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Deano Thornton
Charles A. Gardiner III
Executive Director

LOUISIANA STATE RACING COMMISSION

AMENDED MEETING NOTICE

THE LOUISIANA STATE RACING COMMISSION WILL HOLD A MEETING AT 9:00AM ON MONDAY, APRIL 17, 2023 IN THE EVENT CENTER OF THE DELTA DOWNS RACETRACK, CASINO, & HOTEL, 2717 DELTA DOWNS DRIVE, VINTON, LOUISIANA. THE PUBLIC MAY ATTEND AND PARTICIPATE IN-PERSON ONLY.

APPROVAL OF JANUARY 31, 2023, FEBRUARY 14, 2023,
& MARCH 13, 2023 MEETING MINUTES

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Appeal Withdrawn.
2. **Brianne Culp, Jockey.** (*Adjudication Appealed*)
Ruling#FG25222 of 02/05/23 – *Careless Riding.*
Appeal Withdrawn.

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 (1st offense)*
Continued from January 31, 2023 Commission Meeting

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

1. **Erika J. Huitron, Trainer.** (*Adjudication Referred*)
Ruling#DD25060 of 10/05/22 – *Albuterol (ARCI Category III)*
2. **Joy I. Marlin, Trainer.** (*Adjudication Appealed*)
Ruling#LD25040 of 09/03/22 – *Theophylline (ARCI Category III)*
Continued from January 31, 2023 Commission Meeting
Continued to Next Commission Meeting
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)*
4. **Gregory J. Tracy, Trainer.** (*Adjudications Referred*)
Ruling#DD25208 of 01/27/23 – *Methylprednisolone (ARCI Category IV)*
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)*
Continued to Next Commission Meeting

- 6. **Kenneth L. Roberts, Sr., Trainer.** (*Adjudication Referred*)
 Ruling#LD25274 of 03/28/23 – *Albuterol (ARCI Category III)*
 Ruling#LD25276 of 03/28/23 – *Albuterol (ARCI Category III)*
 Ruling#LD25277 of 03/28/23 – *Albuterol (ARCI Category III)*
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*
- 2. **Gregory J. Tracy, Trainer.** (*Adjudication Referred*)
 Ruling#DD25251 of 03/01/23 – *Possession of prohibited drugs, hypodermic needles & syringes*
- 3. **James A. Tracy, Asst. Trainer.** (*Adjudication Referred & Appealed*)
 Ruling# DD25250 of 03/01/23 – *Possession of prohibited drugs, hypodermic needles & syringes*

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 2nd race on January 6, 2023 at Delta Downs.

II. LICENSE APPROVAL

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

- 1. **Logan H. Cormier, Jockey.** Convicted felon.
Continued from January 31, 2023 Commission Meeting

III. ASSOCIATION REQUESTS

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

1. PROGRESS REPORT

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.

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 (changes highlighted and in bold):

- a. Approval for Amended 2023 quarter horse meet:

- 1. **61 ~~46~~ quarter horse race dates (4/29/22 through 9/3/22 ~~7/16/22~~), amended to include 15 transferred race dates from Fair Grounds:**

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

- 2. **Starting July 27, 2023, races will be run Thursday through Saturday.**

4. RACES

- a. **Approval** of first condition book for 2023 quarter horse meet.
- b. **Approval** of designated races for 2023 quarter horse meet:

- 04/28/23 Delta Dash
- 04/28/23 Open Me A Corona
- 04/28/23 The Old South Derby Trails
- 04/29/23 The Old South Futurity Trails
- 05/03/23 Lassie Futurity Trials
- 05/05/23 Laddie Futurity Trials
- 05/13/23 Mother's Day
- 05/19/23 The Old South Derby
- 05/20/23 The Old South Futurity
- 05/26/23 Lassie Futurity
- 05/27/23 Laddie Futurity
- 05/27/23 Vinton
- 06/03/23 Miss Polly Classic
- 06/10/23 Virgil Bond
- 06/14/23 Open Graduation Trials
- 06/16/23 Firecracker Derby Trials
- 06/17/23 Firecracker Futurity Trials
- 06/21/23 Vals Fortune
- 06/21/23 Delta Downs La. Bred Oaks Trails
- 06/22/23 Delta Downs La. Bred Derby Trails
- 06/23/23 Lee Berwick Futurity Trials
- 07/05/23 Open Graduation
- 07/07/23 Firecracker Derby
- 07/08/23 Firecracker Futurity
- 07/08/23 Develop A Plan
- 07/15/23 Delta Downs La. Bred Oaks
- 07/15/23 Delta Downs La. Bred Derby
- 07/15/23 Lee Berwick Futurity
- 07/15/23 Louisiana Juvenile
- 07/15/23 Louisiana Starter
- 07/15/23 Flying Breed
- 07/15/23 Flashy Hemp
- 07/15/23 Live Oak
- 07/15/23 Louisiana Classic

5. STEWARDS, OFFICIALS & MANAGEMENT

- a. **Approval** of officials for 2023 quarter horse meet:

- Chris Warren – Director of Racing
- John Simon – Racing Secretary
- Danielle Williamson – Asst. Racing Secretary
- Freddie Carrier Jr. and Bobby Granger – Association Stewards
- Duane Domingue – Paddock Judge
- *Paulina Ramirez, Lloyd Beaty, and Adriana Vallejo – Outriders
- Aaron Pelt – Track Superintendent
- Jess Chance – Stall Superintendent
- Jeremy Courville – Starter
- Darby Jones – Clerk of Scales
- Jeff Jerman – Head Clocker
- Melissa Dueitt – Horse Identifier
- Steve Nick – Jocks Room Custodian
- Amber Mason – Program Coordinator
- Mohamed Alikhan, Becky Leblanc, and Amber Mason – Placing Judges/Racing Office Staff

**new officials*

- b. **Approval** of Tom Davis to serve as state steward for 2023 quarter horse meet.

