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Executive Director

LOUISIANA STATE RACING COMMISSION

MEETING NOTICE

THE LOUISIANA STATE RACING COMMISSION WILL HOLD A MEETING AT 10:00AM ON TUESDAY, JANUARY 18, 2022 IN MOJO'S SPORTS BAR OF THE EVANGELINE DOWNS RACETRACK & CASINO, 2235 CRESWELL LANE EXTENSION, OPELOUSAS, LOUISIANA. INTERESTED PARTIES AND THE PUBLIC MAY PARTICIPATE IN THE MEETING IN PERSON IF ROOM CAPACITY ALLOWS PER SOCIAL DISTANCING GUIDELINES AND MUST WEAR A FACE MASK THAT FULLY COVERS THEIR NOSE AND MOUTH. ALTERNATELY, INTERESTED PARTIES AND THE PUBLIC MAY PARTICIPATE IN THE MEETING ONLINE VIA ZOOM BY ENTERING MEETING ID 847 0905 5198 AND ENTERING PASSCODE 719503. ALL INTERESTED PARTIES AND THE PUBLIC MAY PARTICIPATE IN THE MEETING BY PHONE USING THE FOLLOWING NUMBERS THAT ARE CLOSEST TO THEIR PROXIMITY: (346) 248-7799 FOR HOUSTON, TX; (669) 900-6833 FOR SAN JOSE, CA; (929) 205-6099 FOR NEW YORK, NY; (253) 215-8782 FOR TACOMA, WA; (301) 715-8592 FOR WASHINGTON DC; (312) 626-6799 FOR CHICAGO, IL. ALL PHONE PARTICIPANTS MUST ENTER MEETING ID 847 0905 5198 AND ENTER PASSCODE 719503. ZOOM AND PHONE GUESTS MUST IDENTIFY THEMSELVES AND REQUEST PERMISSION TO SPEAK BEFORE MAKING COMMENTS.

**APPROVAL OF OCTOBER 26, 2021, NOVEMBER 19, 2021,
& DECEMBER 13, 2021 MEETING MINUTES**

I. ASSOCIATION REQUESTS

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

1. PROGRESS REPORT

2022 QUARTER HORSE MEET

2. STEWARD

- a. Approval of Tom Davis to serve as state steward for 2022 quarter horse meet.

B. THE OLD EVANGELINE DOWNS, LLC

d/b/a EVANGELINE DOWNS RACETRACK & CASINO

1. PROGRESS REPORT

2022 THOROUGHBRED MEET

2. STEWARD

- a. Approval of Charles Ashy, Jr. to serve as state steward for 2022 thoroughbred meet.

C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC

d/b/a FAIR GROUNDS RACE COURSE & SLOTS

1. PROGRESS REPORT

2021-2022 THOROUGHBRED MEET

2. STEWARDS, OFFICIALS & MANAGEMENT

- a. Ratification of Charles Ashy, Jr. to serve as state steward for 2021-2022 thoroughbred meet.
b. Ratification of *Stuart Slagle to serve as Entry Clerk/Placing Judge for 2021-2022 thoroughbred meet.

**new official*

D. HARRAH'S BOSSIER CITY INVESTMENT COMPANY, LLC

d/b/a HARRAH'S LOUISIANA DOWNS

1. PROGRESS REPORT

2022 QUARTER HORSE MEET

2. RACES

- a. Ratification of first condition book for 2022 quarter horse meet.
b. Ratification of designated races for 2022 quarter horse meet.

03/27/22 Mardi Gras Futurity
03/27/22 Mardi Gras Derby
04/03/22 Harrah's Futurity

TRIAL DATES

03/06/22 Mardi Gras Futurity Trials
03/07/22 Mardi Gras Derby Trials
03/13/22 Louisiana Downs Futurity Trials

3. STEWARDS, OFFICIALS & MANAGEMENT

- a. Ratification of officials for 2022 quarter horse meet:

David Heitzmann – Director of Racing/Racing Secretary
Jennifer Sokol – Racing Operations Manager
Russell Ramstad – Assistant Racing Secretary
Tammy Peck – Assistant Racing Secretary/Paddock Judge
Charles Magee – Association Steward
Melvin Holland – Association Steward
Jimmy Cordell – Starter
Raleigh Cox – Clerk of Scales
Arnold Mueller – Custodian
Koleen Karlin – Placing Judge
Darline Knight – Placing Judge
Falyn Holmes – Placing Judge
Julie Gipson – Horse Identifier
Lisa Lombardino – Program Coordinator/Claims
Betty Fetters – Clocker
Kenneth Loggins – Clocker
Juan Roman – Outrider
Laura Hollowoa – Outrider

