

LOUISIANA STATE RACING COMMISSION
MINUTES – April 23, 2021 Emergency Meeting

As transcribed by Mary Lee DiLeo, Certified Court Reporter

COMMISSIONERS IN ATTENDANCE

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

ABSENT

Donald "Don" Cravins

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Friday, April 23, 2021 at 10:00 AM on the Zoom Conference Call. Roll call was taken; a quorum was present.

I. ASSOCIATION REQUESTS

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

2021 QUARTER HORSE MEET

1. RACES

- a. **Approval** of first condition book for 2021 quarter horse meet.
- b. **Approval** of designated races for 2021 quarter horse meet as provided in Meeting Agenda.

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

2. STEWARDS, OFFICIALS & MANAGEMENT

- a. **Approval** of officials for 2021 quarter horse meet as provided in Meeting Agenda

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

2021-2022 THOROUGHBRED MEET

3. LICENSE APPROVALS

- a. **Approval** for 2021-2022 thoroughbred meet as provided in Meeting Agenda.

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

- a. **Approval** for 2021-2022 thoroughbred meet as provided in Meeting Agenda.

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

- a. Approval** for wagering format for 2021-2022 thoroughbred meet as provided in Meeting Agenda.

Mr. Chris Warren, Director of Racing at Delta Downs, informs that Delta Downs management has agreed to amend its 84-day 2021-2022 Thoroughbred Meet to start one week earlier to include October 13th, 14th, 15th, and 16th of 2021 and to end on March 5, 2022 per their agreement with the Louisiana Horsemen's Benevolent and Protective Association (LaHBPA) and Fair Grounds. Mr. Ed Fenasci, Executive Director of LaHBPA, and Mr. Jason Boulet, Senior Director of Racing of Fair Grounds, confirm their agreement and thank Boyd Gaming for agreeing to these amendments.

Commissioner Reine motions to approve Items #3, #4 as verbally amended by Mr. Warren, and #5; Commissioner Bernard seconds; motion carries.

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

2021 THOROUGHBRED MEET

1. RACES

- a. Approval** of designated races for 2021 thoroughbred meet as provided in Meeting Agenda.

2. STEWARDS, OFFICIALS & MANAGEMENT

- a. Approval** of officials for 2021 thoroughbred meet as provided in Meeting Agenda.

Commissioner Bernard motions to approve Items #1 and #2; Commissioner Reine seconds; motion carries.

2021 QUARTER HORSE MEET

3. LICENSE APPROVALS

- a. Approval** for 2021 quarter horse meet as provided in Meeting Agenda.

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

- a. Approval** for 2021 quarter horse meet as provided in Meeting Agenda.

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

- a. Approval** for wagering format for 2021 quarter horse meet as provided in Meeting Agenda.

Mr. Fenasci requests that the Commission includes the combining of the purse funds for the Fair Grounds and Evangeline Downs 2021 Quarter Horse Meets in order to have a level purse structure over the course of the combined 53-day meet. He also requests that the Commission defer November 2021 slot funds disbursement until the following meet since this meet is running later than usual, which would leave the 2022 race meet one month short of the affected purse money due to statutory requirements.

Mr. Boulet requests for clarification that this combined meet consists of 10 Fair Grounds quarter horse race days and 43 Evangeline Downs quarter horse race days.

Commissioner Reine motions to approve the deferral of slot funds disbursement for one month per Mr. Fenasci's request; Commissioner Bouie seconds; motion carries.

Commissioner Reine requests that the record reflects that Item #4 includes Fair Grounds and Evangeline Downs 53-combined total quarter horse race days rather than the 56 statutorily required race days due to the current state of emergency and force majeure. Dr. Bernard motions to approve Items #3, #4 per force majeure, and #5; Commissioner Reine seconds; motion carries.

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

2021-2022 THOROUGHBRED MEET

1. LICENSE APPROVALS

a. **Approval** for 2021-2022 thoroughbred meet as provided in Meeting Agenda.

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

a. **Approval** for 2021-2022 thoroughbred meet as provided in Meeting Agenda.

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

a. **Approval** for wagering format for 2021-2022 thoroughbred meet as provided in Meeting Agenda.

Mr. Boulet informs that Fair Grounds requests that the Commission consider this a force majeure situation due to the pandemic and the shifted Jazz Fest dates. He asks the Commission to approve their application as shown on the Agenda, with 75 thoroughbred race days rather than the statutorily-required 80 race days.

Mr. Fenasci informs that the LaHBPA is in opposition of the race meet application's 75 thoroughbred race days and the 8 minimum races per day. He states that the LaHBPA wants Fair Grounds to hold the statutorily-required 80 thoroughbred race days and to have a minimum of 9 races per day.