2023-2024 THOROUGHBRED MEET

6. LICENSE APPROVALS

a. Approval for 2023-2024 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 2023-2024 thoroughbred meet:

- 1. Thoroughbred racing on the flat
- 2. 84 thoroughbred race dates (10/18/23 through 3/16/24)
 - October 18,19,20,21,25,26,27,28
 - November 1,2,3,4,8,9,10,11,15,16,17,18,21,22,24,25,29,30
 - December 1,2,6,7,8,9,13,14,15,16,27,28,29,30
 - January 3,4,5,6,10,11,12,13,17,18,19,20,24,25,26,27,31
 - February 1,2,3,7,8,9,10,14,15,16,17,21,22,23,24,28,29
 - March 1,2,6,7,8,9,13,14,15,16
- 3. Hold minimum of 8 live thoroughbred races on Wednesdays and Thursdays and hold minimum of 9 live thoroughbred races on Fridays and Saturdays with the exception of live racing on the following days:
 - Tuesday November 21, 2023
- 4. Dark – no live racing on the following days:
 - Thursday, November 23, 2023
 - Wednesday, December 20, 2023 through Saturday, December 23, 2023
- 5. Daily post time 4:05 PM on Wednesdays & Thursdays and 5:50 PM on Fridays & Saturdays with the following exceptions:
 - 12:55 PM on November 21 & 22, 2023

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

a. Approval for wagering format for 2023-2024 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 all races
- 5. 50¢ Pick 4 on Races 2-5 & the last 4 races using Pick N Wagering Method Number 4
- 6. 50¢ Pick 5 on first 5 races & last 5 races using Pick N Wagering Method Number 4
- 7. \$1 Rolling Daily Double on all races

B. THE OLD EVANGELINE DOWNS, LLC

d/b/a EVANGELINE DOWNS RACETRACK & CASINO

1. PROGRESS REPORT

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 (changes highlighted and in bold):

a. Approval for Amended 2023 thoroughbred meet:

- 1. **84 61** thoroughbred race dates (**4/7/23 through 8/12/23 4/5/23 through 8/26/23**):
 - April **5,6**,7,8,12,13,14,15,19,20,21,22,26,27,28,29
 - May 3,4,5,6,10,11,12,13,~~17~~,18,19,20,~~24~~,25,26,27,~~31~~
 - June 1,2,3,~~7~~,8,9,10,~~14~~,15,16,17,~~21~~,22,23,24,~~28~~,29,30
 - July 1,~~5~~,6,7,8,~~12~~,13,14,15,~~19~~,20,21,22,~~26~~,27,28,29
 - August **2,3**,4,5,~~9~~,10,11,12,~~16~~,~~17~~,~~18~~,~~19~~,~~23~~,~~24~~,~~25~~,~~26~~

3. STEWARDS, OFFICIALS & MANAGEMENT**a. Ratification of officials for 2023 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
 Randall Leger – Track Superintendent
 Traci Vickers – Identifier
 *David Gordon – Paddock Judge
 Harvey Lourd III – Clerk of Scales
 Damon Menard – Jockey Room Custodian
 Sandra Calais – Claims Clerk/Alternate Placing Judge
 Sara Lopez – Placing Judge
 Kaitlyn Jason – Placing Judge
 Melanie Patterson – Placing Judge
 Brett Poole – Clocker
 Ray Sibille – Clocker
 Russell Comeaux – Starter
 Jacob Deville – Outrider
 *Bradlee Hanks – Outrider
 Robert Bouget – Outrider

**new officials*

b. Ratification of Charles Ashy, Jr. to serve as state steward for 2023 thoroughbred meet.**2023 QUARTER HORSE MEET****4. LICENSE APPROVALS****a. Approval for 2023 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

5. RACING DATES (R.S. 4:158A) AND POST TIMES**a. Approval for 2023 quarter horse meet:**

1. Quarter horse racing on the flat
2. 46 quarter horse dates (9/29/23 through 12/16/23):
 September 29,30
 October 4,5,6,7,11,12,13,14,18,19,20,21,25,26,27,28
 November 1,2,3,4,8,9,10,11,15,16,17,18,21,22,24,25,29,30
 December 1,2,6,7,8,9,13,14,15,16
3. Hold minimum of 7 live quarter horse races daily (Wednesday through Saturday)
4. Post time 5:35 PM.

6. WAGERING (LAC 35:XIII.Ch 103-127)**a. Approval for wagering format for 2023 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 using Pick N Wagering Method Number 4
6. Superfecta on all races complying with the *Rules of Racing* (§11701)
7. Pick 5 on last 5 races using Pick N Wagering Method Number 4

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

1. PROGRESS REPORT

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:

- 11/18/22 Happy Ticket Stakes
- 11/18/22 Big World Stakes
- 11/18/22 Donovan L. Ferguson Memorial Stakes
- 11/19/22 Monte Man Stakes
- 11/19/22 Scott's Scoundrel Stakes
- 11/19/22 Joseph R. Peluso Memorial Stakes
- 11/24/22 Thanksgiving Classic
- 12/03/22 Pan Zareta Stakes
- 12/09/22 Magoc City Classic
- 12/09/22 Kudzu Juvenile
- 12/10/22 Louisiana Champions Day Ladies Turf
- 12/10/22 Louisiana Champions Day Juvenile
- 12/10/22 Louisiana Champions Day Sprint
- 12/10/22 Louisiana Champions Day Ladies Sprint
- 12/10/22 Louisiana Champions Day Lassie
- 12/10/22 Louisiana Champions Day Classic
- 12/10/22 Louisiana Champions Day Turf
- 12/10/22 Louisiana Champions Day Starter
- 12/10/22 Louisiana Champions Day Ladies Starter
- 12/26/22 Tenacious Stakes
- 12/26/22 Richard R. Scherer Memorial Stakes
- 12/26/22 Blushing KD Stakes
- 12/26/22 Gun Runner Stakes
- 12/26/22 Untapable Stakes
- 12/26/22 Buddy Diliberto Memorial Stakes
- 12/26/22 Joseph E. "Spanky" Broussard Memorial Stakes
- 12/26/22 Sugar Bowl Stakes
- 12/26/22 Letellier Memorial Stakes
- 12/31/22 Pago Hop Stakes
- 12/31/22 Woodchopper Stakes
- 12/31/22 Louisiana Futurity (Boys)
- 12/31/22 Louisiana Futurity (Girls)
- 01/07/23 Bob F. Wright Memorial Stakes
- 01/07/23 Gary P. Palmisano Memorial Stakes
- 01/14/23 Nelson J. Menard Memorial Stakes
- 01/21/23 Lecomte Stakes
- 01/21/23 Silverbulletday Stakes
- 01/21/23 Duncan F. Kenner Stakes
- 01/21/23 Louisiana Stakes
- 01/21/23 Colonel E. R. Bradley Stakes
- 01/21/23 Marie G. Krantz Memorial Stakes
- 02/18/23 Mineshaft Stakes
- 02/18/23 Risen Star Stakes
- 02/18/23 Rachel Alexandra Stakes

