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First Vice Chairman

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Second Vice Chairman



## LOUISIANA STATE RACING COMMISSION

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Kevin S. Delahoussaye  
Benjamin J. Guilbeau, Jr.  
Richard M. "Dick" Hollier, Jr.  
David E. Roberts  
William A. Robinson  
Kenneth "Kenu" Romero  
Judy W. Wagner  
Dion Young  
  
Charles A. Gardiner III  
Executive Director

# MEETING NOTICE

THE LOUISIANA STATE RACING COMMISSION WILL HOLD A MEETING MONDAY, NOVEMBER 14, 2011 AT 9:00AM IN THE VIEUX CARRÉ ROOM (ROOFTOP LEVEL) OF THE MONTELEONE HOTEL, 214 ROYAL STREET, NEW ORLEANS, LOUISIANA.

### I. ASSOCIATION REQUESTS

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

##### 1. PROGRESS REPORT

##### 2011/2012 THOROUGHBRED MEET

##### 2. RACES

##### a. Ratification of designated races for the 2011-2012 thoroughbred meet.

10/22/11	My Trusty Cat
10/22/11	Jean Lafitte
11/5/11	Magnolia
11/5/11	Gold Cup
11/19/11	Treasure Chest
11/19/11	Boyd Gaming's Delta Jackpot (G3)
11/19/11	Boyd Gaming's Delta Princess (G3)
11/19/11	Delta Mile
11/19/11	Louisiana Legacy
11/19/11	Louisiana Jewel
2/4/12	Premier Night Starlet, La. Bred
2/4/12	Premier Night Prince, La. Bred
2/4/12	Premier Night Matron, La. Bred
2/4/12	Premier Night Sprint, La. Bred
2/4/12	Premier Night Distaff, La. Bred
2/4/12	Premier Night Championship, La. Bred

#### B. EVANGELINE DOWNS RACETRACK & CASINO

##### 1. PROGRESS REPORT

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

##### 1. PROGRESS REPORT

**2011/2012 THOROUGHBRED MEET****2. RACES**

- a. **Approval** of first condition book for 2011/2012 thoroughbred meet.  
 b. **Approval** of designated races for the 2011/2012 thoroughbred meet:

12/03/11	Claiming Crown Iron Horse
12/03/11	Claiming Crown Express
12/03/11	Claiming Crown Glass Slipper
12/03/11	Claiming Crown Rapid Transit
12/03/11	Claiming Crown Emerald
12/03/11	Claiming Crown Jewel
12/10/11	Quarter Horse Juvenile
12/10/11	Quarter Horse Derby
12/10/11	Quarter Horse Classic
12/10/11	Starter
12/10/11	Juvenile
12/10/11	Lassie
12/10/11	Sprint
12/10/11	Ladies Sprint
12/10/11	Turf
12/10/11	Ladies
12/10/11	Classic
12/31/11	Louisiana Futurity - Colts & Geldings
12/31/11	Louisiana Futurity - Fillies
01/21/12	Pan Zareta Stakes
01/21/12	F.W. Gaudin Memorial Stakes
01/21/12	Louisiana Handicap
01/21/12	Col. E. R. Bradley Handicap (Gr. III)
01/21/12	Silverbulletday Stakes
01/21/12	Lecomte Stakes (Gr. III)
02/25/12	Gentilly Stakes
02/25/12	Colonel Power Stakes
02/25/12	Fair Grounds Handicap (Gr. III)
02/25/12	Mineshaft Handicap (Gr. III)
02/25/12	Rachel Alexandra Stakes (Gr. III)
02/25/12	Risen Star Stakes (Gr. II)
03/17/12	New Orleans Ladies Stakes
03/31/12	Red Camelia Stakes
03/31/12	Crescent City Oaks
03/31/12	Bayou Handicap
03/31/12	Fair Grounds Oaks (Gr. II)
04/01/12	Costa Rising Stakes
04/01/12	Bayou St. John Stakes
04/01/12	Crescent City Derby
04/01/12	Duncan F. Kenner Stakes
04/01/12	Mervin H. Muniz Jr. Memorial Handicap (Gr. II)
04/01/12	New Orleans Handicap (Gr. II)
04/01/12	Louisiana Derby (Gr. II)

**3. STEWARDS, OFFICIALS & MANAGEMENT**

- a. **Approval** of racing officials for the 2011/2012 thoroughbred meet:

