

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

The Louisiana State Racing Commission hereby gives notice that it intends to amend the following rules. The proposed rules will provide the commission with more regulatory guidance regarding licensed training tracks.

This proposed rule has no known impact on family formation, stability and/or autonomy as described in R.S. 49:972.

TITLE 46. PROFESSIONAL AND OCCUPATIONAL STANDARDS
PART XLI. HORSERACING OCCUPATIONS
Chapter 19. Training Tracks

§1903. License Information

A. Anyone desiring to operate a training track must make application to the commission on or before the fifteenth of April of each year. On or before the first of May each year, the commission will consider all applications for a license to operate a training track.

B. An applicant seeking such license shall provide the following information:

1. the full name of the person, partnership, corporation, or limited liability company, and the names of agents for service of process within Louisiana;
2. if an association or corporation, the names of the stockholders and directors of the corporation or the names of the members of the association;
3. if a partnership or limited liability company, the names and addresses of each partner or member, the relative proportions of such interests, and terms of management;
4. the exact location where it is desired to operate a training track;
5. a statement of the assets and liabilities of the person or entity applying for the license;
6. name of liability insurer, policy number, name of insureds, and certificate of insurance in an amount not less than One Million (\$1,000,000.00) Dollars;
7. such other information as the commission may require.

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

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:289 (August 1978)

§1904. License Renewal

- A. After being granted a license to operate as a training track, any person or corporation desiring to continue to operate as a training track must submit an application for a license on a yearly basis to the commission on or before the fifteenth of April each year.

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

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 4:289 (August 1978)

§1905. Authority and Jurisdiction

A. The commission, its stewards, agents and employees shall have full authority and jurisdiction over a licensed training track as may be appropriately exercised pursuant to R.S. 4:141 et seq. and the *Rules of Racing* as such apply to an association or licensee or permittee and consistent therewith.

B. Any individual deriving economic benefit from employment on the grounds of a training track shall be licensed by the commission whether he or she is in the employ of the training track or an individual. Economic benefit includes, but is not limited to, fixed salary, hourly wages, or income from gratuities.

C. Any licensed training track shall disclose in writing any and all activity it has reason to believe may be criminal under the laws of this state or the United States and violations of the *Rules of Racing* to the Louisiana State Racing Commission. Failure to do so may subject the training track to a penalty by way of fine and/or suspension of license.

D. Any owner, supervisor, or employee of a licensed training track shall at all times keep from the premises of the training track, including but not limited to its auxiliary buildings, barns, sheds and offices, any person who is known to be ordered by the commission to be excluded, ejected or otherwise deemed not in good standing. The commission, or designated racing stewards, may revoke, limit, condition, or suspend the license of or impose a fine on any individual or licensee in accordance with the law of this state and rules and regulations of the commission, if the licensee or person knowingly and willfully fails to act to exclude or eject any person who is known to be excluded, ejected or otherwise deemed not in good standing by the commission.

E. Each training track shall provide one ambulance during all days and at all times designated within the license for the conduct of official work-outs. During such time, the ambulance shall be ready for duty, properly equipped to provide emergency medical services, including equipment and personnel, and shall have immediate access to the racing strip.

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

HISTORICAL NOTE:

§1906. Production of Books, Memorandum, or Documents; Removal of Official or Employee; Manner of Keeping Books; Witnesses; Penalty

A. The commission may compel the production of all books, memoranda, or documents showing receipts of accounts payable and accounts receivable of any person licensed to conduct a training track. As a condition of licensing, the commission may require that the books, financial statement, or other statement of any licensee be kept in a manner provided by the commission.

B. The commission, a racing steward, or a designated representative of either may visit, investigate, audit, and place inspectors in the offices, tracks or place of business of the licensed training track.

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

§1907. Grounds for Denial or Termination of Training Track License

A. The commission may refuse, suspend, or withdraw a training track license for just cause, which shall include but not be limited to any of the following:

1. any actions which are found to violate the provisions of this chapter or other applicable *Rules of Racing* to the Louisiana State Racing Commission, the laws of this state or the United States;
2. corrupt practice;
3. willful falsification and/or misstatement of material fact in an application for license;
4. material false statement to the commission, racing stewards, or its duly authorized representative;
5. continued failure to meet the terms and conditions of the license.

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

* * * * *

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m., and interested parties may contact Charles A. Gardiner III, executive director, or Larry Munster, assistant executive director, at (504) 483-4000 (holidays and weekends excluded), or by fax (504) 483-4898, for more information. All interested persons may submit written comments relative to this proposed rule for a period up to 20 days exclusive of weekends and state holidays from the date of this publication to 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

Charles A. Gardiner III
Executive Director