horsemen from states in which Clenbuterol is prohibited would be at a disadvantage in Louisiana. She states that a hair test will detect Clenbuterol for up to six months after use, so out-of-state horsemen would either have to compete against horsemen who use Clenbuterol while they cannot or they would have to use Clenbuterol and not be able to compete in states that prohibit Clenbuterol.

Ms. VanBebber explains that her handout to the Commissioners shows that Clenbuterol is the most widely recognized abused substance in horse racing. Commissioner Calvert asks what the transitioning process and timetable was for states that banned Clenbuterol. Ms. VanBebber responds that the Commission would have to adopt a rule prohibiting the substance in the Louisiana Rules of Racing and then increase testing to deter horsemen from trying to get by the window of time that they can pass a blood test. She says that six months would be sufficient window to allow the horses to clear the substance from their system.

Chairman Wright states that the issue will require further discussion among the Commission and other interested parties and requests that Ms. VanBebber act as a consultant for these discussions. Ms. VanBebber agrees. Chairman Wright requests that Commissioners who are interested in taking part in a subcommittee to address this issue speak their names. Commissioners Guilbeau, Wagner, Reine, and Bernard volunteer to form the subcommittee. Chairman Wright requests Commissioner Bernard to be the lead in getting meetings and discussions going, staying in touch with Ms. VanBebber, and put together a report about their findings for the entire Commission.

Commissioner Romero asks if Ms. VanBebber has contacted the LaHBPA and local quarter horse men about the Clenbuterol issue. Ms. VanBebber responds that she has had informal conversations with Dr. Larry Finley who serves on the AQHA's racing council, some leading Louisiana horse men, and a key person in the LaHBPA. She says that the consensus from those conversations seem to be that the Louisiana horse men want to make Clenbuterol a prohibited substance for fairness and to avoid problems like Louisiana Downs is currently facing. She informs that Los Alamitos Race Course's equine injury database shows that it had an incident of loss of 3.2 per thousand in 2014 prior to banning Clenbuterol, which decreased to 1.03 per thousand after they adopted zero tolerance to Clenbuterol use. She says banning Clenbuterol will have a significant, positive impact on animal welfare.

Commissioner Cravins states that the quarter horse men he has spoken to seem unanimously in favor of making Clenbuterol a prohibited substance and asks how long it would take to make a rule prohibiting Clenbuterol. Ms. Rhea Loney, Attorney for the LSRC, explains that the rule-making process from when the Commission votes on notice of intent of a rule will take about six months and, if there is no opposition, the draft of rules could be ready for notice of intent as quickly as the next Commission Meeting. Commissioner Cravins states that he and the trainers who he has talked to are concerned that there is no explanation for the recent proliferation in positive test results at Louisiana Downs. Chairman Wright says that the issue will take further evaluation and some time to come to a conclusion.

Commissioner Shelton asks which states allow Clenbuterol and which do not. Ms. VanBebber responds that Louisiana and Texas are the only major quarter horse jurisdictions that allow Clenbuterol. She says that Texas has significantly lowered their Clenbuterol threshold and are moving towards banning it.

Commissioner Reine requests that Dr. Matt Cooley, Equine Director of the LSRC, give his opinion on the Clenbuterol issue. Dr. Cooley informs that Clenbuterol is a very useful drug as a bronchial dilator for a horse that is approved by the FDA. He says that, while he has never previously approved of a zero tolerance policy for any drug during his long career, the abuse of Clenbuterol has convinced him and the horse men who have spoken with him that a zero tolerance policy is the only answer to level the playing field. He says that compounded Clenbuterol can be 70 times the strength of FDA-approved Clenbuterol and that the use of compounded drugs should be eliminated on the racetrack.

Commissioner Reine informs that the trainers were using the same medication protocol that they have had for years but the test changed, which is what caught them. He says that, had the Commission given the horse men notice of the threshold change and given them the opportunity to regulate the medication, the proliferation of Clenbuterol positives might not have happened. He states that he is concerned with the penalization of the horse men for this issue.

Commissioner Reine motions to suspend the \$1,000 fines imposed on the 61 horse men associated with recent the Clenbuterol positives; Commissioner Cravins seconds. Commissioner Calvert states that, per Dr. Cooley's statements and anecdotal reports that compounded Clenbuterol has been used by horse men at Louisiana Downs, he is opposed to the motion. Commissioner Guilbeau informs that, based on a recent Medication Committee conference call, the three concerns in this issue are that trainers

were using compounding-based medication, the horse men were not given notice regarding the refinement or change in Clenbuterol testing, and the detection of Clenbuterol shows that the trainers violated the rule that sets a clear withdrawal time for using Clenbuterol legally. He states that he cannot support any motion to rescind the Stewards' rulings. Commissioner Calvert says that the use of any agent that is not FDA-approved, which includes compounded Clenbuterol, is a violation of the Louisiana Rules of Racing.

