LOUISIANA STATE RACING COMMISSION

MINUTES - April 25, 2016 Meeting

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

COMMISSIONERS IN ATTENDANCE

Bob F. Wright, Chairman
Judy W. Wagner, First Vice Chairperson
Thomas B. Calvert
Donald "Don" Cravins
R. Hamilton "Hammy" Davis
K. R. "Ron" Finkelstein, O.D.
Benjamin J. Guilbeau, Jr.
Eric G. Johnson
Mike R. McHalffey
Louis Reine
Kenneth "Kenu" Romero
Deano Thornton
Danny Trahan

APPROVED

At the Commission Meeting of

1114

Executive Director
Louisiana State Racing Commission

ABSENT

None

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by the Chairman on Monday, April 25, 2016 at 9:10 AM in the Riverview Room of the Monteleone Hotel, 214 Royal Street, New Orleans, Louisiana. Roll call was taken; a quorum was present.

The Chairman requests a moment of silence to acknowledge the unfortunate death of former Louisiana Quarter Horse Breeder Association (LQHBA) Executive Director, Mr. Laverne Perry. Mr. Charles Gardiner III, the LSRC Executive Director, introduces the newly appointed commissioners: Commissioner Thomas B. Calvert, Commissioner Donald "Don" Cravins, Dr. K. R. "Ron" Finkelstein, Commissioner Eric G. Johnson, Commissioner Louis Reine, Commissioner Deano Thornton, and Commissioner Danny Trahan. Mr. Gardiner introduces the new State Chemist from the LSU School of Veterinary Medicine, Dr. Levent Dirikolu.

Commissioner Davis motions to approve the meeting minutes from the December 14, 2015 meeting; Commissioner Wagner seconds; motion carries.

I. ASSOCIATION REQUESTS

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

1. PROGRESS REPORT, by Mr. Chris Warren. Mr. Warren informs that Delta Downs' 2015-2016 86-day Thoroughbred Meet finished on Saturday, March 12, 2016. He states that Jackpot Day did not meet earnings expectations and the handle for the meet was down 5%. He says that the new trackman, Aaron "PeeWee" Pelt, is doing a great job with the track surface and the horsemen are happy with it. He informs that Boyd Gaming is expanding with a new hotel they are expecting to be done by October 2016 and remodeled the main restaurant in the bottom floor, Rosewater's. Mr. Warren says that Delta Downs' 2016 46-day Quarter Horse Meet started Friday, April 22, 2016 and almost made \$400,000 in handle of an ing night. He states that the backside is full. He informs that the Jackpot Race winning horse, Exaggerator, went on to win the Santa Anita Derby and is currently the second favorite in the odds to win the Kentucky Derby. He invites the commissioners to visit Delta Downs for a tour of the facility.

2. Discussion of Lighting System at Delta Downs.

Mr. Warren informs that Mr. Steve Kuypers, Vice President and General Manager of Delta Downs, wanted to address the lighting issue today but fell ill. Mr. Warren says that the lighting system has had its issues over the years but those incidents get exaggerated as word spreads. He states that only one out of the 86 race days of the 2015–2016 Thoroughbred Meet was cancelled due to a lighting issue, which was caused by a fuse and transformer box malfunction out of Delta Downs' control. He informs that Sulphur Electric inspected the wiring and changed the light bulbs to make certain that the lights will work properly.

Mr. Warren says that Mr. Kuypers and Mr. Benard Chatters, President of the Louisiana Horsemen's Benevolent & Protective Association (LaHBPA), have discussed the issue and Mr. Kuypers will do everything in his power to make sure that the lights will not cause interference with the horsemen. He recalls that Mr. Kuypers spent a few hundred thousand dollars to get a backup generator for the emergency lighting system's generator a few years ago.

Mr. Chatters informs that Mr. Kuypers promised to get the lights in a proper working order. Mr. Chatters says that the horsemen would prefer an update to a more modern lighting system but looks to the Commission to make certain that Delta Downs handles the lighting issues properly for the good of racing.

Commissioner Cravins asks how long they have had the lighting issue with Delta Downs and if that has prevented races from being run. Mr. Chatters responds that the lighting system has had issues for at least five years and races have been cancelled due to those issues. Mr. Warren informs that, in 2014, the lighting system went out due to issues at a substation out of Delta Downs' control. He says that last lighting issue that Delta Downs directly needed to correct was back in 2012 when they got the backup generator.

Commissioner Cravins asks if the lighting issue ever caused the casino to be closed. Mr. Warren responds that he does not have the expertise to explain that but Delta Downs can provide a response from someone who can.

Commissioner McHalffey asks if Delta Downs has solicited bids to install a modern lighting system. Mr. Warren responds that Mr. Kuypers has mentioned the cost to be over \$3 million to replace it with a state of the art system. Commissioner McHalffey asks if the horsemen are compensated for the costs they incur from cancelled races. Mr. Warren responds that Delta Downs does not compensate the horsemen for those cancelled races and Delta Downs also loses a lot of money when they have to cancel races.

3. REQUEST BY LAHBPA

- a. Discussion of Delta Downs 2016/2017 thoroughbred meet racing dates and post times:
 - 1. Delta Downs has applied for a schedule generally featuring Monday through Thursday with 12:35 PM post time.
 - 2. Delta Downs historically has run a schedule featuring Wednesday through Saturday with 5:40 PM post time.

Mr. Warren informs that Delta Downs has discussed trying the Monday through Thursday day time schedule for the last few years but have decided not to seek that after discussing it with the LaHBPA. He says that day racing always makes more revenue than night racing and Delta Downs makes 95% of its revenue off of simulcasting. He mentions that Houston changed from night races to day races and their handles increased 50%. He informs that the Monday through Thursday schedule may have pulled more ship-in horses from the Fair Grounds to Delta Downs. He states that Delta Downs sent in amended dates to reflect the schedule generally featuring Wednesday through Saturday night racing for approval following their talks with the LaHBPA.

