

First Extraordinary Session, 2005

HOUSE CONCURRENT RESOLUTION NO. 26

BY REPRESENTATIVES PINAC AND LAFONTA AND SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2005 First Extraordinary Session of the Legislature of Louisiana the provisions of R.S. 4:214.1 relative to the minimum number of live racing days.

WHEREAS, Hurricane Katrina struck the state of Louisiana causing loss of life, severe flooding, and damage to the southeastern part of the state, the aftermath of which continues to threaten the safety, security, private property, and public facilities of the citizens; and

WHEREAS, Hurricane Katrina and its aftermath resulted in a mandatory evacuation of Orleans Parish; and

WHEREAS, Hurricane Katrina and its aftermath rendered Fair Grounds Race Course, which is owned and operated by Churchill Downs Louisiana Horseracing Company, L.L.C., inoperable and unfit to carry out the 2005-2006 race meeting previously set by the Louisiana State Racing Commission at its Orleans Parish racing facility; and

WHEREAS, the horse racing industry is an important segment of the economy of the state of Louisiana, employing thousands of citizens; and

WHEREAS, the Churchill Downs Louisiana Horseracing Company, L.L.C. shall conduct a substitute horse racing meeting at Harrah's Louisiana Downs, located at 8000 East Texas Street, Bossier City, Louisiana, from November 19, 2005, through January 22, 2006; and

WHEREAS, Churchill Downs Louisiana Horseracing Company, L.L.C. and Harrah's Louisiana Downs have negotiated a mutually satisfactory agreement which provides for, inter alia, the deposit of the statutorily required amounts into the purse account for distribution at the substitute race meeting; and

WHEREAS, Churchill Downs Louisiana Horseracing Company, L.L.C.'s substitute horse race meeting, while reasonable and acceptable under the existent post-Katrina conditions, the race meeting will nonetheless not produce the statutorily mandated eighty days of live racing; and

WHEREAS, it is necessary and desirable that this legislature take affirmative action which recognizes the exigent post-Katrina circumstances of horse racing in general and the Fair Grounds Race Course in particular and which action by this legislature will permit the reasonable acts of those described herein, which are mitigating damage and contributing to the post-Katrina recovery, to prevail.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends the provisions of R.S. 4:214.1 which requires the Fair Grounds Race Course to conduct eighty days of live racing finding that Hurricane Katrina was a natural disaster and an act of God over which the race course had no control thus excusing its compliance with this provision of law and accepting, in lieu thereof, the conduct by the Fair Grounds Race Course of a substitute thoroughbred horse racing meeting at Harrah's Louisiana Downs, located at 8000 East Texas Street, Bossier City, Louisiana, from November 19, 2005, through January 22, 2006.

BE IT FURTHER RESOLVED that the Fair Grounds Race Course shall remain an eligible facility for purposes of R.S. 27:351 et seq., and Churchill Downs Louisiana Horseracing Company, L.L.C. shall remain a licensee for purposes of R.S. 27:351 et seq., notwithstanding its inability to conduct the statutorily mandated eighty live racing days within a twenty-week period for its 2005-2006 race meet but instead conducting the substitute horse racing meeting at Harrah's Louisiana Downs, located at 8000 East Texas Street, Bossier City, Louisiana, from November 19, 2005, through January 22, 2006.

BE IT FURTHER RESOLVED that the Fair Grounds Race Course, Churchill Downs Louisiana Horseracing Company, L.L.C., the Louisiana State Racing Commission, and the Louisiana Gaming Control Board shall take such actions as are necessary to effectuate this Resolution and shall not take any action inconsistent with this Resolution.

BE IT FURTHER RESOLVED that the clerk of the House of Representatives is hereby directed to transmit a copy of this Resolution to the Louisiana State Racing Commission and the Louisiana Gaming Control Board.

BE IT FURTHER RESOLVED that this suspension shall become effective upon adoption of this Resolution and shall extend through the sixtieth day after final adjournment of the 2005 First Extraordinary Session of the Legislature of Louisiana.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE