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LOUISIANA STATE RACING COMMISSION

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Mike Shelton

Charles A. Gardiner III
Executive Director

January 15, 2020

Senate Commerce Committee
P.O. Box 94183
Baton Rouge, LA 70804-9183

House Commerce Committee
P.O. Box 94486
Baton Rouge, LA 70804-9486

RE: ANNUAL REPORT

Dear Committee Members:

Pursuant to La. R.S. 49:968(K), I am submitting the enclosed report of action taken by the Louisiana State Racing Commission with respect to proposing, amending and adoption of rules. The report contains all actions taken on rules which were proposed or promulgated between January 1, 2019 and December 31, 2019. The report also contains information on the petitions and submissions received by the LSRC as well as the LSRC's responses to those petitions and submissions.

If you have any questions regarding the enclosed material, please contact me at (504) 483-4000.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles A. Gardiner III".

Charles A. Gardiner III
Executive Director

CAG: tm
Enclosures

cc: Office of the State Register
R. Hamilton "Hammy" Davis, Rules Committee Chairman

LSRC ACTIONS 2019

The following is a summary of the actions taken by the Louisiana State Racing Commission with respect to amendment and adoption of proposed rules. These actions were taken from January 1, 2019 to December 31, 2019.

Commission Meeting Dates are those on which the Louisiana State Racing Commission held public hearings pursuant to La. R.S. 49:953. Oversight submittal dates are those on which documentation was submitted to the Legislative Fiscal Office and the House and Senate Commerce Committees pursuant to La. R.S. 49:968. Publication dates are those on which the notice of intended action was published in the *Louisiana Register* pursuant to La. R.S. 49:953. Public comments are accepted for submission up to 20 days (weekends and state holidays excluded) from the Notice of Intent publication date in the *Louisiana Register* pursuant to La. R.S. 49:953. Final rule promulgation dates are those on which the actions were published in the *Louisiana Register* pursuant to La. R.S. 49:954.

LAC 35: I.1506

This proposes a new rule for Permitted Medications in Quarter Horses.

Commission Meeting Date (<i>Public Hearing</i>):	July 16, 2018
Oversight Submittal to House & Senate Commerce Committees:	September 14, 2018
Publication Date (Notice of Intent):	October 20, 2018
Commission Meeting (Public Hearing) Formal Adoption Vote:	January 28, 2019
Final Rule Promulgation Date:	February 20, 2019

LAC 35: V.6336

This proposes an amendment to Preference for Eliminated Horses.

Commission Meeting Date (<i>Public Hearing</i>):	August 27, 2018
Oversight Submittal to House & Senate Commerce Committees:	September 14, 2018
Publication Date (Notice of Intent):	October 20, 2018
Commission Meeting (Public Hearing) Formal Adoption Vote:	January 28, 2019
Final Rule Promulgation Date:	February 20, 2019

LAC 35: I.304

This proposes a new rule for Petition for Adoption of Rules.

Commission Meeting Date (<i>Public Hearing</i>):	January 28, 2019
Oversight Submittal to House & Senate Commerce Committees:	February 14, 2019
Publication Date (Notice of Intent):	March 20, 2019
Commission Meeting (Public Hearing) Formal Adoption Vote:	June 24, 2019
Final Rule Promulgation Date:	July 20, 2019

LAC 35: III.5713

This proposes an amendment to Ambulance.

Commission Meeting Date (<i>Public Hearing</i>):	April 15, 2019
Oversight Submittal to House & Senate Commerce Committees:	May 15, 2019
Publication Date (Notice of Intent):	June 20, 2019
Commission Meeting (Public Hearing) Formal Adoption Vote:	October 28, 2019
Final Rule Promulgation Date:	November 20, 2019

LAC 35: XIII.Chapter 110

This proposes a repeal of Pick Five or Pick Six.

Commission Meeting Date (<i>Public Hearing</i>):	April 15, 2019
Oversight Submittal to House & Senate Commerce Committees:	May 15, 2019
Publication Date (Notice of Intent):	June 20, 2019
Commission Meeting (Public Hearing) Formal Adoption Vote:	October 28, 2019
Final Rule Promulgation Date:	November 20, 2019

LAC 35: XIII.Chapter 116

This proposes amendments to Pick N.

Commission Meeting Date (<i>Public Hearing</i>):	April 15, 2019
Oversight Submittal to House & Senate Commerce Committees:	May 15, 2019
Publication Date (Notice of Intent):	June 20, 2019
Commission Meeting (Public Hearing) Formal Adoption Vote:	October 28, 2019
Final Rule Promulgation Date:	November 20, 2019

LAC 35: I.1506

This proposes an amendment to Permitted Medications in Quarter Horses.

Commission Meeting Date (<i>Public Hearing</i>):	August 19, 2019
Oversight Submittal to House & Senate Commerce Committees:	September 13, 2019
Publication Date (Notice of Intent):	October 20, 2019
Commission Meeting (Public Hearing) Formal Adoption Vote:	<i>Pending</i>
Final Rule Promulgation Date:	<i>Pending</i>

PETITIONS AND SUBMISSIONS TO LSRC 2019

The following is a summary of the petitions and submissions received by the Louisiana State Racing Commission (hereinafter “LSRC”) with respect to amendment and adoption of rules and the LSRC’s response to those petitions and submissions from January 1, 2019 to December 31, 2019 pursuant to La. R.S. 49:953(C).

I. Petitions and Submissions that have not resulted in Rulemaking at this time

LAC 35: I. Chapter 17 “Corrupt and Prohibited Practices”

Petition: Mr. Kenneth Weaver, Louisiana-licensed Owner, requested to speak and present information regarding LAC 35:I.1717-1797. At the August 19, 2019 LSRC Meeting, he petitioned for rulemaking to set a threshold level of methamphetamine in horses before calling an equine drug test positive that would take environmental contamination into account. He also submitted a related information packet to the Commission.

Response: At the August 19, 2019 LSRC Meeting, LSRC assigned the matter to the Rules Committee and Dr. Levent Dirikolu, Director of Equine Medication Surveillance Laboratory at Louisiana State University, to research other jurisdictions’ handling of methamphetamine levels, enforcement, and penalties. On October 31, 2019, The LSRC sent a written letter in response to Mr. Weaver’s petition, stating that: “As the Louisiana State Racing Commission has adopted the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule for Horses, it will continue to call methamphetamine positives at level of detection. However, pursuant to the penalty guidelines housed in LAC 35:I.1797, the Commission will look at each methamphetamine case on a factual basis to determine whether there are mitigating or aggravating circumstances to each equine positive for methamphetamine called. Further research may be done in the future, but the Commission will not be making any rule changes based on the information you provided.”