Commissioner Reine asks about Evangeline Downs attempting day racing in the past. Mr. Warren responds that, prior to Boyd Gaming purchasing the property, Evangeline Downs tried to hold day racing for the quarter horse meet, which resulted in significantly less simulcast wagering at Los Alamitos Race Course on Evangeline Downs' races, one of its major sources of handle. He informs that the Monday through Thursday daytime race schedule would have changed back if unsuccessful but didn't have enough backing to try.

Commissioner McHalffey asks if the Commission wants to get Delta Downs to request more bids for updating the lighting system. Chairman Wright says he doesn't think that is necessary yet and asks how many lighting system fuses there are on the track. Mr. Warren responds that there are transformers around the track with those fuses. Chairman Wright requests a written response from the expert involved in maintaining and repairing Delta Downs' lighting system.

The motions for Delta Downs' 2016/2017 Thoroughbred Meet approvals occurred here (See Section "I. ASSOCIATION REQUESTS – A. BOYD RACING – 6. LICENSE APPROVALS, 7. RACING DATES, and 8. WAGERING).

2016 QUARTER HORSE MEET

4. RACES

- a. Ratification of first condition book for 2016 quarter horse meet.
- b. Ratification of designated races for 2016 quarter horse meet:

4/22/16 John Alleman Memorial (RG III) 4/22/16 The Old South Derby Trails The Old South Futurity Trails 4/23/16 4/23/16 Delta Dash 4/29/16 Lassie Futurity Trials (RG II) 4/30/16 Laddie Futurity Trials (RG II) 5/6/16 Louisiana Purchase 5/7/16 Mother's Day 5/13/16 The Old South Derby 5/14/16 The Old South Futurity 5/14/16 Vinton 5/20/16 Lassie Futurity (RG II) 5/21/16 Laddie Futurity (RG II) 5/21/16 Delta 550 Championship (G III) 5/28/16 Develop a Plan (G III) Alabama Futurity Trials 6/3/16 6/3/16 Virgil Bond

| 6/4/16 | Vals Fortune (RG II) |
|---------|------------------------------------|
| 6/10/16 | Firecracker Derby Trials |
| 6/11/16 | Firecracker Futurity Trials (G II) |
| 6/17/16 | Delta Downs Derby Trails (RG III) |
| 6/18/16 | Lee Berwick Futurity Trials (RG I) |
| 6/24/16 | Alabama Futurity |
| 6/25/16 | Miss Polly Classic (G III) |
| 6/30/16 | Par-A-Dice Stake |
| 7/1/16 | Firecracker Derby |
| 7/2/16 | Firecracker Futurity (G II) |
| 7/9/16 | Louisiana Juvenile |
| 7/9/16 | Louisiana Starter |
| 7/9/16 | Live Oak |
| 7/9/16 | Flashy Hemp |
| 7/9/16 | Louisiana Classic (RG II) |
| 7/9/16 | Flying Breed Stakes |
| 7/9/16 | Delta Downs Derby (RG III) |
| 7/9/16 | Lee Berwick Futurity (RG I) |
| | |

Commissioners motion to approve; Commissioners second; motion carries.

5. STEWARDS, OFFICIALS & MANAGEMENT

a. Ratification of officials for 2016 quarter horse meet (4/22/16 - 7/9/16):

Chris Warren - Director of Racing

Matthew Crawford – Racing Secretary

Mohamed Alikhan - Asst. Racing Secretary/Stakes Coordinator

Steve Ruff and Galen Boutte – Association Stewards

Duane Domingue - Paddock Judge/Alternate Association Steward

Mark Gilbert, Jeff Jerman, & Michael Phillips - Outriders

Aaron Pelt - Trackman Supervisor

Dennis Schmidt - Starter

Michael Bennett - Clerk of Scales

Oscar Lopez - Head Clocker

Susan Berard - Horse Identifier

Tami Meyers – Stall Superintendent

Mayo Newhouse – Jocks Room Custodian/Assistant Clerk of Scales

Steve Nick, Phillip Walker, Charles Sonnier & *Cindy Eurich – Placing

Judges/Racing Office Staff

*new official

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

2016/2017 THOROUGHBRED MEET

6. LICENSE APPROVALS

- **a. Approval** for 2016-2017 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 2016-2017 thoroughbred meet:
 - 1. Thoroughbred racing on the flat
 - 2. 84 thoroughbred race dates (10/17/16 through 3/9/17)

October 17,18,19,20,24,25,26,27,31

November 1,2,3,7,8,9,10,15,16,17,18,19,21,22,23,28,29,30

December 1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29
January 2,3,4,5,9,10,11,12,16,17,18,19,23,24,25,26,30,81
February -1,2,8,9,10,11,13,14,15,16,20,21,22,23,27,28
March 1,2,6,7,8,9

- 3. Hold minimum of 9 live thoroughbred races daily Monday through Thursday with the exception of live racing on Friday & Saturday, November 18 & 19, 2016, and on Friday & Saturday, February 10 & 11, 2017
- 4. Dark no live racing on Monday, November 14, 2016, on Thanksgiving Day, Thursday, November 24, 2016 and on Monday & Tuesday, February 6 & 7, 2017
- 5. Daily post time 12:35 PM except for Jackpot Day (Saturday, November 19, 2016), 12:05 PM post time.

AMENDED

- 7. RACING DATES (R.S. 4:158A) AND POST TIMES
 - a. Approval for 2016-2017 thoroughbred meet:
 - 1. Thoroughbred racing on the flat
 - 2. 84 thoroughbred race dates (10/19/16 through 3/11/17)
 October 19,20,21,22,26,27,28,29
 November 2,3,4,5,9,10,11,12,16,17,18,19,22,23,25,26,30
 December 1,2,3,7,8,9,10,14,15,16,17,20,21,22,23,28,29,30,31
 January 4,5,6,7,11,12,13,14,18,19,20,21,25,26,27,28

February 1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25 March 1,2,3,4,8,9,10,11

- 3. Hold minimum of 9 live thoroughbred races daily Wednesday through Saturday with the exception of live racing on Tuesday, November 22, 2016 and Tuesday December 20, 2016
- 4. Dark no live racing on on Thanksgiving Day, Thursday, November 24, 2016 and on Christmas Eve, Saturday, December 24, 2016
- 5. Daily post time 5:40 PM except for Jackpot Day (Saturday, November 19, 2016), 1:15 PM post time.

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

- 8. WAGERING (LAC 35:XIII.Ch 103-127)
 - a. Approval for wagering format for 2016-2017 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 2 thru last race
 - 5. 50¢ Pick 4 on first 4 & last 4 races
 - 6. 50¢ Pick 5 on last 5 races
 - 7. 50¢ Super Hi-Five on designated races
 - 8. \$1 Rolling Daily Double on first through last races

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

B. THE OLD EVANGELINE DOWNS, LLC

d/b/a EVANGELINE DOWNS RACETRACK & CASINO

1. PROGRESS REPORT, by Mr. Chris Warren. Mr. Warren introduces the new Vice President and General Manager of Evangeline Downs, Ashby Pettigrew. Commissioner

Cravins requests information about how much of Evangeline Downs spends on casino advertisements in comparison to racetrack advertisements. Mr. Pettigrew responds that he will get the information but that all of their advertising involves the racetrack. Commissioner Cravins says that the only advertisement he sees for the racing aspect is when the promotions acknowledge that the business is "Evangeline Downs Racetrack, Casino, and Hotel" without focusing any advertisements specifically on racing. Mr. Pettigrew says that Evangeline Downs has a double-stack billboard on the Interstate 49 that specifically advertises thoroughbreds. Commissioner Davis asks about the layoffs that occurred at Evangeline Downs. Mr. Pettigrew responds that the layoffs didn't involve anyone on the racing side of the business but were needed adjustments made to staffing on the casino side.

Commissioner Cravins asks about the \$5 million Evangeline Downs spent on a restaurant and lounge according to a recent Boyd Gaming news release. Mr. Pettigrew says that they are nice, new amenities but can't speak towards the stated cost. Commissioner Cravins says that he hasn't seen any mention of whether business has picked up and if the people who were laid off would be considered for rehire. Commissioner Cravins states that he wants to see more community involvement from Evangeline Downs. Mr. Pettigrew responds that he is from the community and will ensure that Evangeline Downs will be involved with the community.

Commissioner Reine asks if there has been any conversations or plans to hold other events to draw new fans to the racetrack. Mr. Pettigrew responds that Evangeline Downs held a Mixed Martial Arts show in the event center that drew strong attendance from a different crowd. Commissioner Romero asks why Evangeline Downs discontinued the buffet in the clubhouse. Mr. Pettigrew responds that there is an à la carte menu that is always available and the buffet will be there when the biggest races occur.

Mr. Warren informs that Delta Downs and Evangeline Downs advertise racing a lot on Dave Johnson's XM radio show. He says that Evangeline Downs had radio, billboard, and magazine promotions for racing throughout the area. He says Boyd Gaming has a player's card program with incentives for major players to return. He informs that Evangeline Downs' 2016 84-day Thoroughbred Meet started on Wednesday, April 6, 2016 and one race day has been cancelled so far, which was due to bad weather. He says that the riders felt that there was too much water from the rain on the track to race safely and Boyd Gaming would not force races if a safety issue is involved. He informs that the handle is up a little over 3.5%, so far. He says that Evangeline Downs spent \$250,000 on two new starting gates and \$150,000 to get new walkers for the backside. He states that Evangeline Downs will upgrade the backside over a three-year period and have all new horse walkers for the horsemen. He says that the track has been resurfaced again as it was last year and their trackman Randall Leger has been praised by the horsemen. He informs that Evangeline Downs got a new vendor come in and top dress the turf course after recommending changes and another vendor applied pesticide and fertilizer to the course.

2. REQUEST BY LAHBPA

a. Update of adding stalls at Evangeline Downs.

Mr. Warren informs that Evangeline Downs officials met with Ted Bogich, Executive Vice President of Operations at Boyd Gaming, to get adding stalls on the corporate budget agenda. He says that a construction consultant came to Evangeline Downs

during the past weekend to create an architectural layout to start looking for bids. He states that the plan is to add at least 80 stalls to either the receiving barn or other barns to alleviate the load on the backside by next year's thoroughbred meet. He says that having Evangeline Training Center and the Training Center at Copper Crowne within 15 minutes of the track has helped alleviate the issue. Commissioner McHalffey asks how much the rent is for the stalls at Evangeline Training Center. Mr. Warren responds that Mr. A. J. Credeur, General Manager of Evangeline Training Center, is here for license renewal and can answer that.

John Duvieilh, Attorney for the LaHBPA, informs that, about two and a half years ago, the owners of Evangeline Downs prior to Boyd Gaming agreed to finish the turf course in lieu of adding barns with an adequate number of stalls. He says that he met with Larry Munster, the LSRC Assistant Executive Director, and looked at blueprints to see where the additional barns should go. He informs that the LaHBPA had a meeting with Evangeline Downs representatives, Mr. Gardiner, and Commissioner Wagner to discuss the same issue but has not received a firm commitment about adding stalls.