Jason Boulet - Racing Secretary  
 Roy Wood – State Steward  
 Peter Kosiba, Jr. and Brook Hawkins - Association Stewards  
 Harvey Lourd, III – Assistant Racing Secretary  
 Frank Comberrel, Jr. - Starter  
 Scott Jones - Stakes Coordinator  
 Barbara Comberrel – Program Director  
 Ramon Muniz - Paddock Judge  
 Gary Palmisano, Sr. – Paddock Judge/Clocker  
 Joe Peluso, Amber Fontenot, George Graham, Gary Palmisano, Jr. and \*Ryan Seewald –  
 Placing/Patrol Judges

Kerry Dubuc, Mike Diliberto, Billy Pettingill - Clockers  
Nelson Menard - Clerk of Scales  
Jed Babin - Horse Identifier  
Mario Torres - Stall Superintendent  
Craig Daligian - Jockey Room Custodian  
Steve Worsley – Claims Clerk  
Robert Mayer, Darren Cain and \*Alan Love, Jr., Scott Cole (Alternate) – Outriders  
Sean Worsley – Silks Coordinator  
*\*new official*

**D. HARRAH'S BOSSIER CITY INVESTMENT COMPANY, LLC  
d/b/a HARRAH'S LOUISIANA DOWNS**

**1. PROGRESS REPORT**

**II. COMMITTEE REPORTS**

- A. **MEDICATION COMMITTEE**, *by Committee Chairman Payton R. Covington*
- B. **RULES COMMITTEE**, *by Committee Chairman Keith W. Babb*
  - 1. Discussion of Penalty Guidelines (LAC 35: I.1797)
- C. **LEGAL COMMITTEE**, *by Committee Chairman Bob F. Wright*
- D. **SECURITY COMMITTEE**, *by Committee Chairman Kenneth "Kenu" Romero*
- E. **RACETRACK/HBPA LIAISON COMMITTEE**
- F. **COMPLIANCE COMMITTEE**

**III. OTHER**

- A. **New Directive:**
  - 1. Approval of Directive No. 2011-01 regarding the reduction of the maximum test result levels for flunixin in blood for graded stakes races from 50 ng/mL to 20 ng/mL pursuant to TOBA requirements.
- B. **Discussion:**
  - 1. Request by HBPA to discuss collections of delinquent worker's compensation payments.

**IV. RULES**

- A. **Emergency Rules/Notices of Intent:**
  - 1. LAC 35: I. Chapter 15 – Permitted Medication [Amend]  
§1505. Nonsteroidal and/or Anti-Inflammatory Medication
  - 2. LAC 35: XIII. Chapter 105 – Daily Double [Amend]  
§10501. Maximum Daily Doubles per Race Card
  - 3. LAC 35: XIII. Chapter 109 – Super Six [Amend]  
§10901. Super Six
  - 4. LAC 35: XIII. Chapter 110 – Pick 5 [New]  
§11001. Pick Five

## V. LICENSES

- A. LICENSE APPROVAL REQUESTS [LA. REV. STAT. 4:150(B)(2)]
1. Donovan Ladner, Exercise rider. Convicted felon.
  2. Jimmy J. Segura, aka, Johnson J. Segura, Owner. Convicted felon.

## VI. ADJUDICATIONS

- A. ADJUDICATIONS REFERRED (LA. REV. STAT. 4:172)
1. Shemire D. Guillory, Assistant Starter/Valet. Ruling#ED18917 of 9/10/11 – *Attempting to manipulate a Human Drug Test.*
  2. Kenneth L. Roberts, Sr., Owner/Trainer. Ruling#ED18990 of 11/2/11 – *Triamcinolone Acetonide (ARCI Category IV, severity level I) (3<sup>rd</sup> offense within a 12-month period)*
  3. Michael S. Zingelmann, Owner/Trainer. Ruling#ED18989 of 11/2/11 – *Phenylbutazone & Flunixin (ARCI Category IV, severity level I) (3<sup>rd</sup> offense within a 12-month period)*
- B. APPEAL/REFERRED (LA. REV. STAT. 4:154, 4:172)
1. Michael A. Chaney, Jockey. Ruling#ED18962 of 10/15/11 – *Human Drug Testing (3<sup>rd</sup> offense)*

## VII. ADJOURNMENT



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Charles A. Gardiner III  
Executive Director

This notice was posted on the entrance door of the Louisiana State Racing Commission  
Friday, November 4, 2011 at 4:00PM.