Commissioner Reine motions to amend the agenda to add the issue of rescinding the trainer's fines based on recent Clenbuterol positives; Commissioner Cravins seconds; Commissioner Calvert opposes the motion based on the lack of time given to research and fully understand the issue; Commissioner Guilbeau opposes the motion based on not being able to review this issue on a case-by-case basis rather than a broad sweeping motion. Commissioner Reine withdraws the motion based on the absence of the trainers and not being able to discuss their procedures.

Commissioner Cravins says that the Commission should either address this issue today or set a date at which the Commission will address the issue. Commissioner Reine motions to put the discussion of a rule change for the Clenbuterol issue on the agenda for the next Commission Meeting; Commissioner Cravins seconds; motion carries.

III. BREEDER UPDATES

A. LOUISIANA THROUGHbred BREEDERS ASSOCIATION (LTBA)

1. **PROGRESS REPORT**, by *Mr. Roger Heitzmann, Secretary-Treasurer*. Mr. Heitzmann acknowledges the death of Mr. Claude P. Williams, former Executive Director of the LSRC, who was instrumental in Mr. Gardiner's development as a successor. He informs that LTBA is going through its annual legislative audit and will finish the year with a profit rather than a loss for the first time in 8 years. He says that the breeders are reporting an upswing in the number of Louisiana foals. He states that they have spent a lot of time in Baton Rouge to ensure that the LSRC, LTBA, and LQHBA will receive their fair share of State dollars to keep the industry moving in a positive direction.

B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)

1. **PROGRESS REPORT**, by *Mr. Tony Patterson, Executive Director*. Mr. Patterson informs that they ran the Mardi Gras Futurity at Louisiana Downs on March 17, 2018 and had a record purse with a little over \$310,000. He says that they gave away two scholarships and thanks Commissioner McHalfey, Bossier City Mayor Lorenz Walker, and Senator Barrow Peacock for attending. He states that they cooperated with Louisiana Downs to present a \$3,000 donation to Shriners Hospitals for Children of Shreveport. He thanks Mr. Trent McIntosh and Mr. Mike Rich, Senior Vice President and General Manager of Louisiana Downs, for their help with advertising and promotions during the quarter horse meet, which even helped to increase their Facebook presence. He informs that LQHBA held its annual membership meeting and awards banquet in the Event Center at Evangeline Downs, which hosted their largest audience ever at about 360 people. He says that Mr. Ryan Robichaux was elected as the new LQHBA President.

Mr. Patterson informs that the Lassie and Laddie Futurity Trials occurred this past weekend at Delta Downs and the LQHBA and Delta Downs have been collaborating and sharing posts on Facebook, which has been successful. He thanks the Fair Grounds staff for the race days that they granted for their quarter horse meet application.

Commissioner Reine asks if there can be a mechanism put in place to ensure that alternate qualifiers can run in stakes races if the any of the top qualifiers are scratched for positive drug tests. Mr. Patterson responds that, while that is a fair request, the issue with the 2018 Mardi Gras Futurity was that the positive test results didn't come in until a day and a half prior to the race, which was too little time for those possible alternates to be able to run if they could. He says that he will address the issue with the LQHBA Board of Directors to come up with a solution for alternate qualifiers.

Mr. Chatters asks about the resolution to a prior issue in which the 10th qualifying horse was scratched for a stakes race due to a positive drug test and another horse who had the same trial time was not allowed to run in his place due to AQHA rules. Commissioner Reine responds that the LQHBA addressed the rule to ensure that the situation wouldn't happen again. He says that horses scratched due to positive drug test results should be replaced in stakes but a vet-scratched horse is a different issue.

IV. COMMITTEE REPORTS

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

No Report.

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

No Report.

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

Commissioner Guilbeau informs that the existing equine drug testing contract between LSRC and Louisiana State University is up for renewal this summer. He says that the accreditation of the lab will be part of the contract negotiations to ensure that mutual goals will be met in a timely fashion. He requests that Mr. Gardiner keep the Commissioners informed of updates in the negotiations. Mr. Gardiner agrees.

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

No Report.

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

No Report.

F. FINANCE COMMITTEE, by Committee Chairman Louis Reine

No Report.