Mr. Duvieilh says that the LaHBPA is concerned that, after the recent sale of the front of the property, the Evangeline Training Center may not stay in business, which would leave the horsemen with no place to go. He states that the horsemen are burdened by the \$7 per day rental rate they have to pay five months in advance for their horses to run at Evangeline Downs. Further, he says that EBITDA for Boyd Gaming in 2015 shows profits of \$45 million at Delta Downs and \$20 million at Evangeline Downs.

Chairman Wright asks what kind of commitment would satisfy the LaHBPA. Mr. Chatters responds that the LaHBPA wants a minimum of 1,400 stalls and an adequate receiving barn at Evangeline Downs. Mr. Warren informs that Boyd Gaming is looking to make a commitment for additional stalls between late-June to mid-July. Mr. Chatters says that the current verbal agreement is only for an 80-stall receiving barn to free up one barn with 44 stalls and another barn with 56 stalls. Chairman Wright requests that Chris Warren and the LaHBPA meet now to discuss a time-frame for Boyd Gaming to make a firm commitment or lack of commitment for building stalls and return later on in the meeting to discuss it with the Commission.

Mr. Duvieilh informs that the LaHBPA would like to address that Evangeline Downs took the TV sets that showed live racing out of the casino and took the odds board out of the Paddock area. Mr. Warren responds that Evangeline Downs is having some renovation work done and the TVs showing live racing will be put back. He informs that the new restaurant, The Spotted Horse, has TVs that show live racing.

Commissioner Reine asks how many stalls are at Evangeline Training Center and has Evangeline Downs tried to make arrangements with the training track to provide stalls for the horsemen. Mr. Credeur responds that the training track has 1,260 stalls. Mr. Warren states that Evangeline Downs discussed an arrangement with Mr. Credeur but no deal was made. Mr. Credeur says that he gave Evangeline Downs a price for an arrangement but didn't receive a response back. Commissioner Cravins says that Boyd Gaming committing to build only 80 stalls is a grossly inadequate tactic to stall building a more adequate number of stalls. He informs that he has been hearing the frustrations of horsemen in his area about the lack of stalls because he was instrumental in getting Evangeline Downs' facility in Opelousas.

Commissioner Wagner motions to require Boyd Gaming to formally respond to the Commission no later than June 30, 2016 with a firm plan for the Evangeline Downs stall situation and for the Commission to address Boyd Gaming's response at the next Commission Meeting to make a final decision on the resolution by the end of August 2016. Commissioner Romero seconds; motion carries.

(See Section "III. OTHER – A. Annual Renewal of Training Track Applications" on page 16 for further discussion of adding stalls.)

2016 THOROUGHBRED MEET

3. RACES

- a. Ratification of first condition book for 2016 thoroughbred meet.
- b. Ratification of designated races for 2016 thoroughbred meet:

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6/4/16
          Evangeline Mile
7/2/16
          Louisiana Legends Sprint
7/2/16
          Louisiana Legends Mademoiselle
7/2/16
          Louisiana Legends Classic
7/2/16
          Louisiana Legends Distaff
7/2/16
          Louisiana Legends Cheval
7/2/16
          Louisiana Legends Soiree
7/2/16
          Louisiana Legends Turf
7/16/16
          D.S. "Shine Young Futurity" - Colts & Geldings
7/16/16
          D.S. "Shine Young Futurity" - Fillies
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Commissioners motion to approve; Commissioners second; motion carries.

4. STEWARDS, OFFICIALS & MANAGEMENT

a. Ratification of officials for 2016 thoroughbred meet:

Chris Warren - Director of Racing Operations

Corey Veazey - Racing Secretary

Ashley Simon - Assistant Racing Secretary/Stakes Coordinator

Frank Rudis - Association Steward

Jeffrey Williams - Association Steward

Julie Gipson – Identifier

*Traci Vickers – Paddock Judge

Julie Pizzitola - Placing Judge

*Vince Cline - Clerk of Scales

A.C. Moss – Jockey Room Custodian

Sandra Calais - Claims Clerk/Alternate Placing Judge

Mariah Quebedeaux – Placing Judge

Miranda Quebedeaux – Placing Judge

Brett Poole - Clocker

Russell Comeaux - Starter

Jacob Deville - Outrider

Kenneth Gipson - Outrider

*Ned Goutierrez - Stall Superintendent

Randall Leger – Track Superintendent

*new official

Commissioners Cravins and McHalffey motion to approve; Commissioner Wagner seconds; motion carries.

b. Ratification of Brook Hawkins to serve as State Steward for 2016 thoroughbred meet.

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

2016 QUARTER HORSE MEET

5. LICENSE APPROVALS

- a. Approval for 2016 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

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

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

- a. Approval for 2016 quarter horse meet:
 - 1. Quarter horse racing on the flat
 - 2. 46 quarter horse dates (9/28/16 through 12/17/16)

September 28,29,30

October 1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29

November 2,3,4,5,9,10,11,12,16,17,18,19,25,26,30

December 1,2,3,7,8,9,10,14,15,16,17

- 3. Hold minimum of 9 live quarter horse races daily (Wednesday through Saturday)
- 4. Daily post time 5:35 PM

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

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

- a. Approval for wagering format for 2016 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
 - 8. Super Hi-Five on Race 5 nightly

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

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

1. PROGRESS REPORT, by Mr. Tim Bryant. Mr. Bryant informs that Fair Grounds' 2015-2016 81-day Thoroughbred Meet ended on Easter Sunday, March 27, 2016 after a successful Louisiana Derby the prior day. He says that the handle was up 0.5% despite one race day cancellation in the meet. He states that the races ran on the turf course 74% of the time for a total of 229 races whereas last year 78% of the races were run on turf. He informs that Fair Grounds easily filled its 1,829 stalls and an 80-stall ship-in

barn this meet. He says that Fair Grounds had 8.3 starters per race and three horses that will compete in the Kentucky Derby. He states that the trackman Pedro Zavala has done a great job and they have received compliments about the dirt and turf tracks.