# **PROPOSED RULE FOR AMENDMENT**

Emergency Rule and/or 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 by emergency procedure the following rule. The proposed amendment serves to bring Louisiana into compliance with the requirements of TOBA effective January 1, 2012. These requirements implemented by TOBA require that in order to maintain graded stakes race accreditation in Louisiana, for all horses entered in a Graded Stakes Race, the maximum post-race analytical test result levels of the blood of such horse, regardless of time of administration, for drug, phenylbutazone shall be 2.0 micrograms per milliliter.

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

## **TITLE 35. HORSE RACING PART I. GENERAL PROVISIONS Chapter 15. Permitted Medication**

### **§1505. Nonsteroidal and/or Anti-Inflammatory Medication**

A. No nonsteroidal and/or anti-inflammatory medication may be administered to or used on a horse in training and eligible to be raced at a race meeting in this state except by a licensed veterinarian or a licensed trainer, or under his or her personal order; provided, however, that any such medication given hypodermically may only be administered by a licensed veterinarian. The nonsteroidal, anti-inflammatory medications designated below may be used in training but may not be administered within 24 hours of a race in which a horse is entered. The maximum analytical test result levels of the urine and blood of such horse, regardless of time of administration, shall be as follows, unless otherwise specified herein.

#### **Post-Race Urine Levels Total of Drug and/or Metabolite**

Phenylbutazone 165 micrograms per milliliter

Oxyphenylbutazone 165 micrograms per milliliter

#### **Post-Race Blood Levels Total of Drug and/or Metabolite**

Phenylbutazone 5.0 micrograms per milliliter

Oxyphenylbutazone 5.0 micrograms per milliliter

B. In addition to any other urine or blood specimens required to be tested and analyzed, the stewards may order the taking of a blood specimen from any horse from which a urine specimen has been taken or will be taken while the horse is at the special barn and/or test barn as provided in §5761 which blood specimen shall be delivered to the state chemist for testing and analysis.

C. For all horses entered in a Graded Stakes Race, the maximum analytical test result levels of the blood of such horse, regardless of time of administration, shall be as follows

**Post-Race Blood Levels**  
**Total of Drug and/or Metabolite**

Phenylbutazone 2.0 micrograms per milliliter

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

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 9:547 (August 1983).

Charles A. Gardiner III

Executive Director

# **PROPOSED RULE FOR AMENDMENT**

Emergency Rule and/or 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 by emergency procedure the following rule. The proposed amendment will allow more than two daily doubles to be permitted during any single race card for the Fairgrounds Thoroughbred meet opening on November 24, 2011. The Fairgrounds Racetrack predicts that by allowing wagers on additional daily doubles, the handle will increase and therefore the revenue to the State of Louisiana will also increase for this meet. If this is not done by emergency procedure, the following rule will not be enacted for the use of the Fairgrounds in 2011.

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

## **Title 35**

### **Horse Racing**

#### **Part XIII. Wagering**

##### **Chapter 105. Daily Double**

###### **§10501. ~~Maximum Daily Doubles per Race Card~~**

A. ~~No more than two~~ Daily doubles shall be permitted during any single race card.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:149.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:441 (December 1976), amended LR 3:37 (January 1977), LR 4:282 (August 1978), LR 6:542 (September 1980), LR 12:289 (May 1986).

Charles A. Gardiner III

Executive Director

# **PROPOSED RULE FOR AMENDMENT**

Emergency Rule and/or 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 by emergency procedure the following rule. The proposed amendment serves to correct the language of the rule to properly state that seventy percent of the net amount in the pari-mutuel pool shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the six races comprising the super six. The rule currently incorrectly provides that thirty percent of the net amount shall be distributed.

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

## **Title 35**

### **Horse Racing**

#### **Part XIII. Wagering**

#### **Chapter 109. Super Six**

##### **§10901. Super Six**

A. The super six pari-mutuel pool is not a parlay and has no connection with or relation to any other pari-mutuel pool conducted by the association, nor to any win, place and show pool shown on the totalizator, nor to the rules governing the distribution of such other pools.

B. A super six pari-mutuel ticket shall be evidence of a binding contract between the holder of the ticket and the association and the said ticket shall constitute an acceptance of the super six provisions and rules.

C. A super six may be given a distinctive name by the association conducting the meeting, subject to approval of the commission.

D. The super six pari-mutuel pool consists of amounts contributed for a selection for win only in each of six races designated by the association with the approval of the commission. Each person purchasing a super six ticket shall designate the winning horse in each of the six races comprising the super six.