II. BREEDER UPDATES

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

III. 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*

IV. RULES

- A. DISCUSSION/NOTICES OF INTENT:
 - 1. LAC 35:VII Chapter 89 – Whips
 - §8902. *Use of Riding Crop [new]*
 - 2. LAC 35:XI Chapter 99 – Claiming Rule
 - §9911. *Claiming Procedures [amend]*
 - §9913. *Vesting of Title; Tests [amend]*
 - §9914. *Voided and Voidable Claims [new]*
 - §9949. *Purse to Claim Price Ratio [new]*
 - 3. LAC 46:XLI Chapter 3 – Trainer
 - §321. *Horses Suspended Concurrent with Trainer [new]*

V. OTHER

- A. HISA LASIX OPT OUT
 - 1. Discussion of opting out of the Horseracing Integrity and Safety Authority's Lasix ban for Louisiana racetracks.
- B. ALBUTEROL BAN
 - 1. Discussion of an effective date for enforcement of the ban on Albuterol in quarter horses per LAC 35:I.1506 "Permitted Medications in Quarter Horses".

C. LAHBPA REQUESTS

1. **Discussion** of LaHBPA's request to end LSRC's piroplasmosis testing.
2. **Discussion** of LaHBPA's request to require an independent track surface expert's evaluation prior to the start of race meets.

D. HHR IMPLEMENTATION

1. **Approval** to designate Gaming Laboratories International, LLC as the Commission's independent testing laboratory for Historical Horse Racing operations in Louisiana.
2. **Approval** of the following Licensing Fees:
 - a. Applicant Association (Initial) - \$125,000
 - b. License Fee Per Establishment/OTB (Initial) - \$7,000
 - c. Wagering Vendor License (Initial) - \$2,000
 - d. Wagering Vendor License (Annual Renewal) - \$500
 - e. Background Investigation - up to \$4,000
 - f. Non-Key Person License (Initial) - \$200
 - g. Key Person License (Initial) - \$1,000
3. **Approval** of HHR Wagering Accounts to have the ability to be funded directly from mobile devices and through various advance-deposit account funding mechanisms, whether it be through credit card, bank, or attendant or kiosk at association locations.
4. **Approval** of Technical Amendments.
5. **Approval** of Delegation of Authority to LSRC Executive Director to enter into Memoranda of Understanding with other racing jurisdictions to share HHR investigative findings, documents, and materials.

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

1. **JeMarcus L. Anderson, Owner.** Convicted felon.

B. REQUEST FOR REDUCTION OF SENTENCE/REINSTATEMENT

1. **Jonas Gibson, Trainer.** Seeking reduction of suspension/reinstatement of license.

VII. ADJUDICATIONS**A. CARELESS RIDING APPEAL (LA. REV. STAT. 4:154)**

1. **Guadalupe A. Lucio, Jr., Jockey.**
Ruling#ED24559 of 10/18/21 - *Careless Riding*.

B. APPEAL OF STEWARDS' DISQUALIFICATION

LAC 35:V.7901, et. seq (Right to the Track; Swerve; Disqualification of Offending Horse)

1. **Ronnie P. Ward, Trainer.**
Appeal of Stewards' decision to disqualify *G-Kate* in the 6th race on December 9, 2021 at Delta Downs.

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

1. **Hector R. Alcalá, Trainer.** (*Adjudications Referred & Appealed*)
 Ruling#DD24383 of 06/16/21 – *Ephedrine (ARCI Category II)*
Pseudoephedrine (ARCI Category III)
Phenylpropanolamine (ARCI Category III)
 Ruling#DD24384 of 06/16/21 – *Ephedrine (ARCI Category II)*
Pseudoephedrine (ARCI Category III)
Phenylpropanolamine (ARCI Category III)
 Ruling#DD24385 of 06/16/21 – *Ephedrine (ARCI Category II)*
Pseudoephedrine (ARCI Category III)
Phenylpropanolamine (ARCI Category III)
 Ruling#DD24386 of 06/16/21 – *Ephedrine (ARCI Category II)*
Pseudoephedrine (ARCI Category III)
Phenylpropanolamine (ARCI Category III)
 Ruling#DD24387 of 06/16/21 – *Ephedrine (ARCI Category II)*
Pseudoephedrine (ARCI Category III)
Phenylpropanolamine (ARCI Category III)
2. **Adrian E. Huitron, Trainer.** (*Adjudications Referred*)
 Ruling#ED24426 of 07/09/21 – *Boldenone (ARCI Category III)*
 Ruling#ED24427 of 07/09/21 – *Boldenone (ARCI Category III)*
 Ruling#ED24428 of 07/09/21 – *Boldenone (ARCI Category III)*

