LOUISIANA STATE RACING COMMISSION

MINUTES - April 17, 2023 Meeting

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

COMMISSIONERS IN ATTENDANCE

Benjamin J. Guilbeau, Jr., Chairman Louis Reine, First Vice Chair Dr. Patrick Bernard, Second Vice Chair Lane T. Cortez Donald "Don" Cravins Eddie J. Delahoussaye Mike R. McHalffey

Deano Thornton

ABSENT

Leslie M. Bouie Thomas B. Calvert K. R. "Ron" Finkelstein, O.D. Roy Griggs Ravi K. Sangisetty **APPROVED**

At the Commission Meeting of

(Date)

Executive Director
Louisiana State Racing Commission

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Monday, April 17th, 2023 at 9:00 AM in the Event Center of Delta Downs Racetrack, Casino and Hotel, 2717 Delta Downs Drive, Vinton, Louisiana. Roll call was taken; a quorum was present.

Commissioner Reine motions to approve the meeting minutes from the January 31st, February 14th, and March 18th meetings; Commissioner Bernard seconds; motion carries.

I. ADJUDICATIONS

A. VIOLATIONS OF LAC 35: V.7901 (Careless Riding)

1. Juan P. Vargas, Jockey. (Adjudication Appealed)
Ruling#DD25214 of 02/01/23 - Careless Riding.

Appeal Withdrawn. Mr. Vargas is not present for hearing. Commissioner Reine motions to suspend Mr. Vargas for 7 calendar days from October 4th, 2023 through October 10th, 2023. If he participates in a designated race day not subject to suspension, he shall be required to make up the suspension day on the first race day after the designated day of racing; Commissioner Bernard seconds; motion carries.

2. Brianne Culp, Jockey. (Adjudication Appealed)
Ruling#FG25222 OF 02/05/23 - Careless Riding.

Appeal Withdrawn. Ms. Culp is not present for hearing. Commissioner Reine motions to suspend Ms. Culp for 7 calendar days from November 17th, 2023 through November 23rd, 2023. If she participates in a designated race day not subject to suspension, she shall be required to make up the suspension day on the first race day after the designated day of racing; Commissioner Bernard seconds; motion carries

B. VIOLATION OF LAC 35:I.1791 (Human Drug Positive)

1. Victor M. Urieta, Jr., Jockey. (Adjudication Appealed) Ruling#DD24986 of 07/28/22 - Human Drug Testing (1" offense)

Commissioner Delahoussaye motions to uphold Stewards' ruling; suspend Mr. Urieta for 30 days, effective April 18th, 2023 through May 17th, 2023; he must submit documentation of Louisiana Horsemen's Benevolent and Protective Association (LaHBPA) drug counseling program and a negative drug test in order to be reinstated. Mr. Urieta 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 Cortez seconds; motion carries.

C. VIOLATIONS OF LAC 35:I.1797 (Equine Positives)

1. Erika Huitron, Trainer. (Adjudication Referred) Ruling #DD25060 of 10/05/22.

Ms. Huitron is not present for hearing. Commissioner Reine motions to Accept Plea, uphold Stewards' ruling, amend Ms. Huitron's suspension from 60 days to a 9-month suspension (with credit for time served beginning July 17th, 2022) effective July 17th, 2022 through April 17th, 2023, and redistribute the purse. She will be denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission. Ms. Huitron waives any right to Appeal; Commissioner Bernard seconds; motion carries.

2. Joy I. Marlin, Trainer.

(Adjudication Appealed)

Ruling#LD25040 of 09/03/22 - Theophylline (ARCI Category III)

Attorney - Vanessa Motta, Esq.

Case Continued to next Commission Meeting; no further continuances will be granted.

3. Homar Garza, Trainer.

(Adjudications Referred)

Ruling#ED25063 of 10/06/22 - Zilpaterol (ARCI Category II),

Arsenic (ARCI Category III)

Ruling#ED25064 of 10/06/22 - Zilpaterol (ARCI Category II)

Case Continued to next Commission Meeting; no further continuances will be granted.

4. Gregory J. Tracy, Trainer

(Adjudication Referred)

Ruling#DD25208 of 01/27/23 - Methylprednisolone (ARCI Category IV)

Attorney - Edmond L. Guidry, III, Esq.

Commissioner Cortez motions to uphold Stewards' Rulings DD25208 and DD25251, amend Mr. Tracy's suspension from 6 months to a lifetime ban from licensure, order Mr. Tracy to appear before the Commission in 6 months to reconsider his lifetime ban based on his cooperation with Louisiana State Police, Louisiana Attorney General's Office, and U.S. Attorney's Office investigations, and fine him \$1,000. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; Commissioner Bernard seconds; motion carries.

5. Juan R. Cano, Trainer.

(Adjudication Referred)

Ruling#FG25265 of 03/18/23 - Albuterol (ARCI Category III)

Ruling#FG25266 of 03/18/23 - Albuterol (ARCI Category III)

Attorney - Edmond L. Guidry, III, Esq.

Case Continued to next Commission Meeting.

6. Kenneth L. Roberts, Sr., Trainer. (Adjudication Referred)

Ruling#LD 25274 of 03/08/23- Albuterol (ARCI Category III)

Ruling#LD 25274 of 03/08/23- Albuterol (ARCI Category III)

Ruling#LD 25274 of 03/08/23- Albuterol (ARCI Category III)

Case Continued to next Commission Meeting.

- D. VIOLATION OF LA. REV. STAT. 4:175(E) (Unnatural Stimulation of Horses) & LAC 35:I.1743 (Possession of Drugs, Syringes or Needles)
 - 1. James J. Guillory, Trainer. (Adjudication Referred & Appealed)
 Ruling#DD25216 of 02/02/23 Possession of prohibited drugs, hypodermic needles & syringes

Commissioner Reine motions to uphold Stewards' ruling, amend Mr. Guillory's suspension from 60 days to a 90-day suspension, effective April 18th, 2023 through July 16th, 2023. Denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission.

2. Gregory J. Tracy, Trainer. (Adjudication Referred)
Ruling#DD25251 of 03/01/23 - Possession of prohibited drugs, hypodermic needles & syringes

See Ruling DD25208 Adjudication above.

3. James A. Tracy, Asst. Trainer. (Adjudication Referred & Appealed)
Ruling#DD25250 of 03/01/23 - Possession of prohibited drugs, hypodermic needles & syringes

Mr. Tracy is not present for Hearing. Commissioner Reine motions to uphold Stewards' ruling, amend Mr. Tracy's suspension from 6 months to indefinite suspension starting on April 17th, 2023; Mr. Tracy may request to appear before the Commission to reconsider his indefinite suspension based on his cooperation with Louisiana State Police, Louisiana Attorney General's Office, and U.S. Attorney's Office investigations. He 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.

E. STEWARDS' DECISION NOT TO DISQUALIFY HORSE LAC 35:v.7901 (Right to the Track; Swerve)

1. Sandy Badeaux, Owner

Appeal of Stewards' decision not to disqualify Mexican Wonder Boy in the 2rd race on January 6th, 2023 at Delta Downs.

The Chairman calls for a poll vote. Poll Vote conducted by Mr. Charles Gardiner, Executive Director of LSRC, in which Yea means to uphold the Stewards' decision not to disqualify Mexican Wonder Boy in the 2nd race of 1/6/2023 at Delta Downs and Nay means to reverse the Stewards' decision; 4 – Yea, 4 – Nay; motion does not carry.

Commissioner Reine motions to reconsider and vote again; Commissioner Bernard seconds; Poll Vote conducted by Mr. Charles Gardiner, Executive Director of LSRC, in which Yea means to uphold the Stewards' decision not to disqualify Mexican Wonder Boy in the 2nd race of 1/6/2023 at Delta Downs and Nay means to reverse the Stewards' decision; 6 – Yea, 1 – Nay; motion to uphold the Stewards' decision carries.

II. LICENSE APPROVAL

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

1. Logan H. Cormier, Jockey. Convicted felon.

Commissioner Delahoussaye motions to approve Mr. Cormier for Probational Licensure as Exercise Rider for 3 months, effective May 1st, 2023 through July 31st, 2023. Mr. Cormier must appear before the Commission after his 3-month probational period for reconsideration of his license; Commissioner Cravins seconds; motion carries.

III. 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 2022-2023 Thoroughbred Meet ended on February 28, 2023. He states that total handle is up 4% and the last three race days did over \$2,000,000 each day. He says that Delta Downs' 2023 Quarter Horse Meet starts April 28th. He states that they held schooling races on April 12th and 13th. He informs that they will hold corgi races on April 29th. He says that they are doing a lot of work on the backside, and the racetrack surface continues to be well received.