E. Those horses constituting an entry of coupled horses or those horses coupled to constitute the field in a race comprising the super six shall race as a single wagering interest for the purpose of the super six pari-mutuel pool calculations and payouts to the public. However, if any part of either an entry or the field racing as a single wagering interest is a starter in a race, the entry or the field selection shall remain as the designated selection to win in that race for the super six calculation and the selection shall not be deemed a scratch.

F. The super six pari-mutuel pool shall be calculated as follows.

1. The net amount in the pari-mutuel pool referred to in this Section is defined as the pari-mutuel pool created by super six wagering on that particular day and does not include any amounts carried over from previous days' betting as provided by in Subparagraph F.4.a below.

2. ~~Thirty~~ Seventy percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders, plus any carryover resulting from provisions of Paragraph F.4, shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the six races comprising the super six.



3. Thirty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the second most official winners, but less than six, in each of the six races comprising the super six.

4. In the event there is no pari-mutuel ticket properly issued which correctly designates the official winner in each of the six races comprising the super six, the net pari-mutuel pool shall be distributed as follows.

a. Seventy percent of the net amount in the pari-mutuel pool shall be retained by the association as distributable amounts and shall be carried over to the next succeeding racing day as an additional net amount to be distributed as provided in Paragraph F.2.

b. Thirty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the most official winners, but less than six, in each of the six races comprising the super six.

5. Should no distribution be made pursuant to Paragraph F.1 on the last day of the association meeting, then that portion of the distributable pool and all monies accumulated therein shall be distributed to the holders of tickets correctly designating the most winning selections of the six races comprising the super six for that day or night; the provisions of Subsections I and J have no application on said last day.

G. In the event a super six ticket designates a selection in any one or more of the races comprising the super six and that selection is scratched, excused or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs. In the event the amount wagered in the win pool on two or more favorites is identical, the favorite with the lowest number on the program will be designated as the actual favorite.

H. In the event of a dead heat for win between two or more horses in any super six race, all such horses in the dead heat for win shall be considered as winning horses in that race for the purpose of calculating the pool.

I. No super six shall be refunded except when all of the races comprising the super six are canceled or declared as "no contest." The refund shall apply only to the super six pool established on that racing card. Any net pool carryover accrued from a previous super six feature shall be further carried over to the next scheduled super six feature operated by the association.

J. In the event that any number of races less than six comprising the super six are completed, 100 percent of the net pool for the super six shall be distributed among holders of pari-mutuel tickets that designate the most winners in the completed races. No carryover from a previous day shall be added to the super six pool in which less than six races have been completed. Any net pool carryover accrued from a previous super six feature shall be further carried over to the next scheduled super six pool operated by the association.

K. No pari-mutuel ticket for the super six pool shall be sold, exchanged or canceled after the time of the closing of wagering in the first of the six races comprising the super six, except for such refunds on super six tickets as required by this regulation, and no person shall disclose the number of tickets sold in the super six pool or the number or amount of tickets selecting winners of super six races until such time as the stewards have determined the last race comprising the super six each day to be official.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:149.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 6:542 (September 1980), amended LR 12:11 (January 1986), amended by the Department of Economic Development, Racing Commission, LR 15:8 (January 1989).

Charles A. Gardiner III  
Executive Director

# **PROPOSED RULE**

Emergency Rule and/or Notice of Intent

**Office of the Governor**

**Division of Administration**

**Racing Commission**

The Louisiana State Racing Commission hereby gives notice that it intends to publish and adopt the following rule by emergency procedure. The proposed rule will allow the exotic wager called the Pick-5, which allows for a carryover of fifty percent of the betting pool when there is not a single ticket winner to the next day's wagering pool. The Fairgrounds Thoroughbred meet opens on November 24, 2011. The Fairgrounds Racetrack predicts that the Pick-5 wager will increase the handle and therefore the revenue to the State of Louisiana. The approximate amount of increase in handle is predicted by the Fairgrounds to be \$23,000 for the entire meet. If this is not done by emergency procedure, the following rule will not be enacted for the use of the Fairgrounds in 2011.

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

## **Title 35**

### **HORSE RACING**

#### **Part XIII. Wagering**

#### **Chapter 110. Pick Five**

##### **§ 11001. Pick Five**

A. The pick five pari-mutuel pool is not a parlay and has no connection with or relation to any other pari-mutuel pool conducted by the association, nor to any win, place and show pool shown on the totalizator, nor to the rules governing the distribution of such other pools.

