



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

RULING ON PETITION FOR DECLARATORY RULING OF GLOBAL MINTING CORPORATION

A petition for declaratory ruling was filed by the above named entity (hereafter referred to as Global Minting) seeking the Board's ruling on the application of La. R.S. 27:28(E)¹ regarding whether Global Minting is authorized to submit an application for a gaming manufacturer permit within 5 years of the denial of the renewal of its previous permit if the denial was based on the refusal of one of its shareholders to submit requisite disclosure information to the Division and that shareholder no longer has an ownership interest in the company.

Global Minting was originally issued a permit as a gaming manufacturer in 1999. It subsequently filed a renewal application which was recommended for denial. After an administrative hearing on the matter, on August 22, 2001, the Hearing Officer rendered a decision ordering denial of the renewal of the gaming manufacturing permit. Global Minting did not appeal the Hearing Officer's decision which is deemed final.

¹ Section 28 (E) provides as follows:

E. Any person whose license or permit has been *revoked* or who has been *found unsuitable* in this state or any other jurisdiction is not eligible to obtain any license or permit pursuant to the provisions of this Title for a period of five years from the date the *revocation* or *finding of unsuitability* becomes final. (emphasis ours)

There is a pending application by Global Minting that has not been rejected by the Division based on the 5 year prohibition. The Division will conduct a suitability investigation and based on its findings, will make a recommendation to the Board. If recommended for approval, a permit will be issued. If recommended for denial, the applicant may avail itself of the available statutory and administrative remedies. The applicable administrative remedies and the availability of judicial review of the applicability of La. R.S. 27:28(E) and the validity of an agency rule in conjunction with a contested adjudicated case will provide an adequate remedy, if needed by petitioner. La. R.S. 49:963. Accordingly, we decline to address the applicability of La. R.S. 27:28(E) under the circumstances presented.

This matter was considered by the Louisiana Gaming Control Board in open meeting of February 18, 2003.

THUS DONE AND SIGNED this 19th day of February , 2003.

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 20th DAY
OF February, 2003
APPEAL DOCKET CLERK