02/18/23	Fair Grounds Stakes
02/18/23	Colonel Power Stakes
02/18/23	Albert M. Stall Memorial Stakes
02/21/23	Mardi Gras Stakes
02/25/23	Louisiana Stallion of the Year Half Ours Stakes
02/25/23	Louisiana Broodmare of the Year
02/25/23	"Buttercup's Song" Stakes
03/04/23	Black Gold Stakes
03/04/23	Edward J. Johnston Memorial Stakes
03/04/23	Red Camelia Stakes
03/11/23	Allen Lacombe Memorial Stakes
03/25/23	Tom Benson Memorial Stakes
03/25/23	Costa Rising Stakes
03/25/23	Muniz Memorial Classic
03/25/23	New Orleans Classic
03/25/23	Fair Grounds Oaks
03/25/23	Louisiana Derby
03/25/23	Crescent City Derby
03/25/23	Crescent City Oaks
03/26/23	Star Guitar Stakes
03/26/23	Shantel Lanerie Memorial Stakes
03/26/23	Page Cortez Stakes

2023-2024 THOROUGHBRED MEET

4. LICENSE APPROVALS

a. Approval for 2023-2024 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

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

a. Approval for 2023-2024 thoroughbred meet:

1. Thoroughbred racing on the flat
2. 80 thoroughbred race dates (11/17/23 through 3/24/24)
 - November 17,18,23,24,25,30
 - December 1,2,3,7,8,9,10,14,15,16,17,18,21,22,23,28,29,30,31
 - January 1,4,5,6,7,11,12,13,14,15,18,19,20,21,25,26,27,28
 - February 1,2,3,4,8,9,10,12,13,15,16,17,18,22,23,24,25,29
 - March 1,2,3,6,7,8,9,10,13,14,15,16,17,20,21,22,23,24
3. Hold a minimum of 9 live thoroughbred races daily.
4. Daily post time 12:45 PM with the following exceptions:
 - 12:00PM post time on December 9 & 23, 2022, January 20, 2024, February 17, 2024, and March 23, 2024.

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

a. Approval for wagering format for 2023-2024 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. Pick 4 using Pick N Wagering Method Number 4
6. Pick 5 using Pick N Wagering Method Number 1
7. Pick 6 using Pick N Wagering Method Number 3

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.

**D. LOUISIANA DOWNS INVESTMENT COMPANY, LLC
d/b/a LOUISIANA DOWNS CASINO & RACETRACK
1. PROGRESS REPORT**

2023 QUARTER HORSE MEET

2. RACES

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

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 PER AGREEMENT WITH EVANGELINE DOWNS AND LAHBPA (changes highlighted and in bold):

- a. Approval for Amended 2023 thoroughbred meet:

1. ~~84~~ **61** thoroughbred race dates (**5/6/23 through 9/12/23** ~~5/8/23 through 10/5/23~~):

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

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:

06/24/23	Alabama Stakes
08/05/23	Louisiana Cup Juvenile
08/05/23	Louisiana Cup Juvenile Fillies
08/05/23	Louisiana Cup Sprint
08/05/23	Louisiana Cup Filly and Mare Sprint
08/05/23	Louisiana Cup Turf Classic
08/05/23	Louisiana Cup Distaff
08/19/23	Cotton State Stakes
09/02/23	Super Derby

6. STEWARDS, OFFICIALS & MANAGEMENT

- a. Approval of officials for 2023 thoroughbred meet:

Matthew Crawford – Racing Secretary
 Tammy Peck – Assistant Racing Secretary
 Mayo Newhouse – Horse Identifier/Paddock Judge
 Julie Gipson – Clerk of Course
 Charles Magee – Association Steward
 Melvin Holland – Association Steward
 Jimmy Cordell – Starter
 Raleigh Cox – Clerk of Scales
 Arnold Mueller – Custodian
 Koleen Karlin – Placing Judge
 Falyn Holmes – Placing Judge
 Tami Meyers – Silks Custodian
 TBA – Saddle Towel Technician
 Kenneth Loggins – Placing Judge /Clocker
 Lisa Lombardino – Program Coordinator/Claims

Betty Fetters – Clocker
Michael Phillips – Outrider
Willie Lavergne – Outrider
TBA – Outrider
Jennifer Sokol – Racing Operations Manager

7. STEWARD

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

IV. BREEDER UPDATES

- A. LOUISIANA THOROUGHBRED BREEDERS ASSOCIATION (LTBA)**
1. **PROGRESS REPORT**
- B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)**
1. **PROGRESS REPORT**

V. COMMITTEE REPORTS

- A. MEDICATION COMMITTEE**, *by Committee Chair Patrick Bernard*
- B. RULES COMMITTEE**, *by Committee Chair Lane T. Cortez*
- C. LEGAL COMMITTEE**, *by Committee Chair Thomas B. Calvert*
- D. SECURITY COMMITTEE**, *by Committee Chair Louis Reine*
- E. RACETRACK/HBPA LIAISON COMMITTEE**, *by Committee Chair Donald “Don” Cravins*
- F. FINANCE COMMITTEE**, *by Committee Chair Leslie Bouie*
- G. RACING DAYS COMMITTEE**, *by Committee Chair Mike R. McHalfey*
- H. INFRASTRUCTURE COMPLIANCE COMMITTEE**, *by Committee Chair Louis Reine*

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.)**
- b. **The Training Center at Copper Crowne, LLC**
- c. **Folsom Thoroughbred Training Center Owners Association, Inc.**
- d. **Louisiana Downs Investment Company, LLC**
- 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.
2. **Approval** of Associations’ Submitted Responses to their Infrastructure Plans per Infrastructure Compliance Committee Recommendation.
- C. SPECIAL COUNSEL**
1. **Approval** to designate Paul A. Bonin as Special Counsel to LSRC and enter into a Legal Services Contract.