Chairman Wright asks what Churchill Downs corporate thinks about the Fair Grounds' new improvements. Mr. Bryant answers that the Churchill Downs Incorporated's CEO and COO, Bill Carstanjen and Bill Mudd, and Mike Ziegler, Executive Director of Racing, all came down with Board Member Richard Duchossois for the Louisiana Derby and had a great experience with compliments to the facility. He says that the backside looks good and they will continue to make investments in it.

Commissioner Davis asks how much would the cancelled day have added to their handle over the previous year. Mr. Bryant responds that there are too many factors for handle comparison from year to year. He says that New York OTBs didn't take Fair Grounds races until the last day of this meet and maybe also Louisiana Derby Day. He states that MidAtlantic Cooperative didn't show Stronach Group tracks last year, which boosted Fair Grounds' handle. He says that some of that wagering went back to the Stronach tracks when MidAtlantic took them back this year. He states that the extra day likely would have raised the handle 1.5% to 2%, which is the overall industry trend.

Commissioner Romero asks what condition the stalls are in and if Fair Grounds has any plans for improvement of the backside. Mr. Bryant responds that the Fair Grounds has been approved for over \$900,000 in capital improvements, which will include painting and fixing up the dorm and four or five barns.

2016 OUARTER HORSE MEET

2. LICENSE APPROVALS

- a. Approval for 2016 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 2016 quarter horse race meet:
 - 1. Quarter horse racing on the flat
 - 2. 10 quarter horse dates (8/17/16 through 9/3/16)

August 17,18,19,20,25,26,27

September 1,2,3

- 3. Hold a minimum of 9 live quarter horse races daily.
- 4. Daily post time 12:30 PM except:

August 20 & 27, 2016, 3:00 PM post time

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

- a. Approval for wagering format for 2016 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

Commissioner Wagner motions to approve Section C – Fair Grounds Race Course & Slots: Items #2, #3, and #4; Commissioner Guilbeau seconds; motion carries.

5. STEWARD

a. Approval of Noble Hay, Jr. to serve as State Steward for 2016 quarter horse meet.

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

2016/2017 THOROUGHBRED MEET

6. LICENSE APPROVALS

- a. Approval for 2016-2017 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 2016-2017 thoroughbred meet:
 - 1. Thoroughbred racing on the flat
 - 2. 82 thoroughbred race dates (11/19/16 through 4/2/17)

November 19,20,24,25,26,27

December 1,2,3,4,8,9,10,11,15,16,17,18,22,23,26,29,30,31

January 1,2,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29

February 2,3,4,5,9,10,11,12,16,17,18,19,23,24,25,26,27,28

March 2,3,4,5,9,10,11,12,16,17,18,19,20,23,24,25,26,27,30,31

April 1,2

- 3. Hold a minimum of 9 live thoroughbred races daily
- 4. Daily post time 1:25 PM except:

November 19, 2016, 3:00 PM post time

November 24, 2016, 11:00 AM post time

December 10, 2016, January 21, 2017, February 25 & 28, 2017, April 1, 2017,

12:30 PM post time

TBD, 5:00 PM post time.

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

- a. Approval for wagering format for 2016-2017 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 Wagner motions to approve Section C – Fair Grounds Race Course & Slots: Items #6, #7, and #8; Commissioner Romero 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. Mr. McIntosh informs that Louisiana Downs' 2016 46-day Quarter Horse Meet ended on Wednesday, March 23, 2016. He recognizes Mr. Chatters and the LaHBPA for helping to evacuate 850 horses out of Louisiana Downs during the flooding event that led to six cancelled race days during the meet from Saturday March 12, 2016 through Saturday, March 19, 2016. He states that, with Mr. Gardiner, Commissioner McHalffey, and Mr. Chatters, Louisiana Downs reopened the track for racing from Sunday, March 20, 2016 to Wednesday, March 28, 2016, during which the purses were doubled and horses affected by the cancelled races

were given preference to enter those races. He informs that those four days were the largest handle days of the meet, had the largest field sizes, and featured 10 to 11 races per day.

Mr. McIntosh informs that Louisiana Downs' 2016 84-day Thoroughbred Meet starts on Saturday, May 7, 2016 and there are about 1,000 horses in the barn area. He says that they will run seven races a day and are already booking events. He states that they have taken a list of the top players at Horseshoe Casino and give them access to VIP room at Louisiana Downs on key racing days, including the Kentucky Derby. He informs that, in order to create excitement, Louisiana Downs has planned two all-turf days this year and built a partnership with Twinspires and TVG based on those two days. He says that they are planning a special event with some book signings that should attract the local community. He states that Louisiana Downs has its stake races on Louisiana Cup Day in August and Super Derby Day in September.

Commissioner McHalffey asks if Louisiana Downs has any plans for media marketing. Mr. McIntosh responds that there will be a week-and-a-half worth of radio advertising leading up to opening day and a local billboard advertisement for racing specifically. He informs that they have a dinner once a month for their "Top 74," which are their best racing players. He says that they implemented Caesars Entertainment's Total Rewards for racing, which gives players a credit for every \$5 they play on racing bets. He states that additional discount rewards programs include free program forms based on when players place certain amounts of money on bets. Mr. McIntosh informs that Louisiana Downs has a mailing program called the Race Bettor that goes out monthly to 8,000 racing players to entice them to visit.