V. RULES

A. FORMAL ADOPTIONS:

1. Associations' Duties and Obligations

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

§5704. Public Address System [new]

§5706. Barns on Backside of Racetrack [new]

§5707. Fire Prevention Security [amend]

§5709. Housing of Stable Employees [amend]

§5710. Tack Room [new]

§5713. Ambulance [amend]

§5714. Equine Ambulance [new]

§5723. Lighting [amend]

§5724. Rails [new]

§5764. Surface of Race Course [new]

Commissioner Reine motions to approve §5704, §5706, §5707, §5709, §5710, §5713, §5714, §5723, §5724, and §5764 for Formal Adoption; Commissioner Guilbeau seconds; motion carries.

2. Claiming Rule and Engagements

LAC 35: XI Chapter 99 – Claiming Rule

§9905. Timing of Entering Next Claiming Race [amend]

Commissioner Reine motions to approve for Formal Adoption; Commissioner Guilbeau seconds; motion carries.

Mr. Benard Chatters, Executive Director of the LaHBPA, asks when the rule will go into effect. Ms. Rhea Loney, counsel for the LSRC, responds that the rule will go into effect when the Louisiana Register publishes it, which will tentatively be May 20, 2018.

Commissioner Reine asks if the LaHBPA will notify its members of the rule changes. Mr. Chatters responds that they will.

Mr. Chatters informs that the LaHBPA would like the Commission to put a rule in place which would allow a horse that is given an extended period of time off to be entered for the same price that he last ran when it returns to racing. He says that similar rules are in effect in most racing jurisdictions. Ms. Loney responds that the Commission can start discussions after the meeting, ask the Rules Committee to consider the language, and bring the rule up for the next Commission Meeting if it has everyone's support.

3. Claiming Rule and Engagements

LAC 35: XI Chapter 99 – Claiming Rule

§9909. Resale; Movement [amend]

Commissioner Reine motions to approve for Formal Adoption; Commissioner Cravins seconds; motion carries.

4. Jockey Fee Schedule

LAC 46: XLI Chapter 7 – Jockeys and Apprentice Jockeys
§725. Jockey Fee Schedule [amend]

Commissioner Reine motions to approve for Formal Adoption; Commissioner Wagner seconds; motion carries.

VI. OTHER

A. ANNUAL RENEWAL OF TRAINING TRACK APPLICATIONS:

1. Review of applications for training track licenses pursuant to LAC 46: XLI.1903-1907.

Ms. Loney informs that the applications for the Training Center Improvements, Inc., the Training Center at Copper Crowne, LLC, Evangeline Enterprises, LLC, and Folsom Thoroughbred Training Center Owners Association, Inc. have been completed, all information required by the rules is present, and the applications are before the Commission to renew.

a. Benton Training Center (The Training Center Improvements, Inc.)

Commissioner Reine motions to approve the application for license; Commissioners Guilbeau and McHalfey second; motion carries.

b. The Training Center at Copper Crowne, LLC

Commissioner Reine motions to approve the application for license; Commissioner Guilbeau seconds; motion carries.

c. Evangeline Enterprises, LLC

Commissioner Reine motions to approve the application for license; Commissioner Guilbeau seconds; motion carries.

d. Folsom Thoroughbred Training Center Owners Association, Inc.

Commissioner Reine motions to approve the application for license; Commissioner Wagner seconds; motion carries.

A 60-minute luncheon recess is taken.

VII. LICENSE APPROVALS

A. REQUESTS FOR LICENSE APPROVAL (LA. REV. STAT. 4:150(B))

1. Dennis P. Farmer. Seeks license as Exercise Rider. Convicted felon.

Commissioner Guilbeau motions to approve Mr. Farmer for Licensure as Exercise Rider; Commissioners Wagner and Calvert second; motion carries.

2. Shantell M. Parks. Seeks license to work in casino. Convicted felon.

Commissioner Cravins motions to approve Ms. Parks for Licensure; Commissioner Guilbeau seconds; motion carries.

VIII. ADJUDICATIONS

A. VIOLATIONS OF LAC 35:I.1797 (Equine Positive)

1. **Eduardo Ramirez, Trainer.** *(Adjudication Referred/Appealed)*
Ruling#DD22465 of 12/02/17 – *Acepromazine (ARCI Category III)*

Attorney –
Daniel G. Guidry, Esq.

The equine medication positive constitutes violation of terms of 1-year probation period ordered at the 4/24/17 LSRC Meeting.

Commissioner Calvert motions to uphold the Stewards' ruling, redistribute the purse, amend the suspension from 60 days to 120, and deny Mr. Ramirez access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Romero seconds; Commissioner Bernard amends the motion to specify that the 120-day suspension starts on 5/3/18 and ends on 8/30/18; Commissioner Reine seconds; motion carries.