VII. RULES

A. FORMAL ADOPTION/EMERGENCY ADOPTION EXTENSION:

1. LAC 35:III.Chapter 57 – Associations’ Duties and Obligations

- §5705. Security of Racetrack Premises [amend]
- §5706. Barns on Backside of Racetrack [amend]
- §5740. Backside Internet Access [new]
- §5742. Grandstand, Clubhouse, and Apron Areas [new]
- §5745. Providing Concession and Restaurant Services [amend]
- §5756. Minimum Employment Requirements [new]
- §5758. Animals and Livestock [new]
- §5760. Paddock [new]
- §5762. Grass and Drainage Maintenance [new]
- §5764. Surface of Race Course [amend]
- §5771. Minimum Infrastructure Investment Requirements [new]
- §5772. Minimum Marketing Investment Requirements [new]
- §5773. Association Annual Plan of Operation Report [new] – §5773 Amended Language to match 2/24/23 Committee Plan Recommendations
- §5775. Association Quarterly Reports [new]
- §5777. Broadcasting Live Races [new]
- §5779. Association Website Requirements [new]
- §5781. Tote Boards [new]
- §5783. Winner’s Circle [new]
- §5785. Parking Areas [new]
- §5787. Maintenance Equipment [new]
- §5789. Off-Track Wagering Facilities [new]
- §5791. Horse Move In and Move Out [new]
- §5793. Reporting Altercations [new]

2. LAC 35:XV.Chapter 123 – General Rules (for Off-Track Wagering)

- §12342. Amenities for Guests [new]
- §12345. Concession Services [amend]

VIII. ADJOURNMENT



Charles A. Gardiner III
Executive Director

02/24/23 Committee Recommended Changes for Itemized Plan Requirements for Fair Grounds Infrastructure Improvements

1. Security

- a. Must maintain adequate staffing of security officers on backside to patrol the backside, check every vehicle coming into the backside for commission-granted licenses, and check every horse trailer for the names of horses entering and exiting the backside.
- b. Must provide security personnel who are visible to the public no later than 90 minutes before post time.
- c. LSRC must provide list of individuals ruled off of the racetrack and dates the individual is ruled off of the racetrack to post at guard shack and at all points of entry at the end of each race meet.
- d. Must provide current list of horses on the backside and those that have left the backside to be made available to State Stewards.

2. Barns on Backside/Backside Improvements

- a. Barn buildings, fences, bathrooms, and outdoor and indoor lighting shall be kept in good working order.
- b. Stall dimensions of 12-feet by 12-feet inside for new and rebuilt barns going forward, with exemption for 2 replacement barns currently planned for construction at Fair Grounds **as noted in Item "e" below.**
- c. An association shall maintain and repair roads on the backside
- d. An association shall pick up manure bins daily when horses are stalled on the backside.
- e. Fair Grounds must build two new barns to replace the barns destroyed by hurricane Ida and termites, **which must be built to match the original dimensions with minimum 10 feet by 12 feet inside dimensions for each stall.** (FG-specific per LaHBPA)
- f. Fair Grounds must improve and upgrade barn lightning to LED. (FG-specific per LaHBPA)
- g. EPA Wash Stations and Segregation Project (Cost \$5,500,000 – Planned by Fair Grounds)
- h. New High Tech Fire alarm system in every building of barn area (Cost \$354,000 – Planned by Fair Grounds)
- i. Barn Roof reseal of Barns 10 & 12 (Cost \$105,000 – Planned by Fair Grounds)
- j. Jockey Room Renovation and new washer (Cost \$62,000 – Planned by Fair Grounds)
- k. Asphalt and Concrete road / horse path maintenance throughout barn area (Cost \$50,000 – Planned by Fair Grounds)
- l. Pressure Washing / Painting (Cost \$30,000 – Planned by Fair Grounds)
- m. Barn Area Track Kitchen Renovations (Cost \$27,000 – Planned by Fair Grounds)
- n. New barn roll down doors (Cost \$20,000 – Planned by Fair Grounds)
- o. Interior Barn Stall Painting (Cost \$20,000 – Planned by Fair Grounds)
- p. Barn Living Quarters and Bathroom Renovations (Cost \$15,000 – Planned by Fair Grounds)
- q. Stall updates with new plywood to all 4 interior walls (Cost \$15,000 – Planned by Fair Grounds)
- r. Enhance / buildup of barn shed rows (Cost \$12,000 – Planned by Fair Grounds)

3. Paddock

- a. Ensure paddock, paddock stalls, and parade ring are kept clean, in good repair, and free of dangerous surfaces on which horses and people can walk.
- b. Must provide an employee to remove horse manure from the paddock area during live racing in a timely manner.
- c. All paddock stalls must have a working fan.
- d. An association shall maintain healthy, well-groomed landscaping in the paddock area throughout live race meets.
- e. An association shall ensure that trash cans are available in the paddock area and that all litter on paddock area grounds is removed daily when horses are stalled on the backside.
- f. This item will be put on Next Commission Meeting Agenda for further consideration based on requested changes and further information to be submitted in writing by Fair Grounds. Fair Grounds must update and renovate the paddock, especially the walking path symmetrical oval to improve safety for the connections and the horses and also must provide more walking area for the horses. *(FG-specific per LaHBPA)*

4. Backside Internet Access

- a. Association shall make wireless internet available on the backside free of charge to horsemen and commission staff