B. A pick five pari-mutuel ticket shall be evidence of a binding contract between the holder of the ticket and the association and the said ticket shall constitute an acceptance of the pick five provisions and rules.

C. A pick five may be given a distinctive name by the association conducting the meeting, subject to approval of the commission.

D. The pick five pari-mutuel pool consists of amounts contributed for a selection for win only in each of five races designated by the association with the approval of the commission. Each person purchasing a pick five ticket shall designate the winning horse in each of the five races comprising the pick five.

E. Those horses constituting an entry of coupled horses or those horses coupled to constitute the field in a race comprising the pick five shall race as a single wagering interest for the purpose

of the pick five pari-mutuel pool calculations and payouts to the public. However, if any part of either an entry or the field racing as a single wagering interest is a starter in a race, the entry or the field selection shall remain as the designated selection to win in that race for the pick five calculation and the selection shall not be deemed a scratch.

F. The pick five pari-mutuel pool shall be calculated as follows.

1. The net amount in the pari-mutuel pool referred to in this Section is defined as the pari-mutuel pool created by pick five wagering on that particular day and does not include any amounts carried over from previous days' betting as provided by in Subparagraph F.3.a and Subparagraph F.4.a below.

2. One hundred percent of the net amount in the pari-mutuel pool is subject to distribution to a single unique winning ticket holder, plus any carryover resulting from provisions of Paragraph F.3 and Paragraph F.4 shall be distributed to the unique winning ticket holder of the single pari-mutuel ticket which correctly designates the official winner in each of the five races comprising the pick five.

3. In the event there is more than one pari-mutuel ticket properly issued which correctly designates the official winner in each of the five races comprising the pick five, the net pari-mutuel pool shall be distributed as follows.

a. Fifty percent of the net amount in the pari-mutuel pool shall be retained by the association as distributable amounts and shall be carried over to the next succeeding racing day as an additional net amount to be distributed as provided in Paragraph F.2.

b. Fifty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the five races comprising the pick five.

4. In the event there is no pari-mutuel ticket properly issued which correctly designates the official winner in each of the five races comprising the pick five, the net pari-mutuel pool shall be distributed as follows.

a. Fifty percent of the net amount in the pari-mutuel pool shall be retained by the association as distributable amounts and shall be carried over to the next succeeding racing day as an additional net amount to be distributed as provided in Paragraph F.2.

b. Fifty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the most official winners, but less than five, in each of the five races comprising the pick five.

5. Should no distribution be made pursuant to Paragraph F.1 on the last day of the association meeting, then that portion of the distributable pool and all monies accumulated therein shall be distributed to the holders of tickets correctly designating the most winning selections of the five races comprising the pick five for that day or night; the provisions of Subsections I and J have no application on said last day.

G. In the event a pick five ticket designates a selection in any one or more of the races comprising the pick and that selection is scratched, excused or determined by the stewards to be

a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs. In the event the amount wagered in the win pool on two or more favorites is identical, the favorite with the lowest number on the program will be designated as the actual favorite.

H. In the event of a dead heat for win between two or more horses in any pick five race, all such horses in the dead heat for win shall be considered as winning horses in that race for the purpose of calculating the pool.

I. No pick five shall be refunded except when all of the races comprising the pick five are canceled or declared as "no contest." The refund shall apply only to the pick five pool established on that racing card. Any net pool carryover accrued from a previous pick five feature shall be further carried over to the next scheduled pick five feature operated by the association.

J. In the event that any number of races less than five comprising the pick five are completed, 100 percent of the net pool for the pick five shall be distributed among holders of pari-mutuel tickets that designate the most winners in the completed races. No carryover from a previous day shall be added to the pick five pool in which less than five races have been completed. Any net pool carryover accrued from a previous pick five feature shall be further carried over to the next scheduled pick five pool operated by the association.

K. No pari-mutuel ticket for the pick five pool shall be sold, exchanged or canceled after the time of the closing of wagering in the first of the five races comprising the pick five, except for such refunds on pick five tickets as required by this regulation, and no person shall disclose the number of tickets sold in the pick five pool or the number or amount of tickets selecting winners of pick five races until such time as the stewards have determined the last race comprising the pick five each day to be official.

AUTHORITY NOTE:

HISTORICAL NOTE:

Charles A. Gardiner III

Executive Director