Commissioner McHalffey asks if Louisiana Downs uses other events like MMA to draw people into the facility. Mr. McIntosh responds that they have in the past but don't have current plans for a similar event. Commissioner McHalffey asks if there will be more marketing money available this year than last. Mr. McIntosh responds that, since January 15, 2015 when the bankruptcy occurred, Louisiana Downs paid its vendors and ran business as usual. He says that the bankruptcy didn't cause a drop or free up additional money for their advertising budget. Commissioner McHalffey asks if switching Sunday race days to Wednesdays was a success in terms of handle. Mr. McIntosh responds that Wednesday has become the best handle day of each week with likely more than double the Sunday handles thanks to better off-track betting.

Commissioner McHalffey asks if Louisiana Downs has any plans for upgrades. Mr. McIntosh responds that they will get general repair and maintenance done and have replaced a loader in the past two weeks for \$150,000. He says that Louisiana Downs has 1,600 stalls and only about 1,100 horses expected. Commissioner McHalffey asks if the tote board will be fixed to show all of the win, place, and show pool numbers to bettors. Mr. McIntosh responds that they are not planning on it and made the decision to leave those numbers out when they rebuilt the tote board because they felt they were not worth the cost. Commissioner McHalffey says that he hears complaints about it every day. Commissioner Wagner says that players feel the pool calculations are important for clarification on winnings.

Commissioner Wagner asks about Louisiana Downs' promotions and presence on Twinspires and TVG. Mr. McIntosh responds that Louisiana Downs ran a promotion on Twinspires adding a 10% bonus to the Pick 4 daily, which helped to grow their handle. He says that Louisiana Downs will spend more money this year to run three

promotions at one time on Twinspires, including the Pick 4 promotion and a 20 times multiplier on Wednesdays.

Commissioner Romero asks if Louisiana Downs' drainage is sufficient for daily operations and if any improvements are being planned. Mr. McIntosh responds that Louisiana Downs got 1.0 to 1.5 feet of water that ran along the levy and the roads during the recent flood event but the water didn't reach the barns. He says that the wash racks wash off into drainage pipes at each barn and they need continuous assistance from the horsemen to not let their clothes and other materials clog the pipes. He states that Louisiana Downs gets vendors to blow out the pipes as needed.

Commissioner Romero asks if Louisiana Downs' unoccupied stalls and barns are in good shape for the horsemen to use. Mr. McIntosh responds that they run into situations in which people steal lumber from the empty barns, which would be helped by getting horsemen occupants. He says that, two years ago, Louisiana Downs paid for shipping for an entire month to get as many horses that would come from Evangeline Downs and Evangeline Training Center but Louisiana Downs' limited purses were not enticing enough. Commissioner McHalffey asks if the purse structure will be the same as last year and if Louisiana Downs will run more than seven races a day. Mr. McIntosh responds that the purse structure will start off the same as last year but increases will depend on how the meet goes. He says there could be more than seven races if there are extra purse dollars and if the races are being filled.

2016 QUARTER HORSE MEET

2. RACES

- a. Ratification of first condition book for 2016 quarter horse meet.
- b. Ratification of designated races for 2016 quarter horse meet.

1/9/16 Harrah's Dash 1/9/16

Marathon

1/16/16 Billy Montgomery

1/30/16 Swift

1/30/16 Party Girl

2/6/16 Magnolia

2/27/16 Louisiana Downs Maiden Stakes

2/27/16 Mr. Jess Perry

3/12/16 Mardi Gras Futurity

3/12/16 Mardi Gras Derby

3/19/16 Streakin La Jolla

3/23/16 Harrah's Futurity

TRIAL DATES

2/6/16 Louisiana Downs Maiden Stakes Trails

2/20/16 Mardi Gras Futurity Trials

2/21/16 Mardi Gras Derby Trials

Harrah's Futurity Trials 3/1/16

3. STEWARDS, OFFICIALS & MANAGEMENT

a. Ratification of amended officials for 2016 quarter horse meet:

Trent McIntosh – Director of Operations

Charles Magee - Association Steward

William Coleman – Association Steward

Judy Dugas - Alternate Association Steward

David Heitzmann - Racing Secretary

Tammy Peck - Assistant Racing Secretary/Paddock Judge

*Trudy Sistrunk – Placing Judge

Koleen Karlin – Placing Judge

Jeffrey Williams - Placing Judge

Julie Gipson - Identifier

Jennifer Sokol - Program Coordinator/Claims

Jimmy Cordell - Starter

Richard Miguez – Clerk of Scales

Terry Brown - Custodian

Betty Fetters – Clocker

Melvin Holland - Clocker

Laura Hollowoa - Outrider

Juan Roman - Outrider

*new official

2016 THOROUGHBRED MEET

4. RACES

- a. Approval of first condition book for 2016 thoroughbred meet.
- b. Approval of designated races for the 2016 thoroughbred meet:
 - 8/6/16 Louisiana Cup Juvenile
 - 8/6/16 Louisiana Cup Juvenile Fillies
 - 8/6/16 Louisiana Cup Filly & Mare Sprint
 - 8/6/16 Louisiana Cup Sprint
 - 8/6/16 Louisiana Cup Turf Classic
 - 8/6/16 Louisiana Cup Distaff
 - 8/6/16 Super Derby Prelude
 - 9/10/16 Unbridled
 - 9/10/16 River Cities
 - 9/10/16 Happy Ticket
 - 9/10/16 Sunday Silence
 - 9/10/16 Super Derby (G III)
 - 9/24/16 A.L. "Red" Erwin
 - 9/24/16 Elge Rasberry

5. STEWARDS, OFFICIALS & MANAGEMENT

a. Approval of officials for 2016 thoroughbred meet:

Trent McIntosh – Director of Operations

David Heitzmann – Racing Secretary

Russell Ramstad – Assistant Racing Secretary

William Coleman - Association Steward

Charles Magee – 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

Joseph Peluso - Paddock Judge

Tammy Peck – Horse Identifier

Jennifer Sokol – Program Coordinator/Claims

Betty Fetters - Clocker

Melvin Holland – Clocker

Laura Hollowoa - Outrider

Juan Roman – Outrider

b. Approval of Roy Wood, Jr. to serve as State Steward for 2016 thoroughbred meet.