Mr. Boulet states that Jazz Fest has agreed to vacate the grounds by November 1, 2021 and Fair Grounds would immediately begin remediation and repairs to the dirt and turf courses to assure they meet or exceed all safety expectations for training and racing. He says that the horsemen would be permitted to bring their horses on site after November 1, 2021 and the main track should be ready for training to commence on November 22, 2021. He informs that the December 2, 2021 start date would allow horsemen adequate time to prepare their horses and would allow Fair Grounds to ensure the utmost safety of the horses and horsemen for the meet. He states that Delta Downs agreed to cut some of their March 2022 race dates to reduce thoroughbred race date overlap, which will allow Fair Grounds to run nine five-day race weeks with more available in-state horses. He says that the short turn-around time and further possible weather issues may reduce the accessibility of the turf course to Fair Grounds' detriment.

Mr. Fenasci informs that Mr. Boulet previously agreed to run 80 thoroughbred race days at Fair Grounds if they could run until April 3, 2022 and that he wants Fair Grounds to follow through with that agreement. Mr. Doug Shipley, President and General Manager of Fair Grounds, states that if the last race day falls on April 3, 2022, then the horses would not be able to fully move out until April 10, 2022. He says that Jazz Fest would need more time to prepare, which involves taking over half of the barns, for their first day on April 29, 2022. Mr. Fenasci states that six of the last eight Jazz Fests only had 26 days from the end of the thoroughbred meet to the beginning of their shows to prepare and did so successfully.

Commissioner Calvert asks if there are any concessions that the Jazz Fest organizers can make to alleviate this date issue between Fair Grounds and LaHBPA. Mr. Shipley responds that Jazz Fest organizers did move their dates back by a week to April 29, 2022 but is not sure if there could be further concessions.

Commissioner Reine motions to approve an amended Item #2.a.1-3 that changes the requested 75-day race meet to an 80-day race meet as required by statute with Fair Grounds to provide the additional specific five race dates; Commissioner Bouie seconds; motion carries.

Commissioner Bernard motions to approve Items #1 and #3; Commissioner McHalfey seconds; motion carries.

Commissioner Bernard motions to approve Item #2.a.4; Commissioner Cortez seconds; motion does not carry.

Commissioner Reine makes a substitute motion to amend Item #2.a.4 that changes the minimum races per day from 8 to 9 with the caveat that they can run 8 races due to unusual circumstances on a given day with notification to LaHBPA; Commissioners Bouie and Finkelstein second; motion carries with opposition from Commissioner Calvert.

Mr. Fenasci requests that the Commission include the issue of accounting of rent that has been charged to LaHBPA's medical trust by Fair Grounds for the emergency stabling period to the next Commission Meeting Agenda. The Chairman requests that the LaHBPA and Fair Grounds present their information and stances on this issue in writing to the Commission Office so that the Commission can take up the issue at the next Commission Meeting.

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

2021 THOROUGHBRED MEET

1. REQUEST BY HARRAH'S LOUISIANA DOWNS TO AMEND RACING DATES APPROVED ON SEPTEMBER 30, 2020 (R.S. 4:158A) AS PROVIDED IN MEETING AGENDA

Mr. Fenasci informs that this request is an agreement between Louisiana Downs and LaHBPA to adjust the race days in order to accommodate LaHBPA members' requests.

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

2021 THOROUGHBRED MEET

2. RACES

a. Approval of first condition book for 2021 thoroughbred meet.

3. STEWARDS, OFFICIALS & MANAGEMENT

a. Approval of officials for 2021 thoroughbred meet as provided in Meeting Agenda.

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

II. 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.)

Mr. Brett Bonin, Counsel for LSRC, informs that the application for the Training Center Improvements, Inc., has been completed, all information required by the Rules has been submitted, and the application is before the Commission to renew.

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

b. The Training Center at Copper Crowne, LLC

Mr. Bonin informs that the application for the Training Center at Copper Crowne has been completed, all information required by the Rules has been submitted, and the application is before the Commission to renew.

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

c. Folsom Thoroughbred Training Center Owners Association, Inc.

Mr. Bonin informs that the application for Folsom Thoroughbred Training Center Owners Association, Inc. has been completed, all information required by the Rules has been submitted, and the application is before the Commission to renew.

Commissioner Bernard motions to approve the application for license renewal; Commissioner Finkelstein seconds; motion carries.

The Chairman requests for nominations for the Commission's First Vice Chair and Second Vice Chair positions.

Commissioner McHalfey nominates Commissioner Reine for First Vice Chair; Commissioner Finkelstein seconds; there are no other nominations; the Chairman informs that, with no other nominees, Commissioner Reine is the First Vice Chair.

Commissioner Cortez nominates Commissioner Bernard for Second Vice Chair; Commissioner McHalfey seconds; Commissioner Reine motions the nominations to be closed; Commissioner Finkelstein seconds; motion carries. The Chairman informs that, with no other nominees, Commissioner Bernard is the Second Vice Chair.

III. ADJOURNMENT

Commissioners motion to adjourn; Commissioners second; motion carries.

Charles A. Gardiner III
Executive Director