2. **Sarah E. Delany, Trainer.** *(Adjudication Referred)*
Ruling#LD22414 of 09/27/17 – *Clenbuterol (ARCI Category III)*
Ruling#LD22415 of 09/27/17 – *Clenbuterol (ARCI Category III)*

Attorney –
Daniel G. Guidry, Esq.

Ruling #LD22414 and Ruling #LD22415 consolidated for the purposes of hearing and adjudication. The two equine medication positives constitute violation of 1-year probation consented to by Ms. Delany at the 4/24/17 LSRC Meeting.

Commissioner McHalfey motions to uphold Stewards' Ruling LD22414 and Ruling LD22415, fine Ms. Delany \$1,000 per ruling (total fine \$2,000), redistribute the purse, and suspend Ms. Delany for 15 days; Commissioners Reine and Cravins second; Chairman Wright calls for a poll vote in which yea means to vote for the motion and nay means to vote against the motion; Poll Vote: 4-yea; 6-nay; motion fails.

Commissioner Calvert motions to uphold Stewards' Ruling LD22414 and Ruling LD22415, fine Ms. Delany \$1,000 per ruling (total fine \$2,000), redistribute the purse; suspend Ms. Delany for 60 days effective 4/30/18 through 6/28/18 and deny her access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Guilbeau seconds; Chairman Wright calls for a poll vote in which yea means to vote for the motion and nay means to vote against the motion; Poll Vote: 6-yea; 4-nay; motion carries.

- 3. **Joseph M. Foster, Trainer.** *(Adjudication Referred)*
 Ruling#FG22593 of 02/19/18 – *Mepivacaine (ARCI Category II)*
 Attorney –
 Daniel G. Guidry, Esq.

Referral of Ruling FG22593 of Joseph Foster and Appeal of Ruling FG22593 by David Spretz consolidated for the purposes of hearing and adjudication.

Commissioner Reine motions to uphold the Stewards' ruling, fine Mr. Foster \$1,000 total, and redistribute the purse; Commissioner McHalfey seconds; motion carries with opposition from Commissioners Guilbeau and Wagner.

- 4. **David Spretz, Owner.** *(Appeal of Disqualification)*
 Ruling#FG22593 of 02/19/18 – *Disqualification/Redistribution of Purse related to Equine Positive of Joseph M. Foster, Trainer (above case)*

Referral of Ruling FG22593 of Joseph Foster and Appeal of Ruling FG22593 by David Spretz consolidated for the purposes of hearing and adjudication.

Commissioner Reine motions to uphold the Stewards' ruling, fine Mr. Foster \$1,000 total, and redistribute the purse; Commissioner McHalfey seconds; motion carries with opposition from Commissioners Guilbeau and Wagner.

A 5-minute recess is taken.

B. APPEALS OF DISQUALIFICATION

- 1. **Ron Fauchaux, Trainer.**
 Appeal of Stewards' decision to disqualify *Bushido Samurai*, from 1st place to 7th, in the 8th race on February 28, 2018 at Delta Downs.

Commissioner Calvert motions to affirm the Stewards' disqualification of *Bushido Samurai* from 1st to 7th place in the 8th race of 2/28/18 at Delta Downs; Commissioner Wagner seconds; Mr. Gardiner calls for a poll vote in which yea means to affirm the Stewards' disqualification and nay means to reject the motion to affirm; Poll Vote: 3-yea; 7-nay; motion fails.

Commissioner Reine motions to overturn the Stewards' disqualification of *Bushido Samurai* from 1st to 7th place in the 8th race of 2/28/18 at Delta Downs; Commissioner Cravins seconds; Mr. Gardiner calls for a poll vote in which yea means to overturn the Stewards' disqualification and nay means to reject the motion to overturn; Poll Vote: 8-yea; 2-nay; motion carries.

- 2. **Chris R. Rosier, Jockey.**
 Ruling#DD22611 of 03/01/18 – *Failure to Meet Financial Obligation.*

Commissioner Shelton motions to uphold the Stewards' ruling, so that Mr. Rosier's Jockey License is suspended until he pays his financial obligation in the amount of \$3,600.00 to Mr. Donald Simington; Mr. Rosier will be denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Cravins seconds; motion carries

Chairman Wright recommends having the election for the First and Second Vice Chairmen of the LSRC at the next Commission Meeting.

IX. ADJOURNMENT

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



Charles A. Gardiner III
Executive Director