Continued from October 26, 2021 Commission Meeting

3. **Eric J. Long, Trainer.** (*Adjudication Appealed*)
 Ruling#LD24326 of 05/08/21 – *Clenbuterol (ARCI Category III)*
4. **Barbara J. Alcantara, Trainer.** (*Adjudications Appealed*)
 Ruling#ED24616 of 11/18/21 – *Boldenone (ARCI Category III)*
 Ruling#ED24640 of 12/08/21 – *Ractopamine (ARCI Category II)*
Boldenone (ARCI Category III)

**D. VIOLATIONS OF LAC 35:I.1705, et seq. (Electrical Devices),
 LA. REV. STAT. 4:175(E) (Electrical Device & Willful Pulling of Reins),
 & LAC 46:XLI.739 (Rider Wagering)**

1. **Billy C. Patin, Jockey.** (*Adjudications Referred*)
 Ruling#ED21282 of 8/14/15 – *Electrical Device*
 Ruling#ED21305 of 8/28/15 – *Pulling of Reins & Rider Wagering*
2. **Joseph W. Patin, Jr., Jockey.** (*Adjudications Referred*)
 Ruling#ED21280 of 8/14/15 – *Electrical Device*
 Ruling#ED21281 of 8/14/15 – *Electrical Device*
 Ruling#ED21304 of 8/28/15 – *Pulling of Reins & Rider Wagering*

VIII. ADJOURNMENT

A handwritten signature in blue ink, reading "Charles A. Gardiner III". The signature is written in a cursive style and is positioned above a horizontal line.

Charles A. Gardiner III
Executive Director

This notice was posted by the entrance of the Louisiana State Racing Commission, Thursday, January 13, 2022 at 4:00PM.

**RULE FOR DISCUSSION/NOTICE OF INTENT
AT JANUARY 18, 2022 COMMISSION MEETING**

**Title 35
HORSE RACING
Part VII. Equipment and Colors**

Chapter 89. Whips

§8902. Use of Riding Crop

- A. Use of the riding crop will be allowed in the following ways:
1. no more than six times in the overhand fashion;
 2. no more than two times in succession;
 3. to avoid a dangerous situation or preserve the safety of racing participants and/or horses;
 4. if necessary, in a backhanded or underhanded fashion from the three-eighths pole to the finish line, which does not count to the use of the crop six times in the overhand fashion;
 5. tapping the horse on the shoulder in the down position with both hands holding the reins and touching the horse's neck; and
 6. showing or waving the crop without contact to the horse.
- B. A jockey may never use the crop with his wrist above helmet height.
- C. Penalties for failure to abide by the above provisions may include a warning, a fine of a minimum of \$100 up to a maximum of \$500 as determined by the stewards.
1. If the violation is egregious or intentional, then the stewards may impose a suspension.
 2. To determine whether a violation is egregious or intentional, the stewards may consider all factors, including the jockey's history of similar violations, the number of uses over the total and consecutive limits, and use of the crop in the overhand position more than six times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147, R.S. 4:148, and R.S. 4:172.

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

RULES FOR DISCUSSION/NOTICE OF INTENT AT JANUARY 18, 2022 COMMISSION MEETING

Title 35 HORSE RACING Part XI. Claiming Rules and Engagements

Chapter 99. Claiming Rule

§9911. Claiming Procedures

A. All claims shall be signed, sealed, time stamped and deposited in a locked box provided for that purpose in a designated place, at least 15 minutes prior to post time for each race. The claim box shall be opened by the stewards and all claims shall remain in their possession. The claim envelopes shall not be opened by the stewards earlier than 10 minutes prior to post time for the designated race. Notification will be made by the stewards to the proper officials of any claim or claims, if any. No money shall accompany the claim. Each person desiring to make a claim, unless he shall have such amount to his credit with the horsemen's bookkeeper, must first deposit with the horsemen's bookkeeper the whole amount of his claim in cash, for which a receipt will be given. If more than one person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot by one of the stewards or his deputy, and the person so determined to have the right of the claim shall become the owner of the horse whether it be alive or dead, sound or unsound or injured during the race or after it, except as otherwise provided by voided and voidable claims sections. Any horse, other than the winner, that has been claimed, shall be taken to the paddock after the race has been run, for delivery to the claimant unless sent to the retention barn for delivery to the claimant after the specimen has been collected.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 1:497 (November 1975), amended LR 2:446 (December 1976), LR 3:42 (January 1977), LR 4:285 (August 1978),

§9913. Vesting of Title; Tests

A. Title to a claimed horse shall be vested in the successful claimant at the time the horse becomes a starter. The successful claimant shall then become the owner of the horse whether alive or dead, sound or unsound, or injured at any time after leaving the starting gate, during the race or after, except as otherwise provided by voided and voidable claims section.