Commissioner Reine motions to approve Section D - Harrah's Louisiana Downs: Items #2, #3, #4, and #5 in globo; Commissioner McHalffey seconds; motion carries.

A fifteen minute recess is taken.

II. COMMITTEE REPORTS

Chairman Wright names Commissioners to the new Committees as follows:

Medication Committee – Chairperson Judy W. Wagner, Benjamin J. Guilbeau, Jr., Thomas B. Calvert, R. Hamilton "Hammy" Davis, and Dr. K. R. "Ron" Finkelstein.

Rules Committee – Chairman R. Hamilton "Hammy" Davis, Benjamin J. Guilbeau, Jr., Thomas B. Calvert, Eric G. Johnson, and Donald "Don" Cravins.

Legal Committee - Chairman Benjamin J. Guilbeau, Jr., R. Hamilton "Hammy" Davis, Thomas B. Calvert, Judy W. Wagner, and Eric G. Johnson.

Racetrack/HBPA Liaison Committee – Chairman Donald "Don" Cravins, Dr. K. R. "Ron" Finkelstein, Kenu Romero, Mike R. McHalffey, and Danny Trahan.

Security Committee – Chairman Kenu Romero, Deano Thornton, Louis Reine, Mike R. McHalffey, and Danny Trahan.

Finance Committee – Chairman Louis Reine, Judy W. Wagner, Benjamin J. Guilbeau, Jr., and Deano Thornton.

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

1. **Discussion** of the ARCI revision of the threshold levels for 1) Omeprazole and 2) Xylazine and phase-in approach to implementing the ARCI regulatory thresholds for the following medications: 1) Cimetidine; 2) Ranitidine; 3) Cetirizine; and 4) Guaifenesin.

Commissioner McHalffey makes a motion to have a 45-day phase-in period starting April 26, 2016 and ending June 9, 2016 before the ARCI's "Controlled Therapeutic Medication Schedule for Horses" updated medications and threshold levels are officially treated as positives; Commissioner Wagner seconds; motion carries.

Mr. Gardiner introduces the new Director of Gaming at the Office of the Attorney General, Mr. Christopher Hebert.

Mr. Gardiner introduces Capt. Terry Chustz, Captain of the Administrative Division of the Louisiana State Police (LSP), and Lt. Wade Savoy from the Gaming Enforcement Division of the LSP. Capt. Chustz informs that the LSP provides security for behind the track and for the integrity of racing on all high profile race days and every other race day as their resources allow. Lt. Savoy informs that the LSP have worked in horseracing matters since July 1, 2015 to now for a total of 4,732 hours, which includes 732 back stretch patrols, 661 paddock and jockeys' rooms patrols, 34 Commission assists, 37 criminal investigations, 23 administrative investigations, 33 additional investigations, attending 5 Stewards' hearings, 7 criminal arrests, and 3 vehicles searched.

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 he will update the Commissioners by the next meeting on the initiative that the Committee has done regarding veterinarians, monitoring through the stewards, and other issues.

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

Commissioner Romero informs that the LSP presence at the tracks has lessened the workload of the Stewards and has deterred illegal activity.

- E. RACETRACK/HBPA LIAISON COMMITTEE, by Committee Chairman Donald "Don" Cravins No Report.
- F. FINANCE COMMITTEE, by Committee Chairman Louis Reine No Report.

III. OTHER

A. Annual Renewal of Training Track Applications:

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

Ms. Rhea Loney, Attorney for the LSRC, calls up the representatives who have come for each track. Mr. Credeur informs that Evangeline Training Center has 1,260 stalls and only sold the front 42 acres, which is where the grandstand was, to Henderson Auctions four years ago. He says that the training center is operating normally but their numbers are down from having 600 horses 40 days ago to 310 horses currently due to horses migrating back to the northern states after winter. He states that they have been dwindling from having 1,150 horses nine years ago. He says that building more stalls at Evangeline Downs will hurt his and the other training centers likely to the point of closing. Mr. Credeur informs that he made a proposition to house horses for Evangeline Downs a couple of years ago and didn't receive a response.

Commissioner Davis asks which organization acts as the training track's voice to bring issues to the Commission. Mr. Credeur responds that the LaHBPA primarily acts as the training track's voice and he also reaches out to Mr. Gardiner and Mr. Munster. Mr. Credeur says that Evangeline Downs would have security, insurance, and maintenance covered by the stall rental cost to Evangeline Training Center during their meets. Commissioner Wagner asks how many horses at Evangeline Training Center run regularly at the Louisiana tracks. Mr. Credeur responds that most of the horses run at local tracks and, in the past, 60% of the starters at Evangeline Downs came from his training center.

