

Approved 9/16/97

LOUISIANA GAMING CONTROL BOARD

Minutes of Meeting - August 11, 1997

The Louisiana Gaming Control Board conducted a meeting on Monday, August 11, 1997, 10:00 a.m., House Committee Room 6 of the Louisiana State Capitol. In attendance were Board Members Hillary J. Crain, Chairman; Mr. James Boyer, General Sherian Cadoria, Mr. Ralph Perlman, Mr. Ecotry Fuller, Judge Robert Fleming, and ex-officio member Sec. John Kennedy.

The meeting was called to order. First on the agenda was approval of the minutes from the June 20th and July 10th Board meetings. It was moved by Ralph Perlman to adopt the minutes of these meetings and was seconded by General Cadoria. The Board unanimously approved the minutes.

Next on the agenda was Ms. Claudeidra Minor, Assistant Attorney General with the Gaming Division, who presented the riverboat licensees' compliance reports on procurement and employment conditions.

Jim Smith, attorney representing the Queen of New Orleans at the Hilton joint venture gave the Board a brief update on the status of the Hilton/Harrah's joint project. He stated that negotiations to resolve the issues are very close, and he expected to have a petition for modification to the Board before the next Board meeting.

The next item on the agenda involved designated gaming space on riverboats. There had been a request by Horseshoe Entertainment for a modification of the designated gaming space. Jenifer Schaye, Assistant Attorney General and Director of the Gaming Division, presented the Board with a brief update on Rule 1701, which defines designated gaming space on riverboats. Mr. Earl Piper, Mr. Paul Alanis and Mr. Rodney Lay, addressed the Board on behalf of Horseshoe. After lengthy discussion, it was moved by Judge Fleming to approve Horseshoe's request. That motion was seconded by Mr. Fuller and unanimously adopted by the Board.

Mr. Ralph Perlman moved to withdraw the Notice of Intent to amend Rule 1701 with reference to defining gaming space and was seconded by General Cadoria. The Board unanimously agreed to withdraw the Notice of Intent to amend Rule 1701 with reference to defining gaming space.

Next on the agenda was the deadline for the 15th license applications. It was moved by Mr. Boyer and seconded by Mr. Fuller to extend the deadline until November 1, 1997. The Board unanimously agreed and the deadline is extended until November 1, 1997.

Mr. Wade Duty, Assistant Attorney General with the Gaming Division, along with Sergeant Scott Reggio and Trooper William Lopez, both with the Louisiana State Police Riverboat Gaming Division, gave a presentation to the Board on the sailing rate of the Treasure Chest Riverboat in Kenner, La.

Next on the agenda was Ms. Jenifer Schaye, who presented the Board with statistics regarding the hearing process. There have been a total of 258 hearings as of the date of this meeting.

Mr. Tom Warner, Assistant Attorney General in the Gaming Division, updated the Board on the status of the rule promulgation process, and then introduced two emergency rules to the Board. Rules 108 and 114. A change in the law resulted from the 1997 legislative session. The Hearing Officers' now render decisions instead of recommendations and those decisions have to be rendered within 30 days. Rule 108 will be amended to start calculating the 30-day period upon receipt of the transcript of the hearing from the court reporter.

Rule 114 is a new section that would be added under the rules that allows briefs to be submitted to the Board if approved at the request of any party, and that cases could be assigned for oral argument at the request of the parties and at the discretion of the Board. The 60-day time line for the Board to render its' decision would not begin until after the briefs have been filed, and oral arguments have been concluded.

It was moved by Judge Fleming to adopt both rules 108 and 114 on an emergency basis, and was seconded by Mr. Fuller. The Board unanimously approved both rules.

It was moved by General Cadoria to start the rule promulgation process and adopt both rules as permanent. Mr. Perlman seconded the motion and the Board unanimously agreed.

Mr. Warner then introduced Rule 113, Notification of Vendor Recommendations or Solicitations. This rule would require riverboat gaming licensees to notify the Gaming control Board of any recommendations or solicitations from persons to provide goods or services from a particular vendor. Mr. Perlman moved to initiate the adoption of the rule-making process of Rule 113 and was seconded by Mr. Boyer. The Board unanimously agreed.

It was moved by General Cadoria to initiate the rule promulgation process in rule 2405 (D)7, and was seconded by Mr. Boyer. This rule involves an amendment to Title 42, Chapter 11 dealing with Video Poker and would require device owners to notify the Division of any facts which would indicate a change of ownership or management.

The final rule was an amendment to Rule 3301. The rule relates to required surveillance equipment and was being amended simply because of increased technology of cameras. It was moved by Mr. Boyer to initiate the process of amending Rule 3301 and seconded by General Cadoria. The Board unanimously agreed.

Being no further business, it was moved by General Cadoria to adjourn and seconded by Mr. Perlman. The meeting was then adjourned.