~~B. The successful claimant may request on the claim blank at the time he makes his claim that the horse be tested for the presence of equine infectious anemia via a Coggins test and/or erythropoietin and/or darbepoietin.~~

~~1. Should the test for equine infectious anemia prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana.~~

~~2. Should the test for recombinant erythropoietin and/or darbepoietin prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana until such time as the horse tests negative.~~

~~C. Additionally, if such erythropoietin and/or darbepoietin positive result is found, the claimant, claimant's trainer or claimant's authorized agent shall have 48 hours in which to request the claim be declared invalid, such request to be made in writing to the stewards.~~

~~D. The expense of the tests and the maintenance of the horse during the period requested for the tests shall be absorbed by the successful claimant.~~

~~E. If such tests are requested the claimed horse will be sent to the retention barn of the Louisiana State Racing Commission where the state veterinarian will draw blood samples.~~

~~1. Blood samples drawn to test for equine infectious anemia shall be sent to a laboratory approved by the Louisiana Livestock Sanitary Board for the conduct of such test.~~

~~2. Blood samples drawn to detect by immunoassay recombinant erythropoietin and/or darbepoietin shall be sent to the Louisiana State Racing Commission's state chemist.~~

~~F. Notwithstanding any inconsistent provision of the Part, a horse shall not be subject to disqualification from the race and from any share of the purse in the race, and the trainer of the horse shall not be subject to application of trainer's responsibility based upon the finding by the laboratory that erythropoietin and/or darbepoietin was present in the sample taken from that horse.~~

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:446 (December 1976), amended LR 3:42 (January 1977), LR 4:285 (August 1978), LR 5:136 (June 1979), amended by the Office of the Governor, Division of Administration, Racing Commission LR 30:1476 (July 2004), LR 31:3160 (December 2005), LR 35:2756 (December 2009),

§9914. Voided and Voidable Claims

A. A claim shall be voided if a horse is a starter as determined by the regulatory authority, and the horse:

1. Dies on the racetrack; or
2. Suffers an injury which requires the euthanasia of the horse as determined by the official veterinarian while the horse is on the racetrack.

B. A claim is voidable at the discretion of the new owner for a period of one hour after the race is made official, for any horse:

1. That is vanned off the track at the direction of the official veterinarian; or
2. That is observed by the official veterinarian to be lame or unsound while on the racetrack for that race; or
3. That is observed by the official veterinarian to have bled through its nostrils while on the track.

C. The successful claimant may request on the claim blank at the time he makes his claim that the horse be tested for the presence of equine infectious anemia via a Coggins test and/or erythropoietin and/or darbepoietin.

1. Should the test for equine infectious anemia prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana.

2. Should the test for recombinant erythropoietin and/or darbepoietin prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana until such time as the horse tests negative.

3. Additionally, if such erythropoietin and/or darbepoietin positive result is found, the claimant, claimant's trainer or claimant's authorized agent shall have 48 hours in which to request the claim be declared invalid, such request to be made in writing to the stewards.

4. The expense of the tests and the maintenance of the horse during the period requested for the tests shall be absorbed by the successful claimant.

5. If such tests are requested the claimed horse will be sent to the retention barn of the Louisiana State Racing Commission where the state veterinarian will draw blood samples.

a. Blood samples drawn to test for equine infectious anemia shall be sent to a laboratory approved by the Louisiana Livestock Sanitary Board for the conduct of such test.

b. Blood samples drawn to detect by immunoassay recombinant erythropoietin and/or darbepoietin shall be sent to the Louisiana State Racing Commission's state chemist.

6. Notwithstanding any inconsistent provision of the Part, a horse shall not be subject to disqualification from the race and from any share of the purse in the race, and the trainer of the horse shall not be subject to application of trainer's responsibility based upon the finding by the laboratory that erythropoietin and/or darbepoietin was present in the sample taken from that horse.

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

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

§9949. Purse to Claim Price Ratio

A. The purse-to-claim price ratio in claiming races for open bred horses shall not be greater than a 2:1 ratio, except for races where supplements are added for accredited Louisiana bred horses who compete in open bred races, where the purse-to-claim price ratio shall not be greater than 3:1.

B. The purse-to-claim price ratio for restricted accredited Louisiana bred races shall not be greater than 3:1, except where the conditions for the race limit the entries to accredited Louisiana bred horses sired by stallions standing in the state as of the breeding date where the ratio shall not be greater than 5:1.

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

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

**RULE FOR DISCUSSION/NOTICE OF INTENT
AT JANUARY 18, 2022 COMMISSION MEETING**

**Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XLI. Horseracing Occupations**

Chapter 3. Trainer

§321. Horses Suspended Concurrent with Trainer

A. All horses in the charge of a trainer whose license has been revoked or suspended shall not be permitted to race during the period of such trainer's suspension. Upon application by the owners of such suspended horses, the stewards may approve the bona fide transfer of such horses to the care of another registered trainer, and upon such approved transfer, such horses may be entered to race.

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

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