



## State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.  
GOVERNOR

HILLARY J. CRAIN  
CHAIRMAN

# RULING PETITION FOR DECLARATORY RULING OF RED RIVER ENTERTAINMENT OF SHREVEPORT PARTNERSHIP IN COMMENDAM

Red River Entertainment of Shreveport Partnership In Commendam (Harrah's) seeks a declaratory ruling regarding whether under the Riverboat Economic Gaming Development and Control Act a licensee may utilize more than one riverboat to attain the 30,000 square feet of designated gaming area allowed by law.

### APPLICABLE LAW

#### **La. R.S. 27:2 Public policy of state concerning gaming: status of licenses, contracts, and permits**

A. The legislature hereby finds and declares it to be the public policy of the state that the development of a controlled gaming industry to promote economic development of the state requires thorough and careful exercise of legislative power to protect the general welfare of the state's people by keeping the state free from criminal and corrupt elements. The legislature further finds and declares it to be the public policy of the state that to this end all persons, locations, practices, associations, and activities related to the operation of licenced and qualified gaming establishments and the manufacture, supply, or distribution of gaming devices and equipment shall be strictly regulated.

#### **La. R.S. 27:44 Definitions**

....  
(5) 'Designated gaming area' means that portion of a riverboat in which gaming activities may be conducted. Such designated gaming area shall not exceed sixty percent of the total square footage of the passenger access area of the vessel or thirty thousand square feet, whichever is lesser. (Emphasis ours)

....

(14) 'License' or 'gaming license' means a license or authorization to conduct gaming activities on *a riverboat* issued pursuant to the provisions of this Chapter. (Emphasis ours)

**La. R.S. 27:65 Licenses to conduct gaming activities upon riverboats; limitations**

A. Notwithstanding any other provisions of law to the contrary, upon application properly submitted and examined, the division may issue up to fifteen licenses to conduct gaming activities on *a riverboat*, in accordance with the provisions of this Chapter. (Emphasis ours)

**La. R.S. 27:70 Gaming operator license and permits; suitability**

A. In addition to meeting suitability requirements provided in R.S. 27:28, no person shall be issued a license to conduct gaming operations unless the board finds that:

....

(2) The proposed financing of *the riverboat* and the gaming operations is adequate for the nature of the proposed operation and from a source suitable and acceptable to the division.

....

(4) The applicant must submit a detailed plan of design of *the riverboat* in its application for a riverboat gaming license.

(5) The applicant must designate the docking facilities to be used by *the riverboat*.

(6) The applicant must show adequate financial ability to construct and maintain *a riverboat*. (Emphasis ours)

**La. R.S. 27:72 Application process; investigation fees**

....

C. Upon receipt of an application for a gaming license, the initial examination of which shows to be complete, the division shall determine the nature, amount, and cost to the division of the investigation necessary to insure that:

....

(4) The proposed gaming activities, *the proposed riverboat*, and the designated gaming area meet all requirements of this Chapter and all regulations promulgated or adopted pursuant hereto. (Emphasis ours)

**L.A.C. 42:XIII.2119 Single Operator's License**

One license to operate riverboat gaming will be issued for each riverboat with a designated gaming area, even though multiple individuals may file or be required to file applications related thereto.

The applicable statutes and regulations are not ambiguous regarding this matter, one license issued pursuant to the Louisiana Riverboat Economic Development and Gaming Control Act (La. R.S. 27:41 - 114), authorizes the licensee to conduct gaming activities or gaming operations on one riverboat. Neither the Act nor the rules contemplates the conducting of gaming activities or gaming operations on more than one riverboat per license issued. Other licensees seeking to utilize the entire 30,000 square feet of designated gaming space have either obtained a larger vessel or attempted to reconfigure the space on its vessel already in use in order to maximize the designated gaming area.

**ORDER**

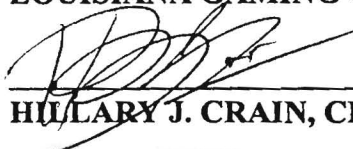
This matter having been considered by the Louisiana Gaming Control Board in open meeting of November 20, 2001:

**IT IS THE RULING** of the Board that a license issued pursuant to the Louisiana Riverboat Economic Development and Gaming Control Act, authorizes that licensee to conduct gaming activities or gaming operations on no more than one riverboat per license issued.

**THUS DONE AND SIGNED** on this the 20<sup>th</sup> day of November, 2001.

**LOUISIANA GAMING CONTROL BOARD**

BY:



**HILLARY J. CRAIN, CHAIRMAN**

**LOUISIANA GAMING CONTROL BOARD**  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 20<sup>th</sup> DAY  
OF November, 2001

**APPEAL DOCKET CLERK**