Commissioner Cravins inquires about the schedule of improvements. Mr. Warren responds that they are progressing but will lose some of their window between meets to complete certain projects due to adding Fair Grounds' quarter horse race dates and potentially starting their thoroughbred meet earlier.

2022-2023 THOROUGHBRED MEET

2. RACING DATE ADDITION

a. Ratification of Amendment to 2022-23 thoroughbred meet to add race date on February 28, 2023 to make up for the races cancelled on February 8, 2023 race date.

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

2023 QUARTER HORSE MEET

3. REQUEST BY BOYD RACING, LLC TO AMEND RACING DATES APPROVED ON AUGUST 23, 2022 (R.S. 4:158A) TO ADD TRANSFERRED RACE DATES FROM FAIR GROUNDS AS PROVIDED IN MEETING AGENDA

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

4. RACES

- a. Approval of first condition book for 2023 quarter horse meet.
- b. Approval of designated races for 2023 quarter horse meet as provided in Meeting Agenda.

5. STEWARDS, OFFICIALS & MANAGEMENT

- a. Approval of officials for 2023 quarter horse meet as provided in Meeting Agenda.
- b. Approval of Tom Davis to serve as state steward for 2023 quarter horse meet.

Commissioner Reine motions to approve Items #4 & #5; Commissioner Bernard seconds; motion carries.

2023-2024 THOROUGHBRED MEET

- 6. LICENSE APPROVALS
 - a. Approval for 2023-2024 thoroughbred meet as provided in Meeting Agenda.
- 7. RACING DATES (R.S. 4:158A) AND POST TIMES
 - a. Approval for 2023-2024 thoroughbred meet as provided in Meeting Agenda.
- 8. WAGERING (LAC 35:XIII.Ch 103-127)
 - a. Approval for wagering format for 2023-2024 thoroughbred meet as provided in Meeting Agenda

Mr. Warren submits amended race dates on behalf of Delta Downs, which moves the meet start to October 4, 2023 and moves the meet end to February 24, 2024. Mr. John Duvieilh, Counsel for LaHBPA, and Mr. Jason Boulet, Director of Racing for Fair Grounds, both agree with the requested amendment on behalf of their organizations.

Commissioner Reine motions to approve Items #6, #7 with Mr. Warren's amendments to race dates, and #8; Commissioner Cravins 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' 61-day 2022 Quarter Horse Meet started on April 7th. He says that handle is up 32%, averaging over \$2,000,000 a night. He states that the dirt course has been well received. He informs that the turf course got rained out opening weekend but that the turf has been holding up well for races otherwise. He gives kudos to Ms. Carol Core, General Manager of Evangeline Downs, for the opening week promotions, which include karaoke, live music in Mojo's, and an Easter Bunny appearance. He states that they will host camel and zebra races on April 22nd.

Commissioner Cravins asks about their progress on infrastructure improvements. Ms. Core responds that all the maintenance and updates are on track and will probably finish half of the projects by end of year. Commissioner Cortez asks if they will charge admission for the exotic racing. Ms. Core responds that they will not. Commissioner Cortez thanks Evangeline Downs for their improvement efforts.

2023 THOROUGHBRED MEET

2. REQUEST BY THE OLD EVANGELINE DOWNS, LLC TO AMEND RACING DATES APPROVED ON AUGUST 23, 2022 (R.S. 4:158A) TO REMOVE 23 RACE DAYS PER AGREEMENT WITH LOUISIANA DOWNS AND LAHBPA AS PROVIDED IN MEETING AGENDA.

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

3. STEWARDS, OFFICIALS & MANAGEMENT

- a. Ratification of officials for 2023 thoroughbred meet as provided in Meeting Agenda.
- b. Ratification of Charles Ashy, Jr. to serve as state steward for 2023 thoroughbred meet.

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

2023 OUARTER HORSE MEET

- 4. LICENSE APPROVALS
 - a. Approval for 2028 quarter horse meet as provided in Meeting Agenda.
- 5. RACING DATES (R.S. 4:158A) AND POST TIMES
 - a. Approval for 2023 quarter horse meet as provided in Meeting Agenda.
- 6. WAGERING (LAC 35:XIII.Ch 103-127)
 - a. Approval for wagering format for 2023 quarter horse meet as provided in Meeting Agenda.

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

Commissioner Reine observes that the quarter horse purses are substantially higher this year, which Mr. Warren agrees with, and attributes mostly to the work of the horsemen and breeders.

C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC d/b/2 FAIR GROUNDS RACE COURSE & SLOTS

1. PROGRESS REPORT, by Mr. Jason Boulet, Senior Director of Racing. Mr. Boulet thanks the LSRC, LaHBPA, and Delta Downs for working with them to reduce thoroughbred race dates overlap. He informs that Fair Grounds' 2022-2023 84-day Thoroughbred Meet, which was the 151st season, ended on March 26th. He states that purses declined from \$30,200,000 last season to \$29,200,000 this past season and that total number of races declined 7.4%, mostly due to turf course issues. He says that 311 Louisiana-bred races were run this year as opposed to 292 the prior year. He informs that starters per race decreased year over year from 7.8 to 7.3, including a decline in Louisiana-bred starters from 8.1 to 7.8. Mr. Boulet emphasizes that Fair Grounds' thoroughbred meet thrives when they don't overlap with Delta Downs. He informs that total handle decreased 19%, from \$253,000,000 last year to \$207,000,000 this year, but on-track handle increased 9%. Mr. Boulet commends their racing office and Racing Secretary, Mr. Scott Jones, for filling races despite turf difficulties. He says that 235 turf races were run last year but only 58 turf races ran this past season, so they are prioritizing soil testing and turf renovations before next season. He states that they are hoping four Fair Grounds stakes race winners get into the Kentucky Derby and three into the Kentucky Oaks.

Commissioner Cravins asks about their progress on infrastructure improvements. Mr. Doug Shipley, President of Fair Grounds, responds that construction started a month ago, with pilings for the two new barns being driven, but that Jazz Fest has stopped them temporarily. He states that the new barns will have to be completed and inspected by the federal government by September 30th to comply with their consent agreement. Commissioner Reine asks about current status of Fair Grounds' Historical Horse Racing (HHR) operations. Mr. Shipley states that HHR has increased purse money but is facing opposition from several interests in the state. Commissioner Delahoussaye asks about reception to the new backside wash stations. Mr. Boulet responds that trainers' feedback has been positive.

2022-2023 THOROUGHBRED MEET

- 2. WAGERING (LAC 35:XIII.Ch 103-127 & La. R.S. 4:166.7)
 - a. Ratification of adding Pick 5 Wager using Pick N Wagering Method Number 4 that includes races from Fair Grounds and Turfway Park and to lower its take-out percentage from 25% to 15% for Louisiana Derby Day on March 25, 2023.

3. RACES

a. Ratification of designated races for the 2022-2023 thoroughbred meet as provided in Meeting Agenda

2023-2024 THOROUGHBRED MEET

- 4. LICENSE APPROVALS
 - a. Approval for 2023-2024 thoroughbred meet as provided in Meeting Agenda.
- 5. RACING DATES (R.S. 4:158A) AND POST TIMES
 - a. Approval for 2023-2024 thoroughbred meet as provided in Meeting Agenda.
- 6. WAGERING (LAC 35:XIII.Ch 103-127)
 - a. Approval for wagering format for 2023-2024 thoroughbred meet as provided in Meeting Agenda.
 - b. Request to lower take-out percentage of Pick 5 and Pick 6 wagering from 25% to 15% per R.S. 4:166.7 for the 2023-2024 thoroughbred meet.

Commissioner Reine motions to approve Items #2, #3, #4, #5, & #6; Commissioner Bernard seconds; motion carries.

D. LOUISIANA DOWNS INVESTMENT COMPANY, LLC d/b/a LOUISIANA DOWNS CASINO & RACETRACK

1. PROGRESS REPORT, by Mr. Matt Crawford, Head of Racing Operations. Mr. Crawford informs that Louisiana Downs' 46-day 2023 Quarter Horse Meet ended April 1st. He states that starters per race was 7.5, which increased from last year. He says that they had 47 claims and ran 329 races, including 137 Louisiana-bred races. He informs that overall handle was down slightly due to changing the racing schedule from Monday through Wednesday to Thursday through Saturday and that live handle was up, primarily due to Saturday races. He states that Louisiana Downs' 84-day 2023 Thoroughbred Meet will start on Kentucky Derby Day, May 6th. He says that they had 2,000 stall requests and allotted 1,535 stalls.

Commissioner Cravins inquires about their progress on infrastructure and backside improvements. Mr. Crawford answers that the manure pick up will be completed over the next couple of weeks and that the grass has been cut, which were the two major

complaints they've received. He states that Louisiana Downs is comfortable with its progress.

Mr. Duvieilh mentions horsemen's photographs being sent in about poor condition of backside and walking paths. Mr. Crawford says that those issues were resolved in the last couple of days. Commissioner McHalffey requests to send an inspector to ensure that Louisiana Downs has completed emptying manure bins every other day, cutting grass around barns and on backside, grooming horse walking paths, and emptying dumpsters on May 1st. The Chairman states that these issues can be discussed at the next Commission Meeting based on reports. Commissioner Cortez requests that all of the horsemen's issues at Louisiana Downs be put in writing. Mr. Duvieilh agrees.

2023 QUARTER HORSE MEET

2. RACES

a. Ratification of first condition book for 2023 quarter horse meet.

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

2023 THOROUGHBRED MEET

3. REQUEST BY LOUISIANA DOWNS INVESTMENT COMPANY, LLC TO AMEND RACING DATES APPROVED ON AUGUST 23, 2022 (R.S. 4:158A) TO REMOVE 23 RACE DAYS AS PROVIDED IN AGENDA.

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

4. EXOTIC WAGERING TAKEOUT (LA. REV. STAT. 4:166.7)

a. Request to lower take-out percentage of Pick 4 and Pick 5 wagering from 25% to 15% per R.S. 4:166.7 for the 2023 thoroughbred meet at Louisiana Downs.

5. RACES

- a. Approval of first condition book for 2023 thoroughbred meet.
- b. Approval of designated races for the 2023 thoroughbred meet as provided in Meeting Agenda

6. STEWARDS, OFFICIALS & MANAGEMENT

a. Approval of officials for 2023 thoroughbred meet as provided in Meeting Agenda.

7. STEWARD

a. Approval of Roy Wood, Jr. to serve as state steward for 2023 thoroughbred meet.

Commissioner Reine motions to approve Items #4, #5, #6, & #7; Commissioner Bernard seconds; motion carries.

IV. BREEDER UPDATES

A. LOUISIANA THOROUGHBRED BREEDERS ASSOCIATION (LTBA)

1. PROGRESS REPORT, by Mr. John Duvieilh, Breeder and LaHBPA Counsel. Mr. Duvieilh informs that the breeders are going to have a sale between the end of September and start of October. He states that, while foal crop is down, the percentage of foals racing is at an all-time high.

B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)

1. PROGRESS REPORT, by Mr. Bruce Salard, Executive Director. Mr. Salard informs that the LQHBA annual meeting will be held on April 22nd at Evangeline Downs' Event Center. He states that the yearling sale will be August 4th and 5th in Kinder, Louisiana, and that he expects between 550 and 575 yearlings to be for sale. He updates that any horse with American Quarter Horse Association (AQHA) papers at Delta Downs' quarter horse meet will be subject to hair testing to be performed by The Industrial Laboratiories in Colorado. He says that he presented their plan to adhere to the \$50,000 hair testing budget to the LSRC Administrative Office.

V. COMMITTEE REPORTS

- A. MEDICATION COMMITTEE, by Committee Chair Patrick Bernard No Report.
- B. RULES COMMITTEE, by Committee Chair Lane T. Cortez

 Commissioner Cortez informs that they will review the verbiage on the claim rule.
- C. LEGAL COMMITTEE, by Committee Chair Thomas B. Calvert No Report.
- D. SECURITY COMMITTEE, by Committee Chair Louis Reine No Report.
- E. RACETRACK/HBPA LIAISON COMMITTEE, by Committee Chair Donald "Don" Cravins No Report.
- F. FINANCE COMMITTEE, by Committee Chair Leslie Bouie No Report.
- G. RACING DAYS COMMITTEE, by Committee Chair Mike R. McHalffey

 Commissioner McHalffey thanks everyone for their efforts to work out the Louisiana

 Downs and Evangeline Downs thoroughbred meets.
- H. INFRASTRUCTURE COMPLIANCE COMMITTEE, by Committee Chair Louis Reine
 Commissioner Reine says that committee met in February and will go through the related
 Infrastructure Plans and Rules for approval below.

VI. 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. Charles Gardiner III, Executive Director of LSRC, informs that Benton Training Center did not submit an application for renewal. Commissioner Reine motions to defer action on Benton Training Center; Commissioner Bernard seconds; motion carries.

b. The Training Center at Copper Crowne, LLC

Commissioner Bernard motions to approve the renewal application for the Training Center at Copper Crowne, LLC; Commissioner McHalffey seconds; motion carries.

c. Folsom Thoroughbred Training Center Owners Association, Inc.

Commissioner Bernard motions to approve the renewal application Folsom Thoroughbred Training Center Owners Association, Inc.; Commissioner McHalffey seconds; motion carries.

d. Louisiana Downs Investment Company, LLC

Commissioner Bernard motions to approve the renewal application Louisiana Downs Investment Company, LLC; Commissioner McHalffey seconds; motion carries.

B. INFRASTRUCTURE PLANS

1. Approval of Infrastructure Compliance Committee's Recommendations from February 24, 2023 and Fair Grounds' Request for Changes to Itemized Requirements for Fair Grounds Plan.

Commissioner Reine motions to amend the plan requirement to allow the Fair Grounds to build their two replacement barns at the same size as before; Commissioner Cortez seconds; motion carries.

Mr. Duvieilh informs that the LaHBPA wants simpler paddock safety maintenance done to include eliminating the hedges, adding an inner rail to protect people in the paddock from horses moving on the track, and repairing a sunken drain that is a tripping hazard. Mr. Boulet states that Fair Grounds is working with LaHBPA to address those paddock issues. Commissioner Reine informs that the item will be left in the plan as is and the two parties will work out the paddock maintenance details.

Commissioner Reine motions to change the due date of the annual report in the Infrastructure Plan and Rules from January 30th to the first LSRC Meeting after the first quarter of the calendar year; Commissioner Thornton seconds; motion carries.

Commissioner Reine states that the information required to be in the Association's quarterly reports by the Infrastructure Plan and Rules is also required by statute, to which Fair Grounds has agreed to comply. He informs that the Infrastructure Plan and Rules reflect that horse move-out details can be changed based on agreement between the Association and the LaHBPA, of which Fair Grounds and LaHBPA are in favor. Commissioner Reine says that the reporting altercations requirement will stay the same to allow for proper due process for individuals.

Mr. Shipley requests on behalf of Fair Grounds that the one human teller per fifty guests requirement be removed due to issues filling job positions and teller machines that have been installed to do that work. Commissioner Reine responds that the Committee recommends leaving that requirement as is and revisiting that item if it

becomes problematic for Fair Grounds. Mr. Shipley agrees to comply as best they can.

Commissioner Reine requests the Commission to create a timeline for associations to report on their progress. The Chairman requests that the associations give progress and plan updates at the next in-person Commission Meeting.

2. Approval of Associations' Submitted Responses to their Infrastructure Plans per Infrastructure Compliance Committee Recommendation.

Commissioner Reine motions to accept the submitted responses from Delta Downs, Evangeline Downs and Louisiana Downs that they will work toward compliance with their Infrastructure Compliance Plans; Commissioners second; motion carries.

C. SPECIAL COUNSEL

1. Approval to designate Paul A. Bonin as Special Counsel to LSRC and enter into a Legal Services Contract.

Commissioner Cravins motions to designate Paul A. Bonin as LSRC Special Counsel; Commissioner Bernard seconds; motion carries.

VII. RULES

A. FORMAL ADOPTION/EMERGENCY ADOPTION EXTENSION:

- LAC 35:III.Chapter 57 Associations' Duties and Obligations as provided in Meeting Agenda.
- 2. LAC 35:XV.Chapter 123 General Rules (for Off-Track Wagering) as provided in Meeting Agenda.

Commissioner Reine, on behalf of the Infrastructure Compliance Committee, recommends approving Formal Adoption and Emergency Adoption of the listed Infrastructure Rules.

Commissioner Reine motions to approve Chapters 57 and 123 for Formal Adoption and Emergency Adoption; Commissioner Bernard seconds; motion carries.

VIII. ADJOURNMENT

Commissioner Cravins motions to adjourn; Commissioner Bernard second; motion carries.

Charles A. Gardiner III Executive Director