5. Grandstand, Apron, and Clubhouse

- a. Grandstand and clubhouse must be kept clean, in good repair, and properly ventilated for use by the public.
- b. Must grant access to public on live race days no later than 1 hour before post time
- c. Must provide live pari-mutuel tellers at betting windows & open concession stand to sell programs and forms no later than 1 hour before post time
- d. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- e. All elevators and escalators must be kept clean and in good working condition during any hours of operation.
- f. New Grandstand Doors *(Cost \$90,000 – Planned by Fair Grounds)*
- g. Window Cleaning *(Cost \$45,000 – Planned by Fair Grounds)*
- h. Updated Suite Furniture *(Cost \$11,000 – Planned by Fair Grounds)*
- i. Reopening VIP PM Room *(Cost \$3,000 – Planned by Fair Grounds)*
- J. Improved Clubhouse Dining Experience *(Cost \$TBD – Planned by Fair Grounds)*

6. Winner's Circle

- a. Must ensure that the winner's circle is kept clean, maintained, and upgraded as needed for safety and appearance

7. Tote Board

- a. Must have a tote board in the infield and a tote board above the stalls in the paddock providing current odds and results during live racing.
- b. All future tote boards must have digital video capabilities and those located in the infield must have landscaping approved by the commission at the same time as the Association's race meet applications for licenses, dates, and wagering are considered for approval
- c. New Tote Board (*Cost \$1,500,000 – Planned by Fair Grounds*)
- d. Tote Board Landscaping (*Cost \$65,000 – Planned by Fair Grounds*)

8. Racing Surfaces

- a. An association must get a soil sample tested by certified expert for its dirt course twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- b. An association must get its turf course inspected and evaluated by a certified expert twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- c. Turf Renovations (sprigging, aeration, fertilization and seeding) (*Cost \$65,000 – Planned by Fair Grounds*)
- d. Mile Markers (*Cost \$37,000 – Planned by Fair Grounds*)
- e. Track Lighting Evaluation (*Cost \$30,000 – Planned by Fair Grounds*)

9. Grass and Drainage

- a. An association shall keep all grass areas maintained with adequate grass cutting and weed eating.
- b. An association shall maintain all drainage throughout the backside.
- c. Property Landscaping (*Cost \$12,000 – Planned by Fair Grounds*)

10. Concession and Restaurant Services

- a. Have food and beverages available to guests at the racetrack during open hours of operation.
- b. Provide sit down dining experience on all weekend live race days and during stakes races.
- c. Provide tables and seats for guests to sit at and eat outside along the apron of the racetrack.
- d. Provide at least one quick service snack bar and a full service bar to be open during each live race day, with all quick service snack bars and full service bars to be open at least one hour before first race and one hour after last race.

11. Annual Plan of Operation Report

- a. An association **Fair Grounds** shall provide an annual report to the commission, due by ~~January 30~~ the 1st Commission Meeting following the 1st Quarter after each fiscal year ends starting with fiscal year 2022 ~~due on January 30, 2023~~, regarding the association's plan of operation for the upcoming fiscal year to include details about customer service, full-time and seasonal employment, marketing and promotions for horse racing, capital improvements, facility maintenance, facility improvements, and a summary of the prior fiscal year's plan of operation implementation and status

12. Quarterly Reports

- a. Each association shall provide quarterly reports to the commission of the names and addresses of each individual, corporation, firm, partnership, association, or other legal entity that furnishes professional services, as defined in R.S. 4:158.2, to the association. These reports must also specify whether or not the listed entities are any of the following: a registered Louisiana business, a female-owned business, and a minority-owned business.
- b. Each association shall provide quarterly reports to the commission of the demographic information of its workforce, to include: race, gender, and Louisiana residency.
- c. Each association shall provide quarterly reports on its marketing plan, which shall include and not be limited to dollars spent on TV ads, radios ads, magazine ads, billboards, giveaways, rewards, and any other dollars spent on promotions, marketing, and advertising, all broken down by racetrack and casino.

13. Infrastructure Fund & Investments

- a. All Associations shall follow the required actions per R.S. 4:164 (as enacted by SB 272/ Act 530) and LSRC's Rule LAC 35:VII.5771 "Minimum Infrastructure Investment Requirements"

14. Employment Requirements

- a. Pari-mutuel tellers must be available at the ratio of 1 teller to every 50 guests on track on Mondays, Tuesdays, Wednesdays, and Thursdays and at the ratio of 1 teller to every 50 guests on track with a minimum of 3 tellers to be in each betting area on the first floor on Fridays, Saturdays, and Sundays and a minimum of 1 teller in each betting area on the clubhouse floors and private areas.
- b. This item will be put on Next Commission Meeting Agenda for further consideration based on requested changes and further information to be submitted in writing by Fair Grounds. After submitting annual plan of operation, must comply with Commission determinations of number of full-time and seasonal employees needed to operate food service, marketing, pari-mutuel windows, kiosk repairs, racing officials, and racetrack maintenance during race meets.
- c. Increased Wages for employees to provide better service and safety (*Cost \$94,000 – Planned by Fair Grounds*)

15. Marketing Requirements

- a. An association must submit its marketing plan for calendar year 2024 to the Commission and must have Commission approval of its marketing plan prior to January 1, 2024.
- b. An association must submit its marketing plan for calendar year 2023, including marketing, promotions, and advertising for the racetrack, and present it at the October 26, 2022 LSRC Meeting; the association's marketing plan must be approved by the Commission no later than March 1, 2023.
- c. Marketing / Advertising / Rebranding for 2022 – 2023 Meet including special events (*Cost \$400,000 – Planned by Fair Grounds*)

16. Broadcasting Live Races

- a. An association shall ensure that televisions are broadcasting live races from its racetrack and are all in working operation adequately throughout the following areas operated by the association: casino, bars, restaurants, off-track betting areas, track betting and viewing areas, and in the backside track kitchen.
- b. New TVs throughout the building including clubhouse TVs (*Cost \$TBD – Planned by Fair Grounds*)

17. Racetrack Website

- a. Must stream its live racing in real time with capabilities of replays for races in its current meet on its website and/or application for a smart television or provide a link on its website that allows viewing of live races and replays at no charge from a 3rd Party Provider.
- b. Provide on racetrack website a phone number that will be answered by a live person to allow reservations to be requested and confirmed for guests and horsemen from 8:00 AM to 6:00 PM on non-race days and from 8:00 AM through the last race being made official on race days or provide technology that allows reservations to be made by guests and horsemen.

