

DECLARATION OF EMERGENCY

Office of the Governor

Division of Administration

Racing Commission

The Louisiana State Racing Commission is exercising the emergency provisions of the Administrative Procedures Act, R.S. 49:953(B), and pursuant to the authority granted under R.S. 4:141 et seq., adopts the following emergency rule effective April 10, 2012 and it shall remain in effect for 120 days or until this rule takes effect through the normal promulgation process, whichever comes first. This declaration extends the Emergency Rule adopted and implemented on November 14, 2011 and initially extended on March 13, 2012.

The Equine Medical Director of the Louisiana State Racing Commission has advised that the concern regarding Equine Piroplasmiasis remains, but has been narrowed to the strain, *Theileria equi*. The need for a negative test for *Babesia caballi* is no longer required due to the extremely low incidence of *Babesia caballi*. This will significantly reduce the cost of the testing for the owners of the racehorses requiring testing for Equine Piroplasmiasis.

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 13. Health Rules

§1304. Mandatory Health Screening

A. ...

B. No horse shall be allowed to enter the confines of a racetrack of any association holding a license to conduct a race meeting or race in Louisiana unless it has had an Equine Piroplasmiasis (EP) test taken within 12 months of the date of entry upon the racetrack and/or race, with a negative result for *Theileria equi*. Record of the negative test shall be attached to registration papers of the horse upon entry to the racetrack. The trainer of the horse is responsible for insuring that a negative Piroplasmiasis test result is in the racing secretary's office as required by this rule.

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

HISTORICAL NOTE: Promulgated by Department of Commerce, Racing Commission, LR 14:226 (April 1988), amended by the Office of the Governor, Division of Administration, Racing Commission, LR 37:1393 (May 2011).

Charles A. Gardiner III

Executive Director

Date

4-10-12