Mr. Chatters says that the issue of adding stalls or renting from a training center is up to Boyd Gaming but there are logistical issues with shipping horses from the training center to the race track for race days. Mr. Duvieilh says that it is a liability on horsemen if the training track shuts down during any time of agreement to house their horses and there is a distinct advantage to starters who are housed on the race track grounds over ship-ins. Mr. Credeur says that the disadvantage for horses is that they have to be at the track hours early for prerace testing about which horsemen have complained. Mr. Gardiner clarifies that horses need to be at the track at least two-and-a-half hours before the first race so that the state veterinarians can perform equal and fair examination of horses that ship-in, which is shorter than the four to five hours prior to racing that most other jurisdictions require.

The motions to approve the training centers below occurred in the following order: 1) "c. Evangeline Enterprise, LLC", 2) "d. Folsom Thoroughbred Training Center Owners Association, Inc.", 3) "b. The Training Center at Copper Crowne, LLC", and 4) "a. Benton Training Center (The Training Center Improvements, Inc.)".

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

Ms. Loney informs that The Training Center Improvements, Inc.'s application is missing its active corporate status with the Louisiana Secretary of State but is otherwise complete. Commissioner Reine motions to approve conditioned upon The Training Center Improvements, Inc. updating its corporate status to active with the Louisiana Secretary of State by May 9, 2016; Commissioner McHalffey seconds; motion carries.

b. The Training Center at Copper Crowne, LLC

Ms. Loney informs that The Training Center at Copper Crowne, LLC's application is in order. Commissioner Reine motions to approve; Commissioner McHalffey seconds; motion carries.

c. Evangeline Enterprise, LLC

Ms. Loney informs that Evangeline Enterprise, LLC's application is in order. Commissioner Reine motions to approve; Commissioner Davis seconds; motion carries.

d. Folsom Thoroughbred Training Center Owners Association, Inc.

Ms. Loney introduces Merlin Marechal, Director of the Folsom Training Center. Ms. Loney informs that Evangeline Enterprise, LLC's application is in order. Commissioner Reine motions to approve; Commissioner Cravins seconds; motion carries.

Commissioner Reine requests that the Rules Committee look into requiring the training tracks to submit proof of continuous insurance coverage and setting up a way for the Commission to be notified of any lapse in coverage. Commissioner Davis agrees to research the matter with the Rules Committee.

B. Ratification of Approval of Extension of Apprentice Allowance for Jockey Hector del Cid (Injured 9/18/15 at Louisiana Downs – original expiration of apprenticeship was 5/20/16) Returned to riding 10/2/15.

Commissioner Cravins motions to approve the ratification of a 14-day extension to Hector del Cid's Jockey Apprenticeship license; Commissioner Wagner seconds; motion carries.

IV. RULE

A. FORMAL ADOPTION:

1. Jockey Advertising

LAC 46: XLI Chapter 7 – Jockeys and Apprentice Jockeys §742. Jockey Apparel Advertising [new]

Mr. John Beech, Regional Manager of the Jockey's Guild, informs that he brought the Jockey Apparel Advertising rule discussion to the Commission to allow jockeys to wear advertisements on their clothes at the Stewards' discretion. Commissioner Reine asks about the penalty for wearing inappropriate advertising. Mr. Beech responds that the Stewards preapprove the advertising on jockeys' apparel prior to them wearing it on the track.

Commissioners motion to formally adopt the Jockey Advertising Rule; Commissioners second; motion carries.

The motion in the Gerard Melancon adjudication occurred here. See Section "VI. ADJUDICATIONS – A. APPEAL (LA. REV. STAT. 4:154)" on page 19 for the case.

V. LICENSE APPROVALS

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

1. Kelly Jo Clawson, Food and Beverage Applicant. Convicted felon. Continued from December 14, 2015 Commission Meeting.

Commissioner Cravins motions to approve Ms. Clawson for licensure to work in Food and Beverage Department; Commissioner Reine seconds; motion carries.

2. Jose R. Ramirez, Jockey. Convicted felon.

Commissioner McHalffey motions to approve Mr. Ramirez for a Jockey license; Commissioner Guilbeau seconds; motion carries.

3. Lonnie J. Meche, Jockey. Convicted felon.

Commissioner Wagner motions to approve Mr. Meche for an Exercise Rider license for 6 months conditioned upon continued monthly drug testing at his own expense at an LSRC approved laboratory; Commissioner Calvert seconds; motion does not carry.

Commissioner Romero motions to approve Mr. Meche for an Exercise Rider license for 3 months conditioned upon 1) immediate negative drug hair test, 2) documentation of physical evaluation by a physician indicating that he is able to ride race horses, and 3) continued monthly drug testing at his own expense at an LSRC approved laboratory during 3 months. Mr. Meche may reapply to full Commission for Jockey license after successfully fulfilling conditions of this Exercise Rider license for 3 months. Commissioner Reine seconds; motion carries.

4. Corey L. LaBranch, Owner. Convicted felon.

Commissioner Johnson motions to approve Mr. LaBranch for an Owner license; Commissioner McHalffey seconds; motion carries; opposition from Commissioner Calvert.

B. REINSTATEMENT REQUEST

1. Frederick J. Carmouche, Jockey. Seeking reduction of suspension. Continued from December 14, 2015 Commission Meeting.

Not Present at Meeting. No action taken.

VI. ADJUDICATION

A. APPEAL (LA. REV. STAT. 4:154)

1. Gerard Melancon, Jockey. Ruling#DD21551 of 2/26/16 - Careless Riding.

Appeal withdrawn. Not present for hearing. Commissioner Wagner motions to uphold the Stewards' ruling and suspend Mr. Melancon for 7 calendar days from May 1, 2016 through May 7, 2016. If Mr. Melancon participates in a designated race day not subject to suspension; he shall be required to make up the suspension day on the first following race day after the designated day of racing. Commissioner McHalffey seconds; motion carries.

VII. ADJOURNMENT

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

Charles A. Gardiner III Executive Director