18. Parking Areas

- a. All parking areas on association property, regardless of their location, must have drainage that removes all puddles caused by rain.
- b. An association shall maintain healthy landscaping for every day of the year at all entry roads and parking areas.
- c. On a regular basis, security personnel shall check all handicap parking spaces on association property for any cars parked without displayed handicap eligibility and shall ensure that no vehicles are blocking wheelchair access to handicap vehicles.
- d. Fair Grounds must create a separate designated and covered ride-share drop off/ pick up location. (FG-specific per LaHBPA)

19. Maintenance Equipment

- a. Each racetrack shall have a functioning rock picker attachment for tractors for removal of rocks and stones on racing surfaces.
- b. Each racetrack that has at least one escalator on its premises shall have a functioning duplex escalator cleaning machine or similar equipment specifically made to clean escalators.
- c. New Tractors *(Cost \$450,000 – Planned by Fair Grounds)*
- d. Backup Sweeper Truck for EPA compliance and barn cleanliness *(Cost \$43,000 – Planned by Fair Grounds)*

20. Off-Track Wagering Facilities

- a. An association shall ensure that food and beverages are always available to guests at its off-track wagering facilities during open hours of operation.
- b. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- c. All off-track wagering facilities must be open and taking wagers during the hours that any racetrack in the United States is conducting live racing, except by agreement with the Commission or its designee.
- d. The Commission will encourage each association to pursue additional OTBs.
- e. Additional United Tote Player Banks throughout OTB network *(Cost \$238,000 – Planned by Fair Grounds)*
- f. These are the minimum requirements for off-track wagering facilities, and the association reserves the right to exceed these minimums as allowable under State Law.

21. Horse Move-in and Move-out

- a. Must be prepared to allow horses to move in to allotted stalls and train on its racetrack grounds no later than 30 days prior to the start of a race meet, unless ordered by the Commission to be a longer period.
- b. Must allow horses to stay housed in the allotted stalls and train on the racetrack grounds for at least 15 days after the end of a race meet, unless change agreed by prior agreement between Association and LaHBPA.
- c. If there is an agreement between Association and LaHBPA for additional time to rent stalls, the stale rate will be \$8 per stall per day subject to annual review by the Commission.

22. Reporting Altercations

- a. An association shall provide a written report as mandated by the rules of the Commission of any physical altercation that occurs on its grounds to the commission within 5 days of incident; the individuals involved in the reported physical altercation may be subject to immediate suspension by the commission.

NOTE: The Commission reserves the right to amend this infrastructure improvement plan as needed

RULES FOR FORMAL ADOPTION & EMERGENCY RULE EXTENSION AT APRIL 17, 2023 COMMISSION MEETING

Title 35

HORSE RACING

Part III. Personnel, Registration and Licensing

Chapter 57. Associations' Duties and Obligations

§5705. Security of Racetrack Premises

A. The stable area of the premises of every association shall be enclosed with a fence, the type and construction of the fence to be subject to the approval of the commission. The association shall maintain a 24-hour guard at any opening of the fence during the horse race meeting.

B. An association must maintain adequate staffing of security officers on backside to:

1. patrol the backside;
2. check every vehicle coming into the backside for commission-granted licenses; and
3. check every horse trailer for the names of horses entering and exiting the backside.

C. An association must provide security guards to be present in the jockeys' room during live racing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:434 (December 1976), amended LR 3:30 (January 1977), LR 4:277 (August 1978), amended by the Office of the Governor, Division of Administration, Racing Commission LR 48:

§5706. Barns on Backside of Racetrack

A. An association shall ensure that all barns are kept in good repair and are kept clean by the licensed occupants.

1. Barn buildings, fences, bathrooms, and outdoor and indoor lighting shall be kept in good working order.

2. Each barn, including the receiving barn, must have a hot and cold water supply available and have ventilation proper for the housing of horses.

B. Any new barns, additions, or expansions built by a licensed association after the amendment of this Rule shall ensure that the individual box stall shall have a minimum dimensions of 12 feet by 12 feet and if constructed of concrete walls, they must be woodlined on the interior up a minimum of 4 feet from the ground or otherwise be insulated for the protection of the stabled horse.

C. An association shall provide an adequate area for the placement of manure removed from the stalls. All manure storage and removal shall be conducted in compliance with the rules and regulations set forth by the Department of Environmental Quality. Nothing in the Rule is to supersede any requirements set forth by the Department of Environmental Quality.

D. An association must provide the minimum number of total stalls, as specified by the commission by majority vote, on its backside in good, working condition to house horses for their assigned racing dates.

E. The commission shall send a representative to each racetrack annually to assure that upkeep of all barns, both exterior and interior, is maintained. This shall include, but not be limited to, upkeep of:

1. stalls;
2. restroom facilities;
3. tack rooms;
4. feed rooms;
5. living quarters;
6. horse paths;
7. walking wheels; and
8. exterior barn paint.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 44:913 (May 2018), amended LR 48:

§5740. Backside Internet Access

A. An association shall provide access to wireless internet on the backside free of charge to the horsemen and commission staff.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5742. Grandstand, Clubhouse, and Apron Areas

A. An association shall ensure that the grandstand is kept clean, in good repair, and properly ventilated for use by the public.

B. An association shall grant access for the general public to the grandstand and apron areas of its racetrack on live race days, with all doors and gates unlocked, no later than one hour before post time of the first race of the day.

C. An association shall provide live pari-mutuel tellers at its racetrack betting windows and an open concession stand that sells programs and forms no later than one hour before post time of the first race of the day.

1. All pari-mutuel wagering areas must have tellers, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races.

D. An association shall provide security personnel who are visible to the public no later than one hour before post time of the first race of the day.

