

**Resolution 2016-20**

**A RESOLUTION APPROVING WYOMING DOWNS, LLC TO CONDUCT PARI-MUTUEL HORSE RACING, AND TO OPERATE SIMULCAST OF PARI-MUTUEL WAGERING ON LIVE AND HISTORICAL HORSE RACING WITHIN ALBANY COUNTY, WYOMING**

**WHEREAS**, in accordance with Wyo. Stat. § 11-25-110, on June 27, 1967, a special election was held in Albany County, Wyoming and the citizens of Albany County voted to allow a pari-mutuel race meet to be held within Albany County in compliance with Chapter 245, Wyoming Session Laws 1967, during the year 1967 and subsequent years until rejected in an election by a vote of the citizens of Albany County.

**WHEREAS**, in 2006, the Wyoming Supreme Court in *Wyoming Downs Rodeo Events v. State*, 134 P.3d 1223, 1230 (Wyo. 2006), held that “instant racing “ terminals were “gambling devices” and the State Pari-mutuel Commission could not permit or authorize such terminals under the then existing law.

**WHEREAS**, on July 1, 2013, the Legislature amended the definition of “pari-mutuel event” in Wyo. Stat. § 11-25-102(a)(v) by adding: “Notwithstanding W.S. 6-7-101(a)(iv) and 11-25-107, the commission may authorize and promulgate rules providing for pari-mutuel wagering on events that have previously occurred, utilizing an electronic system or device that affords an opportunity for the exercise of skill or judgment where the outcome is not completely controlled by chance alone.” The same bill amended the definition of “simulcasting” in Wyo. Stat. § 11-25-102(a)(vii) to include “electronically transmitted live or historic...pari-mutuel events” and authorization for “historic horse racing” terminals.

**WHEREAS**, the Wyoming Pari-mutuel Commission has adopted rules that were filed with the Secretary of State on December 18, 2013 regulating pari-mutuel wagering on simulcast events, including historic races;

**WHEREAS**, Wyoming Downs LLC, currently holds the necessary and appropriate permits issued by the Wyoming Pari-mutuel Commission to conduct pari-mutuel horse racing and to operate simulcast of pari-mutuel wagering on live and historical horse racing; and

**WHEREAS**, Wyoming Downs LLC, is desirous of continuing its operations in Albany County, from a satellite facility located at the Sushi Boat, 821 Boswell Drive, Laramie, Wyoming 82070, and is seeking permission from the Albany County Board of Commissioners to continue to conduct pari-mutuel horse racing and to operate simulcast of pari-mutuel wagering on live and historical horse racing.

**WHEREAS**, Wyo. Stat. § 11-25-105 (a) requires the Albany County Board of Commissioners to approve any corporation or association who seeks to conduct pari-mutuel horse racing within Albany County and Wyo. Stat. § 11-25-102(a)(vii)(B) requires the Albany County Board of Commissioners to approve the simulcast of pari-mutuel wagering on live and historical horse racing.

**NOW, THEREFORE, THE BOARD OF THE COUNTY OF ALBANY, WYOMING RESOLVES:**

**Section 1.** That the foregoing recitals are incorporated in and made a part of this resolution by this reference.

**Section 2.** That, pursuant to Wyo. Stat. § 11-25-105 (a) and § 11-25-102(a)(vii)(B), respectfully, the Albany County Board of Commissioners approves Wyoming Downs, LLC to conduct pari-mutuel horse racing and to operate simulcast of pari-mutuel wagering on live and historical horse racing.

**Section 3.** That permission to Wyoming Downs, LLC by the Albany County Board of Commissions for Wyoming Downs, LLC, to engage in such pari-mutuel horse racing and simulcast of pari-mutuel wagering on live and historical horse racing will not exceed three (3) years from the date a pari-mutuel permit is issued by the Wyoming Pari-Mutuel Commission to Wyoming Downs, LLC.

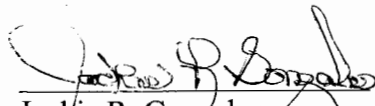
**Section 4.** That Wyoming Downs, LLC shall comply at all times with rules promulgated by Wyoming Pari-Mutuel Commission for conducting pari-mutuel horse racing and operating a simulcast of pari-mutuel wagering on live and historical horse racing or permission by the Albany County Board of Commissioners may be revoked.

**PASSED, APPROVED, AND ADOPTED,** this 15th day of November, 2016.

**BOARD OF COUNTY COMMISSIONERS  
OF ALBANY COUNTY, WYOMING**

  
\_\_\_\_\_  
Tim Sullivan, Chairperson

**ATTEST:**

  
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Jackie R. Gonzales,  
Albany County Clerk