

# LOUISIANA GAMING CONTROL BOARD

## Minutes of September 17, 2002

The Louisiana Gaming Control Board held a meeting on Tuesday, September 17, 2002, 10:00 a.m., House Committee Room I of the Louisiana State Capitol. Present at this meeting were: Hillary J. Crain, Chairman; Robert M. Fleming, Vice-Chairman; James G. Boyer, Secretary/Treasurer; Gen. Sherian Cadoria, Dennis Kinchen, Marcia Morgan, Rupert Richardson and Kelly Simoneaux. Absent was board member Dudley Lastrapes, and ex-officio members, Col. Terry Landry and Sec. Cynthia Bridges.

The meeting was called to order. It was moved by Gen. Cadoria to waive the reading and approve the minutes of the July meeting. That motion was seconded by Sec. Boyer and unanimously approved by the Board.

Ms. Donna Jackson, State Police Gaming Audit Division, presented the revenue reports for the riverboats, landbased casino, and slots at the tracks. Ms. Stacey Madden, also with the State Police Audit Division, reported on the employee numbers and salaries of the landbased casino, and Ms. Donna Stevens, reported on the statistics for video poker.

Ms. Claudeidra Minor, Asst. Attorney General in the Gaming Division, reported on the Voluntary Compliance and Procurement Reports for the Riverboats.

Mr. Joseph Brantly, attorney representing Argosy Casino, reported on the Minority Purchasing Summary submitted in accordance with conditions placed on their license renewal.

Mr. Paul West, attorney representing Boyd Racing, L.L.C., addressed the Board with reference to Delta Downs Compliance Report.

The Board acted on an Amended Petition for Advanced Suitability Determination by The Downs Entertainment Group and Harrah's Entertainment, Inc. Following discussion, it was moved by Sec. Boyer to approve the request for advanced suitability determination. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

There was a presentation by PNK-Lake Charles, L.L.C. with reference to the revised design of their proposed riverboat. Following the presentation, it was moved by Mr. Simoneaux to approve the design. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

The Board acted on the following truckstop applications:

1. **H & R Truck Stop & Casino, L.L.C. d/b/a Goldmine Casino - No. 6103512722** - Motion by Sec. Boyer to approve the application. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
2. **Lemoine Petroleum Services, Inc. d/b/a The Video Joker - No. 6100512885** - Motion by

Sec. Boyer to approve the application. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

3. **Winner's Choice Casino, Inc. d/b/a Winner's Choice Casino - No. 1002503597** - Motion by Ms. Morgan to approve the application. That motion was seconded by Sec. Boyer and approved six to two. Voting for the motion was: Chairman Crain, Sec. Boyer, Gen. Cadoria, Mr. Kinchen, Ms. Morgan and Mr. Simoneaux. Voting against the motion was Vice-Chairman Fleming and Ms. Richardson.

On motion of Mr. Simoneaux, the Board moved to withdraw the proposed repeal of rule LAC 42:XI.2407 A.17, Operation of Video Draw Poker Devices. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

The Board acted on an application for a new gaming manufacturer's permit on behalf of Vending Data Corporation. It was moved by Vice-Chairman Fleming to approve the application. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

Louisiana-I Gaming d/b/a Boomtown Casino filed a petition for Declaratory Ruling pursuant to statutory provisions concerning their berth site. The petition involved the U.S. Army Corps of Engineers proposal to build a floodwall across the entrance of the slip where the Boomtown vessel is docked. The proposed floodwall would close off access from the vessel to the Intracoastal Waterway.

After discussion, it was moved by Vice-Chairman Fleming to declare that the riverboat still remained located on a designated waterway for gaming purposes because the berth was enclosed for purposes of flood control after the initial licensing. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals in the following:

1. **In Re: Isabella, Inc. d/b/a Howard Johnson - No. 2901309872A** - Motion by Sec. Boyer to amend the Hearing Officer's decision and suspend the license for 30 days. That motion was seconded by Mr. Kinchen. There was a substitute motion by Ms. Richardson to amend the Hearing Officer's decision and suspend the license for 45 days. That motion was seconded by Vice-Chairman Fleming and approved seven to one. Voting for the motion was: Chairman Crain, Vice-Chairman Fleming, Sec. Boyer, Gen. Cadoria, Mr. Kinchen, Mr. Simoneaux and Ms. Richardson. Voting against the motion was Ms. Morgan.
2. **In Re: RDS, Inc. d/b/a Mr. Gatti's c/w Eight Three One, Inc. d/b/a Mr. Gatti's Pizza - Nos. 1001212129 & 1002203463** - Motion by Sec. Boyer to affirm the Hearing Officer's decision and deny the application. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

There being no further comments, it was moved by Gen. Cadoria to adjourn the meeting. That motion was seconded by Sec. Boyer and unanimously approved by the Board.

The meeting was adjourned.

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