E. An association shall ensure that all elevators and escalators are kept clean and in good working condition during any hours of operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5745. Providing Concession and Restaurant Services

A. The operation shall be conducted so that all persons who patronize the respective tracks shall be satisfactorily served. Food, beverages (both alcoholic and nonalcoholic), tobacco and other generally related items may be available for sale to the patrons of the various tracks on each day that racing is conducted under the license, permit or privilege granted by the commission. Concessionaires vending any liquid refreshments shall not permit the surrender of glass containers to customers except in appropriate areas as designated by the association.

B. An association shall ensure that food and beverages are always available to guests at the racetrack during open hours of operation.

C. An association shall make a sit down dining experience available on weekend live race days and during stakes races.

D. An association shall provide tables and seats for guests to sit at and eat outside along the apron of the racetrack.

E. An association shall ensure that the racetrack kitchen and all cooking equipment are kept clean, in good repair, and fully operational during its race meets.

F. An association shall provide at least one quick service snack bar and a full service bar to be open during each live race day at least one hour before the first race and at least one hour after the last race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission LR 2:92 (March 1976), amended by the Department of Commerce, Racing Commission, LR 2:435 (December 1976), amended LR 3:31 (January 1977), LR 4:278 (August 1978), LR 11:6 (January 1985), amended by the Office of the Governor, Division of Administration, Racing Commission LR 48:

§5756. Minimum Employment Requirements

A. An association shall maintain employees as follows:

1. Within 30 days after receiving the association's annual plan of operation per LAC 35:VII.5777, the commission shall determine in writing how many full-time and seasonal positions that the association will need to employ to operate the following during race meets:

- a. food service;
- b. marketing;
- c. pari-mutuel windows;
- d. kiosk repairs;
- e. racing officials; and
- f. racetrack maintenance.

2. Pari-mutuel tellers must be available at the ratio of 1 teller to every 50 guests on track with a minimum of 3 tellers in each betting area on the first floor and a minimum of 1 teller in each betting area on the clubhouse floors and private areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:147, and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5758. Animals and Livestock

A. Trainers must have all animals and livestock, other than equines, approved by the racing secretary before being allowed on the backside, and the association must report those animals and livestock to the commission and require paperwork for all service animals before allowing them access to the backside.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:148, and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5760. Paddock

A. An association shall ensure that the paddock, paddock stalls, and parade ring are kept clean, in good repair, and free of dangerous surfaces on which horses and people can walk.

B. An association must provide an employee to remove horse manure from the paddock area during live racing in a timely manner.

C. All paddock stalls must have a working fan.

D. An association shall maintain healthy, well-groomed landscaping in the paddock area throughout live race meets.

E. An association shall ensure that trash cans are available in the paddock area and that trash cans are emptied and all litter on paddock area grounds is removed daily when horses are stalled on the backside.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:148, and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5762. Grass and Drainage Maintenance

A. An association shall keep all grass areas maintained with adequate grass cutting and weed eating.

B. An association shall maintain all drainage throughout the backside.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:148, and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5764. Surface of Race Course

A. The surface of a racetrack, including the cushion, subsurface and base, must be designed, constructed, and maintained to provide for the safety of the jockeys and horses.

B. An association shall provide an adequate drainage system for the racetrack and turf course.

C. An association shall maintain the track surface in a safe training and racing condition.

D. An association that conducts races on a turf track shall provide a system capable of adequately watering the entire turf course evenly.

E. An association must get a soil sample tested for its dirt course twice a year.

1. The test must be conducted by a certified expert.

2. Each association must send a copy of the expert report to the commission in a timely manner to make any necessary adjustments.

F. An association must get its turf course inspected and evaluated twice a year.

1. The inspection and evaluation must be conducted by a certified expert.

2. Each association must send a copy of the expert report to the commission in a timely manner to make any necessary adjustments.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 44:915 (May 2018), amended LR 48:

§5771. Minimum Infrastructure Investment Requirements

A. An association shall deposit 10 percent of its gross profits into a fund for infrastructure maintenance and improvements per R.S. 4:164.

1. These deposits shall occur at the same time as when the association's state taxes are paid each month.

2. The association shall continue depositing 10 percent of its gross profits until such time when the commission determines that the association has complied with all infrastructure maintenance and improvements as required by the commission in this Chapter.

a. When the commission, by majority vote, determines full compliance with its required infrastructure maintenance and improvements by the association, the association shall maintain a minimum fund balance of \$3,000,000.

b. When the commission determines full compliance with its required infrastructure maintenance and improvements by the association, the commission can authorize any of the following by two-thirds vote:

i. exemption from maintaining fund balance,

ii. exemption from making deposits, or

iii. allow fund balance to be withdrawn

c. The commission, by majority vote, may reconsider prior determination of compliance and revoke any exemption or allowance granted to an association per this Subsection at any time.

d. There shall be an ongoing review, at least annually, by the commission to determine any additional required facility maintenance and improvements needed and to be required by the commission after obtaining input from associations and stakeholders.

3. The funds specified in this Subsection are subject to audit at any time by the commission and the legislative auditor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:148, and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5772. Minimum Marketing Investment Requirements

A. An association shall specify the total amount of funds that it will use for marketing and promotions for horse racing with its submitted annual plan of operation report per LAC 35:VII.5773.

1. The Commission shall make a determination, by majority vote, whether the amount of funds specified by the association for marketing and promotions is acceptable or if the association must submit a new marketing plan with appropriate funding to comply with the commission's determination of compliance per LAC 35:VII.5771.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:148, and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5773. Association Annual Plan of Operation Report (UPDATED)

A. An association shall provide an annual report to the commission, due by date specified by the commission January 30 after each fiscal year ends starting with fiscal year 2022 ~~due on January 30, 2023~~, regarding the association's plan of operation for the upcoming fiscal year to include details about:

1. customer service;
2. full-time and seasonal employment;
3. marketing and promotions for horse racing;
4. capital improvements;
5. facility maintenance;
6. facility improvements; and
7. a summary of the prior fiscal year's plan of operation implementation and status.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:148, and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5775. Association Quarterly Reports

A. The quarterly reports required each year under this Section shall be due within 20 days of the end of each quarter as follows:

1. Reports from January to March are due no later than April 20.
2. Reports from April to June are due no later than July 20.
3. Reports from July to September are due no later than October 20.
4. Reports from October to December are due no later than January 20.

B. Each association shall provide quarterly reports to the commission of the names and addresses of each individual, corporation, firm, partnership, association, or other legal entity that furnishes professional services, as defined in R.S. 4:158.2, to the association.

1. The reports must also specify whether or not the listed entities are any of the following:

- a. a registered Louisiana business;
- b. a female-owned business; and
- c. a minority-owned business.

C. Each association shall provide quarterly reports to the commission of the demographic information of its workforce, to include:

1. race;
2. gender; and
3. Louisiana residency.

D. Each association shall provide quarterly reports to the commission on its marketing plan, which shall include, but not be limited to, dollars spent on promotions, marketing and advertising broken down by racetrack and casino spending on the following:

1. television advertisements;
2. radio advertisements;
3. magazine advertisements;
4. billboard advertisements;
5. giveaways;
6. rewards; and
7. any other dollars spent on promotions, marketing; and advertising.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, R.S. 4:148, and R.S. 4:158.2.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5777. Broadcasting Live Races

A. An association shall ensure that televisions are broadcasting live races from its racetrack and are all in working operation adequately throughout the following areas operated by the association:

1. casino;
2. bars,
3. restaurants;
4. off-track betting areas;
5. track betting and viewing areas; and
6. in the backside track kitchen during live racing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5779. Association Website Requirements

A. An association shall stream its live racing in real time with capabilities of replays for races in its current meet on its website and/or application for a smart television or provide a link on its website that allows viewing of live races and replays at no charge from a third-party provider.

B. An association shall provide technology that allows reservations to be made by guests and horsemen or shall provide on its website a phone number that will be answered by a live person to allow reservations to be requested and confirmed for guests and horsemen as follows:

1. from 8:00 AM to 6:00 PM on non-race days; and
2. from 8:00 AM through the last race being made official on race days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5781. Tote Boards

A. All associations must have a tote board in the infield and a tote board above the stalls in the paddock providing current odds and results during live racing.

1. All new tote boards installed after adoption of this Rule must have digital video capabilities.

2. All tote boards located in the infield must have landscaping approved by the commission at the same time as the Association's race meet applications for licenses, dates, and wagering are considered for approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5783. Winner's Circle

A. An association shall ensure that the winner's circle is kept clean, maintained, and upgraded as needed for safety and appearance.

B. An association must provide an employee to remove horse manure from the winner's circle in a timely manner during live racing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5785. Parking Areas

A. All parking areas on association property, regardless of their location, must have drainage that removes all puddles caused by rain.

B. An association shall maintain healthy landscaping for every day of the year at all entry roads and parking areas.

C. On a regular basis, security personnel shall check all handicap parking spaces on association property for any cars parked without displayed handicap eligibility and shall ensure that no vehicles are blocking wheelchair access to handicap vehicles.

D. All parking must be appropriately and visibly marked for parking spaces.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5787. Maintenance Equipment

A. Each racetrack shall have a functioning rock picker attachment for tractors for removal of rocks and stones on racing surfaces.

B. Each racetrack that has at least one escalator on its premises shall have a functioning duplex escalator cleaning machine or similar equipment specifically made to clean escalators.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5789. Off-Track Wagering Facilities

A. An association shall ensure that food and beverages are always available to guests at its off-track wagering facilities during open hours of operation.

B. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races.

1. There must be a teller in close proximity that can cash tickets and take bets.

C. All off-track wagering facilities must be open and taking wagers during the hours that any racetrack in the United States is conducting live racing, except by agreement with the commission or its designee.

D. This Section lists the minimum requirements for off-track wagering facilities, and an association reserves the right to exceed these minimum requirements as allowable under the laws of the State of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5791. Horse Move In and Move Out

A. An association shall be prepared and allow horses to move in to allotted stalls and train on its racetrack grounds no later than 30 days prior to the start of a race meet, unless ordered by the commission to be a longer period.

B. An association shall allow horses to stay housed in the allotted stalls and train on the racetrack grounds for at least 15 days after the end of a race meet, unless otherwise negotiated and in agreement with the Louisiana Horsemen's Benevolent and Protective Association.

C. The commission may grant an exception to the arrival and departure dates set in this Section due to force majeure or other prohibitive circumstances on a case-by-case basis as requested by an association.

D. The Louisiana Horsemen's Benevolent and Protective Association may request an earlier arrival date or later departure date for horses with allotted stalls at a specified racetrack in writing to the association and the commission for consideration.

1. If the Louisiana Horsemen's Benevolent and Protective Association and the association reach an agreement on earlier arrival or later departure dates for horses, the association may charge a stall rate of \$8 per stall per day for the agreed-upon additional days, subject to annual review by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§5793. Reporting Altercations

A. An association shall provide a written report of any physical altercation of which it has been made aware that occurs on its grounds to the commission within 5 days of incident.

1. The individuals involved in the reported physical altercation may be subject to immediate suspension by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

RULES FOR FORMAL ADOPTION & EMERGENCY RULE EXTENSION AT APRIL 17, 2023 COMMISSION MEETING

Title 35 HORSE RACING Part XV. Off-Track Wagering

Chapter 123. General Rules

§12342. Amenities for Guests

A. All off-track wagering facilities must follow the requirements set forth in LAC 35:III.5789.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:164.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§12345. Concession Services

A. The concession and catering operations shall be conducted so that all persons attending off-track wagering facilities shall be satisfactorily served. Food, beverages (both alcoholic and nonalcoholic), tobacco and other generally related items may be available for sale to the patrons of the various facilities during open hours of operation. Concessionaires serving liquid refreshments shall not permit the surrender of glass containers to patrons except in designated areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:211-227.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 14:290 (May 1988), amended by the Office of the Governor, Division of Administration, Racing Commission LR 48: