

LOUISIANA GAMING CONTROL BOARD MEETING

THURSDAY, NOVEMBER 17, 2022

LOUISIANA STATE CAPITOL
HOUSE COMMITTEE ROOM 4
900 NORTH 3RD STREET
BATON ROUGE, LOUISIANA

TIME: 10:00 A.M.

APPEARANCES

1
2 RONNIE S. JOHNS, CHAIRMAN
3 (At-Large)
4 June 30, 2025

5 JULIE BERRY, VICE-CHAIRMAN
6 (CPA)
7 Third Congressional District
8 June 30, 2024

9 CLAUDE D. JACKSON
10 (At-Large)
11 Fourth Congressional District
12 June 30, 2027

13 O. LAMAR POOLE, JR.
14 (Economic/Community Planner)
15 Sixth Congressional District
16 June 30, 2025

17 JULIE A. LEWIS
18 (Investigative and Law Enforcement)
19 Fifth Congressional District
20 June 30, 2024

21 FRANCESCA HAMILTON-ACKER
22 (Attorney)
23 Third Congressional District
24 June 30, 2026

25 RONALD J. SHOLES
(Public/Business Administration)
Second Congressional District
June 30, 2026

ASHLEY A. TRAYLOR
(At-Large)
First Congressional District
June 30, 2022

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APPEARANCES (CONTINUED)

HEATHER HOOD
On Behalf of Natalie Thurman
Principal Assistant

HEATHER TEMPLET
On Behalf of Kimberly Lewis, Secretary
Department of Revenue

MAJOR CHUCK McNEAL
On Behalf of Colonel Lamar A. Davis
Louisiana State Police

REPORTED BY:

KARLA H. MAYERS, CCR
U.S. Legal Support

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1 I. CALL TO ORDER

2 CHAIRMAN JOHNS:

3 Okay. Good morning, everyone.

4 Welcome to the November 17, 2022, meeting of the

5 Louisiana Gaming Control Board. And, Ms. Hood,

6 would you call the roll, please?

7 MS. HOOD:

8 Chairman Johns?

9 CHAIRMAN JOHNS:

10 Here.

11 MS. HOOD:

12 Mr. Avant?

13 (NO RESPONSE)

14 MS. HOOD:

15 Ms. Berry?

16 MS. BERRY:

17 Here.

18 MS. HOOD:

19 Mr. Jackson?

20 MR. JACKSON:

21 Here.

22 MS. HOOD:

23 Ms. Lewis?

24 MS. LEWIS:

25 Here.

1 MS. HOOD:

2 Mr. Poole?

3 MR. POOLE:

4 Here.

5 MS. HOOD:

6 Ms. Hamilton-Acker?

7 MS. HAMILTON-ACKER:

8 Here.

9 MS. HOOD:

10 Mr. Sholes?

11 (NO RESPONSE)

12 MS. HOOD:

13 Ms. Traylor?

14 MS. TRAYLOR:

15 Here.

16 MS. HOOD:

17 Colonel Davis?

18 MAJOR McNEAL:

19 Major McNeal for Colonel Davis.

20 MS. HOOD:

21 And Secretary Richard?

22 MS. TEMPLET:

23 Heather Templet for

24 Secretary Richard.

25 MS. HOOD:

1 We have a quorum.

2 CHAIRMAN JOHNS:

3 Okay. We do have a quorum, and
4 welcome, everyone. Sorry about the change of
5 rooms today. It's a lot going on in the -- in the
6 Capitol today; so I hope we have enough seating.
7 Looks like we do.

8 II. PUBLIC COMMENTS

9 CHAIRMAN JOHNS:

10 Okay. Ladies and gentlemen, at this
11 point in our meeting is when we ask for any type
12 of public comment. As we get into our agenda, we
13 do not allow public comment on specific agenda
14 items; so at this time, if anyone would like to
15 make a public comment, please come forward.

16 (NO RESPONSE)

17 CHAIRMAN JOHNS:

18 Okay. Seeing none, we will move on.

19 III. APPROVAL OF MINUTES

20 CHAIRMAN JOHNS:

21 Members, you have in front of you the
22 minutes from our last meeting of October 20, 2022.
23 I would ask for a motion to waive the reading of
24 those minutes and approve the minutes of
25 October 20, --

1 MR. JACKSON:

2 So moved.

3 CHAIRMAN JOHNS:

4 -- 2022. So moved by Mr. Jackson.

5 MR. POOLE:

6 (Indicating)

7 CHAIRMAN JOHNS:

8 And Mr. Poole has seconded that
9 motion. Is there any opposition to that motion?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 Hearing none, those minutes are
13 hereby approved.

14 IV. REVENUE REPORTS

15 CHAIRMAN JOHNS:

16 Okay. Moving along, our revenue
17 reports, my favorite time of the meeting. And,
18 Judge Sholes, welcome. Good morning.

19 MR. SHOLES:

20 Good morning.

21 CHAIRMAN JOHNS:

22 Good morning, Ms. Jackson.

23 MS. JACKSON:

24 Good morning, Chairman Johns, Board
25 Members. My name is Donna Jackson with Louisiana

1 State Police, Gaming Audit Section.

2 In October, the 13 operating
3 riverboats generated adjusted gross receipts of
4 \$130,990,774. The State collected fees totaling
5 \$28,163,016. Fiscal year to date adjusted gross
6 receipts are approximately \$558.6 million, a
7 decrease of .6 percent from last fiscal year. As
8 of October 31, 2022, the State collected
9 \$120 million in fees for fiscal year 2023.

10 Page 2 shows the riverboat revenue
11 broken down by regional market. This month's
12 revenues represent a decrease from September of
13 approximately \$9.7 million, or 7 percent, and a
14 decrease of \$20.3 million, or 13.4 percent,
15 compared to last October, when there was one
16 additional Friday.

17 Next is a summary of the October 2022
18 gaming activity for Harrah's New Orleans, found on
19 page 3. Harrah's generated \$22,344,295 in gross
20 gaming revenue. These revenues represent a
21 decrease from last month of \$588,000, or
22 2.6 percent, but an increase of \$5.7 million, or
23 34.6 percent, from last October. During October,
24 the State received \$5.5 million in minimum daily
25 payments.

1 Fiscal year to date adjusted gross
2 receipts are over \$87 million, an increase of
3 36 percent from last fiscal year. As of
4 October 31, 2022, the State collected
5 \$21.9 million in fees for fiscal year 2023.

6 Next, I'll present the revenues for
7 slots at the racetracks. During October, the four
8 racetrack facilities combined generated adjusted
9 gross receipts of \$25,695,488, a slight increase
10 of .7 percent from October but a decrease of
11 \$1 million, or 4.2 percent, when compared to the
12 same month last year. During October, the State
13 collected approximately \$3.9 million in fees.

14 Fiscal year to date adjusted gross
15 receipts are \$105.9 million, an increase of
16 approximately 1 percent from fiscal year 2022. As
17 of October 31, the State has collected over
18 \$16 million in fees for fiscal year 2023.

19 I want to move to the video gaming
20 information. There are 12,131 video gaming
21 devices activated at 1,427 locations. Net device
22 revenue for October 2022 was \$62,967,456, an
23 increase of \$580,000, or .9 percent, when compared
24 to September 2022 but a decrease of \$9.3 million,
25 or 12.9 percent, when compared to last October.

1 Total franchise fees for October 2022 total
2 \$19 million.

3 Fiscal year to date net device
4 revenue was \$256.3 million, a decrease of
5 1.4 percent when compared to last fiscal year. As
6 of October 31, 2022, the State has collected
7 \$77.6 million in franchise fees for fiscal year
8 2023.

9 Next, I'll present the October
10 revenue for sportsbook. During October, the 17
11 retail sportsbooks accepted \$36.5 million in
12 sports wagers, resulting in net proceeds of
13 \$4.3 million and almost \$411,000 in state taxes.
14 The eight mobile sportsbook operators accepted
15 approximately \$219 million in sports wagers,
16 resulting in net proceeds of almost \$26 million
17 and \$3.9 million in taxes paid to the State.

18 Finally, for daily fantasy sports,
19 gross revenues for October were \$2.1 million, with
20 net revenue of approximately \$228,000 and taxes of
21 \$18,000. Any questions?

22 CHAIRMAN JOHNS:

23 Okay. Well, thank you, Ms. Jackson.
24 So, Members, any questions from the Board for
25 Ms. Jackson?

1 (NO RESPONSE)

2 CHAIRMAN JOHNS:

3 Okay. I see none. Well, we've had
4 some decrease in casino revenue. I think the
5 overall numbers still look very solid, and sports
6 betting continues to -- to move along very, very
7 well, with no problem. So, Ms. Jackson, I have no
8 further questions.

9 MS. JACKSON:

10 Okay.

11 CHAIRMAN JOHNS:

12 And thank you very much for your
13 work.

14 MS. JACKSON:

15 Thank you.

16 CHAIRMAN JOHNS:

17 Okay, Members.

18 V. COMPLIANCE REPORTS

19 CHAIRMAN JOHNS:

20 Okay. Next, we will move into our
21 compliance reports. Good morning.

22 MS. MURRAY-BROWN:

23 Good morning, Chairman Johns and
24 Board Members. I'm Assistant Attorney General
25 Alonna Murray-Brown, and today I'll be presenting

1 the staff reports on riverboat and racetrack
2 casino licensees' compliance with the employment
3 and procurement conditions for the third quarter
4 of 2022.

5 I'll begin with the riverboats.
6 These reports are taken from figures reported by
7 the 15 operating riverboats to Louisiana Gaming
8 Control Board. In the third quarter of 2022,
9 approximately 8,912 people were employed by the
10 riverboat industry. Of that number, 8,725 were
11 Louisiana residents, 5,270 were minorities, and
12 4,873 were women.

13 Next, I'll address employment.
14 Twelve licensees did not meet their total
15 employment goals and they are: DiamondJacks
16 Casino & Resort, which achieved 39 out of a goal
17 of 650; Sam's Town Hotel & Casino, which achieved
18 374 out of a goal of 700; L'Auberge Baton Rouge,
19 which achieved 751 out of a goal of 800; Horseshoe
20 Casino & Hotel, which achieved 584 out of a goal
21 of 1,000; Boomtown New Orleans, which achieved 458
22 out of a goal of 555; Belle of Baton Rouge Casino,
23 which achieved 161 out of a goal of 350; Treasure
24 Chest Casino, which achieved 332 out of a goal of
25 500; Hollywood Casino, which achieved 291 out of a

1 goal of 450; Amelia Belle, which achieved 170 out
2 of a goal of 325; Horseshoe Lake Charles, which
3 achieved 389 out of a goal of 650; Boomtown Casino
4 Bossier which achieved 297 out of a goal of 650;
5 and Bally's Shreveport, which achieved 624 out of
6 a goal of 950.

7 All licensees, except for Treasure
8 Chest Casino, either met or exceeded their goals
9 in all of the subcategories under the main
10 category of employment. 45.5 percent of Treasure
11 Chest Casino's employees were women, and they have
12 a goal 51.86 percent.

13 Next, I'll address procurement. The
14 licensees are grouped according to three
15 subcategories, which appear in your report. Those
16 subcategories are Louisiana, minority, and female
17 procurement.

18 Under Louisiana procurement, three
19 licensees did not achieve compliance with its
20 voluntary condition. Those licensees are Sam's
21 Town Hotel & Casino, which achieved 50.9 out of a
22 goal of 60 percent; Amelia Belle Casino, which
23 achieved 61 percent out of a goal of 80 percent;
24 and Margaritaville Resort Casino, which achieved
25 82.6 percent out of a goal of 90 percent.

1 Under the subcategory of minority
2 procurement, seven licensees did not achieve
3 compliance with its voluntary conditions, and
4 those licensees are: DiamondJacks Casino, which
5 achieved 0 percent out of a goal of 10 percent;
6 Sam's Town Hotel & Casino, which achieved
7 6.9 percent out of a goal of 25 percent; Golden
8 Nugget Lake Charles, which achieved 5.5 percent
9 out of a goal of 10 percent; Belle of Baton Rouge,
10 which achieved 14.5 percent out of a goal of
11 15 percent; Treasure Chest Casino, which achieved
12 12.7 percent out of a goal of 15 percent; Amelia
13 Belle Casino, which achieved 13.7 percent out of a
14 goal of 30 percent; Horseshoe Lake Charles, which
15 achieved 0.1 percent out of a goal of 10 percent;
16 and Bally's Shreveport, which achieved
17 10.3 percent out of a goal of 25 percent.

18 Under the subcategory of female
19 procurement, three licensees did not achieve
20 compliance with its voluntary conditions: Golden
21 Nugget Lake Charles, which achieved 7 percent out
22 of a goal of 10 percent; Amelia Belle Casino,
23 which achieved 3.2 percent out of a goal of
24 10 percent; and Horseshoe Lake Charles, which
25 achieved 0.1 percent out of a goal of 10 percent.

1 Were there any questions regarding
2 the riverboats?

3 CHAIRMAN JOHNS:

4 Any questions, Members, on the
5 riverboats -- on the numbers?

6 (NO RESPONSE)

7 CHAIRMAN JOHNS:

8 Okay.

9 MS. MURRAY-BROWN:

10 Okay. I'll now move on to the
11 racetracks. In the third quarter of 2022,
12 approximately 1,248 people were employed by the
13 racetrack casino industry. Of that number, 1,041
14 were Louisiana residents, 615 were minorities, and
15 712 were women.

16 Two racetrack casinos achieved total
17 compliance this quarter, and they were Evangeline
18 Downs and Fairgrounds.

19 Under employment, Delta Downs did not
20 achieve its Louisiana employment condition. It
21 achieved 59.7 percent out of a goal of 80 percent,
22 and Louisiana Downs did not achieve its female
23 employment condition. It achieved 51.9 percent
24 out of a goal of 60 percent.

25 Under procurement, Delta Downs did

1 not achieve its Louisiana procurement condition.
2 It achieved 56.4 percent out of a goal of
3 60 percent, and Delta Downs also did not achieve
4 its minority procurement condition. It achieved
5 2.9 percent out of the 5 percent condition.

6 Were there any questions regarding
7 the racetracks?

8 CHAIRMAN JOHNS:

9 Okay. Any questions for Ms. Murray,
10 Members, on either the riverboats or the -- or the
11 racetracks?

12 (NO RESPONSE)

13 CHAIRMAN JOHNS:

14 So, Members, I continue to take these
15 numbers very seriously. We are working with the
16 industry, and, hopefully, in months to come we may
17 come with a whole different set of criteria and a
18 reasonable way to -- you know, to achieve some of
19 these goals. We take the goals very, very
20 seriously. So I continue to visit with the
21 properties, with their general managers on these
22 numbers as they come out, and I will be doing some
23 of that next week. So any questions? Any
24 questions?

25 (NO RESPONSE)

1 CHAIRMAN JOHNS:

2 Okay.

3 MS. MURRAY-BROWN:

4 Thank you.

5 CHAIRMAN JOHNS:

6 Ms. Murray, thank you very much for
7 your work.

8 MS. MURRAY-BROWN:

9 Thank you.

10 VI. CASINO GAMING ISSUES

11 CHAIRMAN JOHNS:

12 Okay. Members, we're going to move
13 into the casino gaming issues. Our first on the
14 agenda is the consideration of the Certificate of
15 Compliance for the inspection of PNK (Baton Rouge)
16 doing business as L'Auberge Casino & Hotel Baton
17 Rouge. Good morning.

18 MS. JAMES:

19 Good morning, Chairman and Board
20 Members. I am Assistant Attorney General
21 Lekiesha James, here with Moriah Reed of AVS.
22 We're here in the matter of the final issuance of
23 Certificate of Compliance to L'Auberge
24 Baton Rouge. On October 20, 2022, this Board
25 granted a third Temporary Certificate of

1 Compliance -- excuse me -- to L'Auberge
2 Baton Rouge, with an expiration date of
3 November 30, 2022. Ms. Reed will now provide an
4 update.

5 MS. REED:

6 Good morning, Chairman Johns and
7 Board Members. I am Moriah Reed, a naval
8 architect with American Vessel Services. I am
9 here to report on the current status of the
10 L'Auberge Casino Baton Rouge Certificate of
11 Compliance.

12 As you are aware, the Board
13 unanimously approved a Temporary Certificate of
14 Compliance at the October 20 board meeting to
15 allow the L'Auberge Baton Rouge property
16 additional time to complete their five-year hull
17 inspection. This current Temporary Certificate of
18 Compliance expires on November 30, 2022.

19 The five-year hull inspection is a
20 requirement of the Louisiana Alternative
21 Inspection Program. As of this date, the property
22 has now completed their five-year hull inspection,
23 which was due in July of 2022. AVS engineering
24 has reviewed and accepted the submitted hull
25 inspection from the property and provided a hull

1 internals and hull exterior report, dated
2 November 2, 2022, to the Board.

3 As a result of the five-year hull
4 inspection now being completed, the 2022 annual
5 survey, as required by the Louisiana Gaming
6 Control Board, is now complete, and the casino
7 vessel L'Auberge Baton Rouge is considered fit to
8 continue its intended service as a dockside gaming
9 riverboat in the state of Louisiana. It is the
10 recommendation of AVS that the L'Auberge Casino
11 Baton Rouge be issued a Certificate of Compliance
12 for 2022.

13 MS. JAMES:

14 We now present these findings to the
15 Board and request that, upon the Board's
16 acceptance of the report submitted by AVS, you
17 will move for the issuance of the Certificate of
18 Compliance to L'Auberge Baton Rouge, which would
19 expire on August 31, 2023.

20 CHAIRMAN JOHNS:

21 Okay. Thank you very much, ladies.
22 And so every -- every condition has been met, --

23 MS. REED:

24 Yes, sir.

25 CHAIRMAN JOHNS:

1 -- and we're in good shape to go?

2 Okay. Any questions, Members?

3 (NO RESPONSE)

4 CHAIRMAN JOHNS:

5 If not, I would entertain a motion
6 that we issue a Certificate of Compliance, which
7 will expire on August 31, 2023.

8 MS. BERRY:

9 (Indicating)

10 CHAIRMAN JOHNS:

11 And Ms. Berry has made that motion.

12 MS. HAMILTON-ACKER:

13 (Indicating)

14 CHAIRMAN JOHNS:

15 Ms. Hamilton-Acker has seconded that
16 motion. Is there any opposition to that motion?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 Hearing none, that motion carries.

20 Thank you very, very much.

21 MS. JAMES:

22 Thank you.

23 CHAIRMAN JOHNS:

24 Okay. Agenda item no. B will be the
25 consideration of the Certificate of Compliance for

1 the riverboat inspection of Louisiana Gaming, a
2 Louisiana Partnership, doing business as Boomtown
3 New Orleans.

4 CHAIRMAN JOHNS:

5 Good morning.

6 MR. BOSCH:

7 Good morning, Chairman and Board
8 Members. I am Assistant Attorney General
9 Daniel Bosch. With me again is Ms. Moriah Reed of
10 American Vessel Services. As you noted, we are
11 here for the annual Certificate of Compliance for
12 Louisiana-I Gaming, a Louisiana Partnership in
13 commendam, doing business as Boomtown New Orleans.

14 On September 7, 2022, AVS began the
15 inspection process for approval of Boomtown
16 Casino's annual Certificate of Compliance. The
17 inspection process was completed on November 7,
18 2022, and Ms. Reed will provide information and
19 details on that inspection.

20 MS. REED:

21 Good morning, Chairman Johns and
22 Board Members. I am Moriah Reed, a naval
23 architect with American Vessel Services, and I am
24 here to report on the annual certification for the
25 CV Boomtown Belle II at the Boomtown Casino

1 New Orleans property in Harvey, Louisiana.

2 As you are aware, the Board
3 unanimately approved a Temporary Certificate of
4 Compliance at the October 20 Board meeting to
5 allow the Boomtown Casino New Orleans additional
6 time to satisfy any remaining deficiencies from
7 their original Annual Survey Report dated
8 September 7, 2022. The deficiencies are noted on
9 pages 7, 8, and 9 of your annual report.

10 A follow-up inspection was done on
11 October 7, and six deficiencies remained and were
12 outstanding. These deficiencies are noted on
13 pages 2 and 3 of the supplemental survey, dated
14 October 7, in your package. As a result of these
15 remaining deficiencies not being completely
16 satisfied by the October 20 board meeting, the
17 property requested an extension of their COC to
18 allow sufficient time to complete the repairs of
19 the deficiencies. The Board unanimately approved
20 this extension at the October 20 board meeting and
21 issued a Temporary Certificate of Compliance to
22 the Boomtown Belle II to allow the property more
23 time to complete the repairs necessary to satisfy
24 the remaining deficiencies.

25 On November 7, 2022, AVS received

1 final documentation from the property, which has
2 now satisfied the remaining deficiencies of the
3 October 7 supplemental survey. AVS has issued a
4 current supplemental survey, dated November 7,
5 2022, which indicates that all remaining
6 deficiencies have been satisfied and are now
7 closed. The supplemental survey is included in
8 your package.

9 It is the opinion of AVS that the
10 2022 annual survey, as required by the Louisiana
11 Gaming Control Board, for the Boomtown Belle II is
12 now complete. It is also the recommendation of
13 AVS that the Boomtown Belle II at the Boomtown
14 New Orleans Casino be issued a Certificate of
15 Compliance for 2022.

16 MR. BOSCH:

17 We now present these findings to the
18 Board and request that, upon the board accepting
19 the report submitted by AVS, you move forward with
20 the issuance of Boomtown Casino's annual
21 Certificate of Compliance, which expires on
22 October 31, 2023.

23 CHAIRMAN JOHNS:

24 Okay. Thank you very much for your
25 report. Members, any questions?

1 (NO RESPONSE)

2 CHAIRMAN JOHNS:

3 If not, I would entertain a motion
4 that we issue a Certificate -- a Certificate of
5 Compliance for Boomtown New Orleans, which will
6 expire October 31, 2023.

7 MR. SHOLES:

8 (Indicating)

9 CHAIRMAN JOHNS:

10 Judge Sholes has made the motion.

11 MS. TRAYLOR:

12 (Indicating)

13 CHAIRMAN JOHNS:

14 And Ms. Traylor has seconded that
15 motion. Is there any opposition to that motion?

16 (NO RESPONSE)

17 CHAIRMAN JOHNS:

18 Hearing none, that motion carries.
19 Okay. Next item will be the consideration of the
20 Certificate of Compliance for the inspection of
21 PNK (Bossier City), doing business as Boomtown
22 Bossier City. Okay. Good morning.

23 MS. NATHAN:

24 Good morning, Chairman Johns and
25 Board Members. I'm Assistant Attorney General

1 Andrea Nathan, and once again, with me is
2 Moriah Reed of AVS. We are here in the matter of
3 the issuance of the Certificate of Compliance for
4 Boomtown Casino Bossier City, Louisiana.

5 On October 26, 2022, AVS began the
6 inspection process for the approval of Boomtown
7 Casino Bossier City's Certificate of Compliance.
8 Ms. Reed will now provide the details of AVS's
9 inspection.

10 MS. REED:

11 Good morning, Chairman Johns and
12 Board Members. I am Moriah Reed with American
13 Vessel Services and here to report on the annual
14 certification for the Mary's Prize casino vessel
15 at the Boomtown Bossier Casino.

16 The inspectors Pete Bullard and I
17 did, on October 26, 2022, attend the riverboat
18 Mary's Prize to conduct the annual inspection in
19 accordance with the Louisiana Alternative
20 Inspection Program. We reviewed fire protection
21 measures, egress routes, observed emergency
22 lighting, tested the emergency generator,
23 inspected the mooring system, and conducted a fire
24 drill, as well as other required life safety
25 items. The deficiencies are noted on page 6 of

1 your report.

2 Property provided documentation to
3 AVS to verify that the deficiencies of the annual
4 survey have been completed. A supplemental survey
5 was provided to the Board on November 4 that
6 indicates all deficiencies have been satisfied and
7 are now considered closed. These satisfied
8 deficiencies can be found on page 2 of the
9 supplemental survey.

10 The 2022 annual survey, as required
11 by the Louisiana Gaming Control Board, is now
12 complete, and the casino vessel Mary's Prize is
13 considered fit to continue its intended service as
14 a dockside gaming riverboat in the state of
15 Louisiana. It is the recommendation of AVS that
16 the Mary's Prize at the Boomtown Casino Bossier be
17 issued the Certificate of Compliance for 2022.

18 MS. NATHAN:

19 We now present these findings to the
20 Board and request that, upon the Board's
21 acceptance of the report submitted by AVS, you
22 will move for issuance of Boomtown Casino
23 Bossier City Louisiana's Certificate of
24 Compliance, which expires on December 31, 2023.

25 CHAIRMAN JOHNS:

1 Okay. Any questions, Members? Any
2 questions?

3 (NO RESPONSE)

4 CHAIRMAN JOHNS:

5 If not, I would entertain a motion to
6 issue a Certificate of Compliance for Boomtown
7 Bossier City, which will expire December 31, 2023.

8 MR. JACKSON:

9 So moved.

10 CHAIRMAN JOHNS:

11 Mr. Jackson has moved.

12 MS. LEWIS:

13 (Indicating)

14 CHAIRMAN JOHNS:

15 And Ms. Lewis has seconded that
16 motion. Is there any opposition to that motion?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 Hearing none, that motion carries.

20 All right. One more on riverboats, the
21 consideration of the Certificate of Compliance for
22 the inspection of Red River Entertainment of
23 Shreveport, doing business as Sam's Town Hotel &
24 Casino.

25 MR. JAMES:

1 Good morning, Chairman Johns and
2 Board Members. I'm Assistant Attorney General
3 Elroy James, and also with me is Ms. Moriah Reed
4 of AVS. We're here in the matter of the issuance
5 of the Certificate of Compliance for Red River
6 Entertainment of Shreveport, LLC, doing business
7 as Sam's Town Casino, Shreveport, Louisiana.

8 On October 27, 2022, AVS began the
9 inspection process for the approval of Red River
10 Entertainment of Shreveport, LLC's -- LLC's
11 Certificate of Compliance. Ms. Reed will now
12 provide the details on AVS's inspection.

13 MS. REED:

14 Good morning, Chairman Johns and
15 Board Members. I am Moriah Reed with American
16 Vessel Services. I am here to report on the
17 annual certification for the Sam's Town Casino in
18 Shreveport, Louisiana.

19 The AVS inspectors Pete Bullard and I
20 did, on October 27, 2022, attend the riverboat
21 Shreve Star to conduct the annual inspection in
22 accordance with the Louisiana Alternative
23 Inspection Program. We reviewed fire protection
24 measures, egress routs, observed emergency
25 lighting, tested the emergency generator,

1 inspected the mooring system, and conducted a fire
2 drill, as well as other required life safety
3 items.

4 In the original annual inspection
5 report of October 27, 2022, there were eight
6 deficiencies, as noted on pages 6 and 7 of the
7 Annual Survey Report. Documentation from property
8 was then provided to AVS as a follow-up to the
9 original inspection. As such, a Supplemental
10 Survey Report was provided to the Board, dated
11 November 4, 2022, and all deficiencies are now
12 considered satisfactory.

13 The 2022 annual survey, as required
14 by the Louisiana Gaming Control Board, is now
15 complete, and the casino vessel Shreve Star is
16 considered fit to continue its intended service as
17 a dockside gaming riverboat in the state of
18 Louisiana. It is the recommendation of AVS that
19 the Sam's Town Casino be issued the Certificate of
20 Compliance for 2022.

21 MR. JAMES:

22 We now present these findings to the
23 Board and request that, upon the Board accepting
24 the report submitted by AVS, you will move for the
25 issuance of Red River Entertainment of Shreveport,

1 LLC's Certificate of Compliance, which expires on
2 December 31, 2023.

3 CHAIRMAN JOHNS:

4 Okay. Members, any questions? Any
5 questions? Okay.

6 MS. BERRY:

7 (Indicating)

8 MR. JACKSON:

9 Second.

10 CHAIRMAN JOHNS:

11 Ms. Berry has made a motion that we
12 issue a Certificate of Compliance for Sam's Town
13 Hotel & Casino Shreveport, which will expire
14 December 31, 2023, seconded by Mr. Jackson. Is
15 there any discussion, any opposition to that
16 motion?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 Hearing none, that motion carries.
20 Thank you. Thank you, AVS for being with us
21 today.

22 MS. REED:

23 Thank you for having me.

24 CHAIRMAN JOHNS:

25 Okay, Members. We'll move on to

1 item number E. Today we have before us a Petition
2 for the Extension of Time for the initial 90-day
3 deadline that we had issued for Catfish Queen,
4 doing business as the Belle of Baton Rouge, and
5 that was to submit their -- their complete
6 blueprint plans. I understand that there have
7 been some -- some issues, some problems, in
8 complying -- or getting in compliance within a
9 90-day period. And I've done some checking,
10 Members, and -- and these are very legitimate
11 reasons, but let's -- let's ask Mr. Barbin, if he
12 would -- good morning, Mr. Barbin.

13 MR. BARBIN:

14 Good morning, Chairman Johns and
15 Board Members. I'm Jeff Barbin, representing
16 Casino Queen and their local subsidiary
17 Catfish Queen, doing business as the Belle of
18 Baton Rouge, and joining me this morning is
19 Mr. Bruce Woods, who is the general manager of the
20 Belle. And, as Chairman Johns suggested, we've
21 had a few snags in getting the complete set of
22 plans done by the initial 90-day deadline, which
23 would have been due roughly a month from now, and
24 we're asking for an additional 60 days to get
25 those completed. Mr. Woods is going to go over

1 some of the issues that we've come up against.

2 CHAIRMAN JOHNS:

3 Good morning, Mr. Woods.

4 MR. WOODS:

5 Good morning, Mr. Chairman, Board
6 Members. My name is Bruce Woods. I am the
7 General Manager at the Belle of Baton Rouge
8 Casino & Hotel.

9 I would like to start by saying that,
10 while we're asking for this extension, we don't
11 anticipate that the extension will delay the
12 overall project at all. And there were a couple
13 of reasons why we needed to ask for this
14 extension, one being that we did not have any
15 existing drawings for the atrium building, the
16 train depot building, which we plan to use for
17 executive offices, the North Street crossing,
18 which is our air walk that takes us over the
19 levee, or the exterior mechanical yard. Now, we
20 do expect to have all of those drawings completed
21 100 percent by the end of this month.

22 The second reason we asked for the
23 extension, or we're asking for the extension, is
24 because, in addition to the project scope, we're
25 looking to make St. James Street a two-way street.

1 It's currently a one-way street. We're looking to
2 make that a two-way street and add a left turn
3 signal there to help alleviate the expected
4 addition in traffic.

5 We're looking to do a -- demolish the
6 Maritime 2 building and convert that to parking,
7 and we're also going to be adding a -- adding a
8 tour bus staging area on the corner of St. Louis
9 and Mayflower Street once we enter into a
10 partnership with -- to a cruise line that we're
11 talking to, utilizing our docking space once we do
12 go landside. The traffic engineer with the City
13 is requesting that we get a traffic study done for
14 all of those things, and we expect to have that by
15 December 28, 2022.

16 Currently, we are continually
17 working. We've removed all of the furniture, the
18 carpeting, the wallpaper from the hotel. Right
19 now we're removing all of the bathroom -- bathroom
20 fixtures, and we're also doing extensive
21 evaluations of the walls, the roof, and trying to
22 identify any potential challenges we may come
23 across during construction.

24 CHAIRMAN JOHNS:

25 I would imagine you found a few

1 surprises, huh, Mr. Woods?

2 MR. WOODS:

3 Yes, sir, we did.

4 CHAIRMAN JOHNS:

5 Okay. Members, as I said, I've
6 spoken with the management team at the Belle of
7 Baton Rouge, and every one of these issues are
8 legitimate. As he said, it's not going to affect
9 their -- their ultimate completion date. So are
10 there any questions from the Board on this case?
11 Are there any questions?

12 (NO RESPONSE)

13 CHAIRMAN JOHNS:

14 Okay. If not, I would entertain a
15 motion to adopt the resolution that Ms. Hood will
16 read in a second, and that is to give the Belle of
17 Baton Rouge a 6 -- another 60-day window to
18 present their plans. So I would entertain that
19 motion at this point.

20 MR. JACKSON:

21 Motion to approve.

22 CHAIRMAN JOHNS:

23 Mr. Jackson has made that motion.

24 MS. HAMILTON-ACKER:

25 (Indicating)

1 CHAIRMAN JOHNS:

2 And Ms. Hamilton-Acker has seconded
3 that motion. And, Ms. Hood, would you read the
4 resolution, please?

5 MS. HOOD:

6 On the 17th day -- day of November
7 2022, the Louisiana Gaming Control Board did, in a
8 duly noticed public meeting, consider the Petition
9 for Extension of Time filed by Catfish Queen, LLC,
10 doing business as Belle of Baton Rouge Catfish
11 Queen, and upon motion duly made and seconded, the
12 Board adopted this resolution:

13 Whereas, on September 15, 2022, the
14 board adopted a resolution which contained the
15 following provision 2(A) no later than 90-days
16 from this resolution's date to submit
17 architectural blueprints and a detailed plan of
18 design and construction of the approved project to
19 the Board for review and acceptance. The
20 architectural plans and specifications shall
21 comply with all applicable laws and regulations,
22 including, but not limited to, environmental,
23 fire, and safety codes. Failure to meet this
24 deadline or to timely receive an extension from
25 the Board may result in forfeiture of all

1 privileges to the license.

2 Whereas, on November 9, 2022, Catfish
3 Queen filed a petition requesting to extend the
4 90-day deadline for the submission of its
5 architectural plans and specifications to
6 February 17, 2023.

7 Now, therefore, be it resolved that
8 provision 2(A) of the September 15, 2022, board
9 resolution is amended to extend Catfish Queen's
10 deadline to submit its architectural plans and
11 specifications from December 14, 2022, to
12 February 17, 2023 -- 2023.

13 Thus done and signed in Baton Rouge
14 this 17th day of November 2022.

15 CHAIRMAN JOHNS:

16 Okay. So, Members, we have a motion
17 and a second to adopt this resolution. And,
18 Ms. Hood, would you call the roll, please?

19 MS. HOOD:

20 Ms. Berry?

21 MS. BERRY:

22 Yes.

23 MS. HOOD:

24 Mr. Jackson?

25 MR. JACKSON:

1 Yes.

2 MS. HOOD:

3 Ms. Lewis?

4 MS. LEWIS:

5 Yes.

6 MS. HOOD:

7 Mr. Poole?

8 MR. POOLE:

9 Yes.

10 MS. HOOD:

11 Ms. Hamilton-Acker?

12 MS. HAMILTON-ACKER:

13 Yes.

14 MS. HOOD:

15 Judge Sholes?

16 MR. SHOLES:

17 Yes.

18 MS. HOOD:

19 Ms. Traylor?

20 MS. TRAYLOR:

21 Yes.

22 MS. HOOD:

23 Chairman Johns?

24 CHAIRMAN JOHNS:

25 Yes. Okay. By unanimous --

1 unanimous vote that resolution is hereby adopted,
2 and thank you for y'all's hard work. Mr. Wood, I
3 want to personally and publicly thank the Belle
4 and yourself for a very generous donation to a
5 local human trafficking shelter of some equipment
6 and furniture and stuff that y'all had in your
7 property, and it went to great, great use; so
8 thank you very much for that very generous
9 donation. So we appreciate that.

10 MR. WOODS:

11 You're welcome, Mr. Chairman, and
12 thank you for allowing us to be here this morning
13 and fellow board members as well.

14 CHAIRMAN JOHNS:

15 Okay.

16 MR. BARBIN:

17 Thank you.

18 CHAIRMAN JOHNS:

19 Thank you very much. Mr. Barbin,
20 good seeing you, sir.

21 VII. VIDEO GAMING ISSUES

22 CHAIRMAN JOHNS:

23 Okay. We'll now move into the video
24 gaming issues. And, Members, in the original
25 agenda, there was -- there were actually two

1 considerations. One has been removed from the
2 agenda today, and that was the Riverbend?

3 MS. HOOD:

4 Riverbend.

5 CHAIRMAN JOHNS:

6 Yeah, -- excuse me -- the Riverbend.
7 Yeah. Okay. Good morning.

8 MS. MURRAY-BROWN:

9 All right. Good morning again,
10 Chairman Johns and Board Members. I'm Assistant
11 Attorney General Alonna Murray-Brown, present in
12 the matter of the transfer of ownership interest
13 in Northwest Corporation doing business as
14 Mr. D's Travel Center & Casino, which holds a type
15 5 video draw poker gaming license. The truck stop
16 facility is located in St. Mary Parish.

17 On December 30, 2021, Northwest
18 Corporation redeemed Patrice D. Williams' 100
19 shares of common stock. As a result of the
20 redemption, Edgar J. Dugas, III, is now the sole
21 owner of Northwest Corporation. Edgar J. Dugas,
22 III, is also the Director and President of
23 Northwest Corporation. Patrice D. Williams is
24 currently the Secretary and Treasurer of Northwest
25 Corporation.

1 The office of the Attorney General
2 has reviewed the file prepared by the Office of
3 State Police, and the information contained
4 therein would not preclude approval. Investigator
5 William Landry conducted an investigation of the
6 transfer of stock, and he is here this morning to
7 report his findings to the Board.

8 MR. LANDRY:

9 Good morning, Chairman Johns and
10 Board Members. Investigator William Landry with
11 Louisiana State Police. I conducted the transfer
12 of ownership that occurred with the licensee and
13 found no information that would preclude the
14 continued licensing of the business of Mr. --
15 Northwest Corporation, doing business as
16 Mr. D's Travel Center & Casino. I also conducted
17 the updated criminal background of
18 Edgar J. Dugas, III, and Patrice D. Williams and
19 found no information that would prevent them from
20 continuing to participate in the gaming industry.

21 CHAIRMAN JOHNS:

22 Okay. Members, any -- any questions?
23 Any questions?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 Okay. We have no questions; so at
2 this time I would entertain a motion to approve
3 the transfer of interest of Northwest Corporation,
4 doing business as Mr. D's Travel Center & Casino.

5 MR. SHOLES:

6 (Indicating)

7 CHAIRMAN JOHNS:

8 And Judge Sholes has moved that we
9 approve that motion.

10 MS. LEWIS:

11 (Indicating)

12 CHAIRMAN JOHNS:

13 Ms. Berry has -- excuse me.
14 Ms. Lewis has seconded that motion. Is there any
15 discussion on the motion? Any opposition to the
16 motion?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 Hearing none, that motion carries.

20 So thank y'all very much, everyone, --

21 MS. MURRAY-BROWN:

22 Thank you.

23 CHAIRMAN JOHNS:

24 -- for your presentation. Okay.

25 VIII. PROPOSED SETTLEMENTS AND APPEALS

1 CHAIRMAN JOHNS:

2 Okay, Members. We're going to now
3 move into proposed settlements and appeals. We
4 actually have four on the agenda today. The first
5 two will be done in public; the second two will be
6 done in executive session. So let's move on to
7 the very first one. I have an appeal on the
8 decision on Bayou Beer Garden, LLC, doing business
9 as Bayou Beer Garden.

10 Members and everyone in the audience,
11 let me remind you that no new evidence can be
12 presented today. We strictly go on the evidence
13 that was presented to the hearing officer at that
14 hearing. We're here just to hear the appeal of
15 the decision of the -- of the hearing officer. So
16 good morning.

17 MS. MURRAY-BROWN:

18 Good morning again, Chairman Johns
19 and Board Members. I'm Assistant Attorney General
20 Alonna Murray-Brown, and I'm here this morning to
21 present the matter concerning Bayou Beer Garden,
22 LLC, doing business as Bayou Beer Garden. The
23 licensee has been approved for a Type 1 video draw
24 poker gaming license, with an expiration date of
25 June 30, 2024.

1 On June 30, 2021, the Division
2 received a renewal application and record update
3 form from the licensee. The form disclosed that
4 Fiona Shore held 51 percent; Dean Disalvo held
5 39 percent; and John Demarest, Jr., held
6 10 percent of the membership interest in the
7 licensee. This differed from the Division's
8 records. The Division conducted an investigation
9 into the discrepancy and found the licensee failed
10 to notify the Division of two separate transfers
11 of membership interest and that Mr. Disalvo was
12 married in October of 2010.

13 This matter went before the Hearing
14 Office, with a decision rendered on -- on
15 August 25, 2022. The Hearing Office was correct
16 in its determination that the licensee violated
17 gaming law; however, they incorrectly used the
18 penalty schedule in determining the civil penalty
19 to be assessed to the licensee.

20 The licensee failed to notify the
21 Division within 10 calendar -- calendar days of
22 two changes in membership interest. In its
23 decision, the Hearing Office used the penalty
24 schedule section referencing management changes.
25 A transfer of membership interest is not a

1 management change.

2 Further, transfers of interest are
3 not listed on the penalty schedule. They were
4 listed in the past, but in 2014, this Board
5 purposefully removed violations of this type
6 because there were too many factors that needed to
7 be considered in determining the penalty for such
8 a violation. While the penalty schedule has been
9 used as a guide in the past, its true purpose is
10 to assist the Division when issuing citations for
11 violations.

12 Here it was pertinent for the Hearing
13 Office to consider the length of time between the
14 transfer and notification, whether the licensee
15 notified the Division or whether the Division
16 discovered the transfer on its own, whether the
17 transferee -- transferee was required to submit to
18 suitability based on the transfer, whether the
19 transferee had already submitted to suitability on
20 the license, how much time had occurred between
21 the transfer and the transferee submitting to
22 suitability, whether the Division discovered any
23 negative information about the transferee to where
24 he or she should not be recommended as suitable,
25 past violations for failure to notify, and how

1 many failures occurred.

2 The Division also argues the Hearing
3 Office's order of a \$250.00 civil penalty for the
4 licensee's failure to notify the Division of
5 Mr. Disalvo's marriage is an incorrect use of the
6 penalty schedule. There are major factors that
7 call for a higher penalty than found in the
8 schedule. In this instance, the 11 years that
9 passed while the spouse received gaming revenues
10 and profited from gaming activity all while she
11 had not submitted for suitability.

12 The Division originally pled for a
13 \$3,000.00 civil penalty, and we ask for it here
14 again today. This figure takes into consideration
15 the varying facts and circumstances surrounding
16 these violations and it is comparable to other
17 administrative actions of this type.

18 Based on the aforementioned reasons,
19 the Division respectfully requests this Honorable
20 Board modify the hearing officer's decision to
21 reflect a penalty amount that is not based on the
22 penalty schedule, takes into consideration all the
23 facts and circumstances, and represents the
24 gravity of the violations.

25 CHAIRMAN JOHNS:

1 Okay. This is all new to this
2 chairman --

3 MS. BERRY:

4 Yeah.

5 CHAIRMAN JOHNS:

6 -- and to a lot of members on this
7 Board. So you have a problem with really all
8 three of the fines. Is that correct?

9 MS. MURRAY-BROWN:

10 Yes, sir.

11 CHAIRMAN JOHNS:

12 Okay. But in the schedule, on the
13 failure to notify the Division of marriage -- in
14 the schedule it's \$250.00, isn't it?

15 MS. MURRAY-BROWN:

16 That's correct. That's also a base
17 amount, and I think it's a gross undervaluation of
18 the situation. For instance, if somebody had
19 failed to notify of their marriage within 11 days,
20 that could also be a \$250.00 violation, as opposed
21 to this situation, which was 11 years.

22 CHAIRMAN JOHNS:

23 Right. And I see your argument, but
24 it is in the schedule, and the schedule doesn't --
25 the schedule doesn't give any differentiation

1 between if it's one year or ten years or twenty
2 years. That's -- I mean, these are probably some
3 cleanups that we need to do as we move forward.

4 MS. MURRAY-BROWN:

5 Yes, sir. But, again, the penalty
6 schedule is just a -- it's just a guide. It's not
7 required for us to stick to that figure.

8 CHAIRMAN JOHNS:

9 Right. But that's what the hearing
10 office normally goes by is the guide?

11 MS. MURRAY-BROWN:

12 Yes, I believe so.

13 CHAIRMAN JOHNS:

14 Okay. On the other two issues, one
15 of the transfers that was made was to someone
16 who had actually already met suitability.

17 MS. MURRAY-BROWN:

18 Yes, sir.

19 CHAIRMAN JOHNS:

20 Is that correct?

21 MS. MURRAY-BROWN:

22 Yes, sir.

23 CHAIRMAN JOHNS:

24 Okay. And the other transfer was
25 done to an individual who had not met suitability,

1 but, actually, it had only been about, what, a
2 two- or three-month period that they've actually
3 received gaming revenues. So it wasn't a very --
4 it wasn't a long, drawn-out --

5 MS. MURRAY-BROWN:

6 That's correct.

7 CHAIRMAN JOHNS:

8 -- issue? I will agree with you that
9 the transfer of the membership is not -- is not a
10 management change. It is a change in ownership,
11 but I would -- I would open up for questions from
12 the board members.

13 MS. BERRY:

14 I have a question.

15 CHAIRMAN JOHNS:

16 Okay, Ms. Berry.

17 MS. BERRY:

18 I caught that you said that you would
19 like to raise the fine to \$3,000.00?

20 MS. MURRAY-BROWN:

21 Yes, ma'am.

22 MS. BERRY:

23 What would it have been originally?
24 What did the hearing officer assess the fine and
25 penalties to be?

1 MS. MURRAY-BROWN:

2 I believe she assessed it to be 7 --
3 \$1,750.00.

4 MS. BERRY:

5 All right. So 1,750.00 to 3,000.00.

6 CHAIRMAN JOHNS:

7 So there was a \$500.00 penalty -- I
8 don't mean to interrupt you, Ms. Berry.

9 MS. BERRY:

10 No, go ahead.

11 CHAIRMAN JOHNS:

12 There's a \$500.00 penalty for one of
13 the membership interest transfers, and \$1,000.00
14 for the second one, and then a \$250.00 fine for
15 the failure to notify of the marriage; so it's
16 \$1,750.00.

17 MS. BERRY:

18 So we're not changing the decision of
19 the hearing officer? It's just the fine?

20 MS. MURRAY-BROWN:

21 No. We believe that she was correct
22 that -- wherever she found they violated gaming
23 law. We just believe that her figure should not
24 have been based on the penalty schedule because it
25 wasn't sufficient in this instance.

1 MR. SHOLES:

2 Mr. Chairman?

3 CHAIRMAN JOHNS:

4 Judge Sholes.

5 MR. SHOLES:

6 Is it appropriate to modify the
7 amount of the finding at this hearing?

8 CHAIRMAN JOHNS:

9 I guess it is, yes, sir. I think we
10 have the -- we have the ability to do that. That
11 comes at the pleasure of the Board.

12 MR. SHOLES:

13 Then am I correct that it would be
14 appropriate at this time to make a motion to
15 increase the amount of that fail -- failure to
16 notify of the marriage from 250.00 to 500.00?
17 Would that be an appropriate motion?

18 CHAIRMAN JOHNS:

19 That would be.

20 MR. SHOLES:

21 In that case, I would so move.

22 MS. BERRY:

23 I'll second --

24 CHAIRMAN JOHNS:

25 Okay.

1 MS. BERRY:

2 -- due to the time.

3 CHAIRMAN JOHNS:

4 All right. Is there any -- is there
5 any discussion from the board members on this
6 motion? Ms. Hamilton-Acker?

7 MS. HAMILTON-ACKER:

8 My only question is, is with the
9 Board taking action to question the discretion of
10 the hearing officer, will that be setting a
11 precedent in terms of established fines for moving
12 forward?

13 CHAIRMAN JOHNS:

14 I guess it does set a precedent. Any
15 time we do -- we have some type of action here, it
16 sets a precedent, but it is part of the process,
17 as legal counsel has advised me. We -- that's why
18 we have an appeals process here. Really, to be
19 honest with you, there needs to be some
20 clarification in the schedules. I really think
21 that's what there needs to be, and we've had some
22 discussion with their office on that; so . . .

23 MS. HAMILTON-ACKER:

24 Well, I'm in favor of the motion.
25 The only concern is, is with regards to this being

1 such a single issue in terms of what is the facts
2 of other issues that the hearing officer will
3 decide and whether it will open the floodgates of
4 having -- for the Board to make determinations on
5 the hearing officer's decisions when it comes to
6 imposing fines.

7 CHAIRMAN JOHNS:

8 Okay. Well, I -- I understand your
9 concerns. And, Ms. Berry, you had something else?

10 MS. BERRY:

11 I was just going to say, as you
12 mentioned, Ms. Murray, the fine schedule is just a
13 guide.

14 MS. MURRAY-BROWN:

15 That's correct.

16 MS. BERRY:

17 Is there any interpretations to that
18 guide as to reasons to increase the fines, like,
19 for instance, the 11-year discrepancy in informing
20 the Board?

21 MS. MURRAY-BROWN:

22 Exactly. All those factors need to
23 be considered, which is why the penalty schedule
24 is a guide and is a base amount. You can always
25 go up based on how severe the violation was. And

1 so, like, again, in this instance, it wasn't 11
2 days past. It was 11 years had passed where
3 someone was receiving gaming revenue that had not
4 submitted to suitability.

5 MS. BERRY:

6 Do you think the hearing officer took
7 that into consideration when she made her fine?

8 MS. MURRAY-BROWN:

9 I can't say to what her
10 decision-making was but . . .

11 MS. BERRY:

12 I mean, I agree with what you are
13 saying. Just -- I don't think it's our position
14 to set the fines, but I agree that this was kind
15 of a different situation. The time factor is just
16 what concerns me. I mean, that's just a blatant
17 ignorance of the rules and regulations.

18 MS. MURRAY-BROWN:

19 I would also like to mention that the
20 penalty schedule really is supposed to be for
21 citations issued by the Division. In a situation
22 where there's an administrative action, the Board
23 has the power to set any penalty amount.

24 CHAIRMAN JOHNS:

25 Okay. I will tell you, I think that

1 the licensee was sincere in moving forward as all
2 of this was discovered. It was probably out of
3 ignorance that this occurred. I don't think there
4 was any attempt to not disclose it, but it is a
5 long period of time.

6 So we do have a motion on the table
7 at this point. So is there any further discussion
8 on the motion that Judge Sholes has made? And,
9 Ms. Berry, you have --

10 MS. BERRY:

11 I just have a quick -- that would
12 raise it from 1,750.00, and Judge Sholes' motion
13 would raise it to \$2,000. Correct?

14 CHAIRMAN JOHNS:

15 I was going to clarify that after
16 we -- after we voted on this motion.
17 Judge Sholes, was your intention to leave the
18 other two fines as is?

19 MR. SHOLES:

20 Even though I believe that there was
21 a -- quite a bit of a concern to me that any time
22 someone is receiving gaming revenue who has not
23 met suitability, I believe the -- as it pertains
24 to Mr. Demarest, that one, I thought, was simply
25 excusable, but 11 years -- there has to be some

1 difference between 11 years and 11 days.

2 CHAIRMAN JOHNS:

3 Right.

4 MR. SHOLES:

5 For that reason, that's why I wanted
6 to address that one issue.

7 CHAIRMAN JOHNS:

8 Okay. So do you want to -- so is
9 your intention not -- not to change the \$1,000.00
10 fine and the \$500 fine?

11 MR. SHOLES:

12 That is correct.

13 CHAIRMAN JOHNS:

14 Okay. So could we do all of this in
15 one motion?

16 MR. SHOLES:

17 That was my intent, Chairman, but I
18 yield to the will of the Chair.

19 CHAIRMAN JOHNS:

20 Okay. Okay. So Mr. Sholes has made
21 a motion -- Members, is there any further
22 discussion on the motion? Any further discussion
23 on the motion?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 Okay.

2 MS. MURRAY-BROWN:

3 Mr. Chairman, --

4 CHAIRMAN JOHNS:

5 Yes.

6 MS. MURRAY-BROWN:

7 -- before you vote on the --

8 CHAIRMAN JOHNS:

9 Yes.

10 MS. MURRAY-BROWN:

11 -- on the new motion, I also ask
12 there be a motion, if that's -- like, if I can
13 make such a request, that the hearing officer's
14 decision basing the amount on a management change
15 be altered to a transfer of ownership interest --

16 CHAIRMAN JOHNS:

17 Okay.

18 MS. MURRAY-BROWN:

19 -- just to make that clarification.

20 CHAIRMAN JOHNS:

21 Yes. We had discussed -- discussed
22 that, and we will incorporate that into this
23 motion.

24 MS. MURRAY-BROWN:

25 Thank you.

1 CHAIRMAN JOHNS:

2 Okay. Any further discussions?

3 (NO RESPONSE)

4 CHAIRMAN JOHNS:

5 Okay. Judge Sholes has made a motion
6 that we increase the penalty for failure to notify
7 the Division of marriage from \$250.00 to \$500.00.
8 His motion also determined that the penalty of
9 \$500.00 for the first transfer of membership
10 interest be affirmed and the \$1,000.00 fine for
11 the second penalty also be affirmed. That would
12 be a total of a \$2,000.00 fine, with the fact that
13 we clarify to the hearing officer that this is
14 actually a transfer of ownership and not a
15 management change. Is that correct, how you would
16 like that to be read?

17 MS. MURRAY-BROWN:

18 Yes, sir.

19 CHAIRMAN JOHNS:

20 Okay. All right. I think I've got
21 it straight. So is there any further discussion?

22 (NO RESPONSE)

23 CHAIRMAN JOHNS:

24 Is there any opposition to this
25 motion?

1 (NO RESPONSE)

2 CHAIRMAN JOHNS:

3 Okay. Hearing none, that motion
4 carries.

5 MS. HOOD:

6 Was there a second?

7 CHAIRMAN JOHNS:

8 Huh?

9 MS. HOOD:

10 Was there a second?

11 CHAIRMAN JOHNS:

12 Ms. Berry has seconded. I'm sorry.

13 Ms. Berry seconded. Okay. This motion has
14 carried. Thank you very much.

15 MS. MURRAY-BROWN:

16 Thank you.

17 CHAIRMAN JOHNS:

18 We understand y'all's concerns, and
19 we -- we're going to work very closely with the
20 Hearing Office to clarify some of these issues;
21 so . . .

22 MS. MURRAY-BROWN:

23 Thank you.

24 CHAIRMAN JOHNS:

25 Okay. Thank you very much. Okay.

1 Okay. Members, next on the agenda is an appeal by
2 Mr. Colten Belue. And, again, Members, there --
3 no new evidence may be introduced today. We will
4 have a presentation, and then we can have
5 discussion on what the hearing officer ruled on
6 but at this point no new evidence. So let's
7 proceed.

8 MS. MURRAY-BROWN:

9 All right. Good morning Chairman
10 Johns and Board Members. I'm Assistant Attorney
11 General Alonna Murray-Brown, and I'm present
12 before the Board in the matter of the appeal of
13 Colten E. Belue.

14 On March 14, 2022, Mr. Belue was
15 arrested by the Shreveport Police Department for
16 violating Battery of a Dating Partner
17 (strangulation), which is a crime of violence that
18 is punishable by more than one year of
19 imprisonment and Simple Property Damage.

20 An emergency suspension hearing was
21 conducted, and the immediate emergency suspension
22 was upheld. Later on, a second administrative
23 hearing was conducted, where the Hearing Office
24 found that Mr. Belue had a pending charge for
25 Battery of a Dating Partner (Strangulation), that

1 the charge was still pending, and that he engaged
2 in unsuitable conduct or practices. Based on this
3 information, the non-key gaming employee permit
4 issued to Mr. Belue was revoked in accordance with
5 Louisiana gaming law.

6 In the interest of maintaining
7 consistency and fairness amongst all permittees,
8 the Division and this Honorable Board are bound by
9 law in matters such as this. The law requires
10 permittees to be found suitable. Louisiana
11 Revised Statute 27:28 provides that no person
12 shall hold a gaming permit should they be found
13 unsuitable. The law is clear in that a pending
14 criminal charge for a crime of violence and crimes
15 that are punishable by more than one year of
16 imprisonment are automatic disqualifications to
17 holding a gaming permit and are valid reasons to
18 be found unsuitable. Here, Mr. Belue had two
19 automatic disqualifiers by holding -- by having a
20 pending criminal charge for a crime of violence
21 that was punishable by more than one year of
22 imprisonment. The Hearing Office was correct in
23 its finding that Mr. Belue is unsuitable to
24 holding a gaming permit.

25 Mr. Belue's attorney argued that the

1 Hearing Office should have waited until the final
2 disposition of the criminal matter to move
3 forward; however, this is an incorrect
4 interpretation of the law. Sections A and B of
5 27:28 provide that crimes of violence and crimes
6 that are punishable by more than one year of
7 imprisonment are statutory disqualifiers to
8 holding a gaming permit. Section F of 27:28
9 simply allows the Division to defer termination
10 until after the final disposition of the criminal
11 matter if they so choose. Any decision to defer a
12 revocation is simply -- is completely
13 discretionary and solely within the Board or
14 Division's power.

15 In this instance, the Division chose
16 to pursue revocation based on the pending charges
17 and Mr. Belue's unsuitable conduct or practices,
18 and the hearing officer properly heard the matter
19 and properly revoked Mr. Belue's permit. In
20 addition to the automatic statutory disqualifier,
21 such as his pending charges, for disqualifying
22 offenses, engaging in unsuitable conduct or
23 practices is also a basis for a finding of
24 unsuitability and a disqualification from holding
25 a gaming permit.

1 The Hearing Office listened to the
2 testimony and reviewed the evidence submitted and
3 found Mr. Belue to be unsuitable not only due to
4 his pending charges but also due to his unsuitable
5 conduct or practices based on his actions and
6 behavior.

7 It is important to note the law puts
8 the burden on Mr. Belue to prove he is suitable
9 through clear and convincing evidence. He is --
10 it is respectfully asserted Mr. Belue not only
11 failed to do so but that the testimony and
12 evidence about the events that led to his arrest,
13 Mr. Belue's violent behaviors and actions,
14 unsuitable conduct, and pending charges clearly
15 show that Mr. Belue is not a person of good
16 character, honesty, or integrity, and that he
17 engaged in unsuitable conduct or practices, that
18 he was involved in activities prohibited by law,
19 and that his prior activities and criminal record
20 pose a threat to the public interest of the State
21 and the effective regulation of gaming.

22 In their argument Mr. Belue and his
23 attorney attempt to provide new information to the
24 Board, which is improper. The law prohibits new
25 evidence from being introduced during an appeal.

1 Further, this matter should not be remanded to the
2 Hearing Office to consider any new evidence. New
3 evidence would not negate the testimony and
4 evidence already considered by the Hearing Office,
5 the finding of unsuitability based on his actions,
6 behaviors, and conduct that led to his arrest, the
7 recommendation by the Division, or the outcome of
8 the hearing. Participation in the gaming industry
9 is a privilege and not a right.

10 Based on the aforementioned reasons,
11 the Division respectfully requests that this
12 Honorable Board affirm the hearing officer's
13 decision to revoke Mr. Belue's non-key gaming
14 employee permit and finding him unsuitable.

15 CHAIRMAN JOHNS:

16 Okay, Members. Any questions?

17 MR. SHOLES:

18 (Indicating)

19 CHAIRMAN JOHNS:

20 Okay, Judge.

21 MR. SHOLES:

22 Y'all knew I was going to be
23 disturbed by this one. It is always a concern to
24 me that -- it's a due process issue. It seems to
25 me this is -- and maybe I'm wrong. Clarify. This

1 is only a temporary suspension until the
2 completion of the hearings in the district courts
3 or what other court may --

4 MS. MURRAY-BROWN:

5 No, sir, this is a revocation of
6 his --

7 MR. SHOLES:

8 It's a permanent revocation?

9 MS. MURRAY-BROWN:

10 It's permanent.

11 MR. SHOLES:

12 Based purely upon an allegation? Am
13 I not correct?

14 MS. MURRAY-BROWN:

15 It's based on his pending criminal
16 charges but also due to his actions and behaviors
17 that found him unsuitable.

18 MR. SHOLES:

19 So that if someone were to walk into
20 any court and say, "John Doe strangled me, and he
21 is my domestic partner," that person is now
22 unsuitable. Is that correct?

23 MS. MURRAY-BROWN:

24 Yes. I mean -- I mean, there is an
25 investigation that goes into that that's more than

1 just an allegation, but if it was -- if he had a
2 pending criminal charge, he would be found
3 unsuitable.

4 MR. SHOLES:

5 Part of the reason why this disturbs
6 me is because I've seen -- I've had that
7 misfortune of having to take nursing licenses away
8 from people who had a DWI arrest, but then the
9 arrest was later dis -- it's just -- it's just
10 wrong. And I know we need to clean it up. I
11 understand it. I'm just expressing my frustration
12 with it, and I understand that we cannot do it
13 today, but I've made my point. Thank you.

14 MS. MURRAY-BROWN:

15 Thank you.

16 MS. BERRY:

17 I have a question.

18 CHAIRMAN JOHNS:

19 Okay. Thank you, Judge.

20 MS. BERRY:

21 I have a question.

22 CHAIRMAN JOHNS:

23 Ms. Berry.

24 MS. BERRY:

25 Should his -- along with what Judge

1 said, should his charges be either dropped or he's
2 found not guilty, could he reapply for a license
3 at that time?

4 MS. MURRAY-BROWN:

5 He could reapply in five years from
6 the finding of unsuitability. He could reapply.

7 MS. BERRY:

8 Five years, even if it's found that
9 he was not guilty or --

10 MS. MURRAY-BROWN:

11 Yes, because it's still based on
12 his -- his behavior and his actions. It's not
13 only the pending criminal charge. It's both.

14 MS. BERRY:

15 Where would we see these -- these
16 pend -- these behaviors or actions noted?

17 MS. MURRAY-BROWN:

18 In the transcript. I believe I
19 attached it to your packet.

20 MS. BERRY:

21 Okay. Yeah.

22 MS. MURRAY-BROWN:

23 The arresting officer discussed his
24 behaviors and actions.

25 MS. BERRY:

1 Oh, okay.

2 MS. MURRAY-BROWN:

3 And so it was provided to the hearing
4 officer.

5 MS. BERRY:

6 Okay.

7 CHAIRMAN JOHNS:

8 Thank you, Ms. Berry. Is there any
9 further discussion from the Board?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 Okay. Is there -- is Mr. Belue or
13 any of his representation here today for
14 discussion?

15 (NO RESPONSE)

16 CHAIRMAN JOHNS:

17 Okay. They're not here. Okay. So,
18 Members, what's the pleasure of the -- of the
19 Board? Do we affirm -- do we affirm the hearing
20 officer, or is there another path that the Board
21 would like to go down? Ms. Hamilton-Acker?

22 MS. HAMILTON-ACKER:

23 Do we have any discretion to defer
24 this matter pending the outcome of the criminal
25 hearing -- the criminal court matter?

1 MS. MURRAY-BROWN:

2 I ask that -- that new information
3 not be taken into consideration at this time.
4 Again, the revocation was ordered by the Hearing
5 Office. At this time it's only an appeal, and new
6 evidence can't be considered at this time. The
7 only course of action would be to remand to her
8 for her to consider the new evidence, but, again,
9 our office would not recommend remand -- remanding
10 it back to the Hearing Office because he was
11 revoked not only to his pending charges but also
12 due to his actions.

13 MS. HAMILTON-ACKER:

14 Thank you.

15 CHAIRMAN JOHNS:

16 So, Ms. Hamilton-Acker, as a Board,
17 we do have the -- the authority to remand this
18 back -- not defer it but remand it back to the
19 hearing officer for her to consider other facts,
20 other considerations; so that's -- that's the only
21 other option that we have as a Board. Okay.

22 MR. JACKSON:

23 Mr. Chairman.

24 CHAIRMAN JOHNS:

25 Mr. Jackson.

1 MR. JACKSON:

2 Go ahead.

3 MS. LEWIS:

4 No, go ahead.

5 CHAIRMAN JOHNS:

6 Mr. Jackson first, and then

7 Ms. Lewis.

8 MR. JACKSON:

9 Me, personally, I think we need to --

10 CHAIRMAN JOHNS:

11 Speak -- speak into the -- no, you're
12 on, but just speak directly into it. There you
13 go.

14 MR. JACKSON:

15 I'm inclined to remand this back
16 based on -- in case he has some new evidence.

17 CHAIRMAN JOHNS:

18 Okay. Is that in form of a motion,
19 Mr. Jackson?

20 MR. JACKSON:

21 Yes, sir, I want to make it in the
22 form of a motion.

23 CHAIRMAN JOHNS:

24 Okay. All right. We do have some
25 discussion from Ms. Lewis. We'll take --

1 MS. LEWIS:

2 I do have one question, .

3 CHAIRMAN JOHNS:

4 We'll take up that -- go ahead.

5 MS. LEWIS:

6 Mr. Chairman. If this is, in case,
7 remanded, would he still be under the emergency
8 suspension of his license? I'm assuming he is,
9 but I don't want to . . .

10 CHAIRMAN JOHNS:

11 I would -- I would personally think
12 that, yes, he would --

13 MS. LEWIS:

14 He would still be under --

15 CHAIRMAN JOHNS:

16 -- he would still under -- be under
17 suspension of his license.

18 MS. MURRAY-BROWN:

19 So when the revocation took place, it
20 terminated the immediate emergency suspension. I
21 believe the Board has the ability to, if you
22 decided to remand, reinstate the immediate
23 emergency suspension, but I would also like to
24 note that there is testimony that Mr. Belue was
25 strangling his partner. He was covered in blood.

1 He broke a window trying to reenter her home.
2 His -- there's testimony proving that his actions
3 do not make him a suitable person in this gaming
4 industry.

5 CHAIRMAN JOHNS:

6 I hear you clearly, and I don't think
7 anybody feels more strongly about domestic
8 violence than I do. I did a lot of legislative
9 work on domestic violence when I was in this
10 building. But, anyway, we'll see what the Board
11 decides to do here. So, Ms. Lewis, any further --

12 MS. LEWIS:

13 No, I --

14 CHAIRMAN JOHNS:

15 So if we -- if it is remanded back to
16 the hearing officer, I would -- I would suggest
17 that we reinstate that suspension of his license
18 until the disposition by the hearing officer, but
19 that's -- that's up to the Board; so . . .

20 So Mr. -- any further discussion?

21 (NO RESPONSE)

22 CHAIRMAN JOHNS:

23 Mr. Jackson has a motion on the board
24 to remand this back to the hearing officer, with
25 the stipulation that his license be continued

1 under suspension. Is that correct, Mr. Jackson?

2 MR. JACKSON:

3 Yes, sir.

4 CHAIRMAN JOHNS:

5 Okay. Is there a second to this
6 motion?

7 MR. SHOLES:

8 Second.

9 CHAIRMAN JOHNS:

10 Judge Sholes has seconded that
11 motion. Is there any discussion on the motion?
12 Any discussion?

13 MS. BERRY:

14 I would just --

15 CHAIRMAN JOHNS:

16 You want to say something, Ms. Berry?

17 MS. BERRY:

18 This may be a comment, not really a
19 discussion, but it's just been my experience with
20 this Board that when there's been an appeal, that
21 the appellant is at least present to partially
22 state his case, and I find that a little unnerving
23 that he's not even here; so I just want to state
24 that.

25 CHAIRMAN JOHNS:

1 Okay. Duly noted. Okay. Members,
2 I'm going to call for a roll vote on this, if
3 we -- if we could. So the motion at the table is
4 that this appeal be remanded back to the hearing
5 officer for further consideration and that
6 Mr. Belue's license be continued under suspension
7 until final disposition by that hearing officer.
8 Is there any discussion? Any further discussion?

9 MR. POOLE:

10 Mr. Chairman.

11 CHAIRMAN JOHNS:

12 Yes. Mr. Poole.

13 MR. POOLE:

14 Yeah, if I could, what is the timing
15 sequence between this going back to when his
16 actual case gets in front of a Court? Do you know
17 what that timing sequence is, by any chance?

18 MS. MURRAY-BROWN:

19 The information you're requesting I
20 can't provide because it would be new evidence.
21 I'm not sure.

22 MR. POOLE:

23 But that would just be --

24 MR. JACKSON:

25 It's in the packet.

1 CHAIRMAN JOHNS:

2 I'm sorry?

3 MS. LEWIS:

4 It's in the packet.

5 MR. JACKSON:

6 It's in the packet.

7 CHAIRMAN JOHNS:

8 Yeah.

9 MS. MURRAY-BROWN:

10 Yeah.

11 CHAIRMAN JOHNS:

12 Okay. Okay. Is there any -- any
13 further questions? Okay. Judge Sholes, it looks
14 like you want to say something.

15 MR. SHOLES:

16 I think we all are consistent in our
17 disdain for domestic violence. The issue for me
18 is not this gentleman, but it is a consist -- it
19 is a concern I have with a due process issue with
20 anyone being taken away from employment for a
21 period of five years purely based upon an
22 allegation which they have not had an opportunity
23 to defend themselves yet before the appropriate
24 tribunal.

25 I agree. It frustrates me that

1 Mr. Belue has not demonstrated the interest of
2 being here to discuss this. And I would fully
3 understand if everybody votes no to this motion,
4 but it just seems to me we've got to, at some
5 point, say to our friends in the Legislature that
6 some kind of way we ought to address this so that
7 someone doesn't lose -- this is a five-year
8 punitive penalty here where you don't have an
9 opportunity to determine whether or not I've
10 actually committed the crime. That's my
11 frustration, and that's why I second this motion.

12 CHAIRMAN JOHNS:

13 Okay.

14 MR. SHOLES:

15 Thank you.

16 CHAIRMAN JOHNS:

17 Thank you very much. Okay. Any
18 further discussion?

19 (NO RESPONSE)

20 CHAIRMAN JOHNS:

21 Hearing none. Okay. We do have a
22 motion at the table, and I would ask that Ms. Hood
23 call the roll, please.

24 MS. HOOD:

25 Ms. Berry?

1 MS. BERRY:

2 No.

3 MS. HOOD:

4 Mr. Jackson?

5 MR. JACKSON:

6 Yes.

7 MS. HOOD:

8 Ms. Lewis?

9 MS. LEWIS:

10 Yes.

11 MS. HOOD:

12 Mr. Poole?

13 MR. POOLE:

14 Yes.

15 MS. HOOD:

16 Ms. Hamilton-Acker?

17 MS. HAMILTON-ACKER:

18 Yes.

19 MS. HOOD:

20 Mr. Sholes?

21 MR. SHOLES:

22 Yes.

23 MS. HOOD:

24 And Ms. Traylor?

25 MS. TRAYLOR:

1 Yes.

2 MS. HOOD:

3 Chairman Johns?

4 CHAIRMAN JOHNS:

5 Yes.

6 MS. HOOD:

7 We just have one no.

8 CHAIRMAN JOHNS:

9 Okay. That motion does carry. And I
10 don't know if Mr. Belue is listening to us right
11 now or his representation is listening to us by
12 live feed, but we want Mr. Belue to know that this
13 Board does not conduct -- condone, excuse me, his
14 behavior, and it is -- this is something that
15 we're not going to -- we are not going to
16 tolerate, but by due process of the -- of what the
17 law should be, we are going to remand this back to
18 the -- to the hearing officer.

19 So thank you very much for your --
20 for y'all's work.

21 MS. MURRAY-BROWN:

22 Thank you.

23 CHAIRMAN JOHNS:

24 I know it's a tough issue. Okay.
25 Members, we are -- we have two items left on our

1 agenda today, and at this time I would entertain a
2 motion that we go into executive session.

3 MS. BERRY:

4 (Indicating)

5 CHAIRMAN JOHNS:

6 Ms. Berry has moved that -- made that
7 motion.

8 MS. HAMILTON-ACKER:

9 (Indicating)

10 CHAIRMAN JOHNS:

11 And Ms. Acker has seconded that
12 motion. Is there any opposition to that motion?

13 (NO RESPONSE)

14 CHAIRMAN JOHNS:

15 Hearing none, that motion carries.
16 We now will go into executive session.

17 (EXECUTIVE SESSION HELD 11:14 A.M. TO 12:06 P.M.)

18 CHAIRMAN JOHNS:

19 Okay. Members, and our guests today,
20 we're back in open session today. Thank you for
21 indulging us. As Chairman, this is my first time
22 to ever go through executive session.

23 So, Members, you have heard the
24 discussion of both cases. The first case that we
25 have before us to make a decision on is

1 Case No. 2214. Is there any discussion from the
2 members on that, or does anyone have a particular
3 motion that they would like to make?

4 MS. BERRY:

5 I would like to make a motion that on
6 Case 2214 that we remand it back to the hearing
7 officer based on what we had discussed in session
8 that you be assessed by a Certified Gambling
9 Profession -- Gambling Professional Counselor or
10 Addictive Gambling Professional Counselor. I may
11 not be saying it exactly right, but that's my
12 motion.

13 MR. JACKSON:

14 Second.

15 CHAIRMAN JOHNS:

16 Okay. And Mr. Jackson has made that
17 motion. Is there any other discussion from the
18 Board? Any discussion from the Board?

19 (NO RESPONSE)

20 CHAIRMAN JOHNS:

21 Okay. I'm going to call for a roll
22 call vote on that, please. And so, Ms. Hood,
23 would you call the roll? So the motion that's
24 before you for Case No. 2214 is that we remand
25 this back. We are not -- we're not affirming the

1 hearing officer's decision. We are remanding it
2 back to the hearing officer with stipulation that
3 Case No. 2214 receive evaluation from a Licensed
4 Certified Addictive or Problem Gambling Counselor.
5 Okay. Ms. Hood?

6 MS. HOOD:

7 Ms. Berry?

8 MS. BERRY:

9 Yes.

10 MS. HOOD:

11 Mr. Jackson?

12 MR. JACKSON:

13 Yes.

14 MS. HOOD:

15 Ms. Lewis?

16 MS. LEWIS:

17 Yes.

18 MS. HOOD:

19 Mr. Poole?

20 MR. POOLE:

21 Yes.

22 MS. HOOD:

23 Ms. Hamilton-Acker?

24 MS. HAMILTON-ACKER:

25 Yes.

1 MS. HOOD:

2 Judge Sholes?

3 MR. SHOLES:

4 Yes.

5 MS. HOOD:

6 Ms. Traylor?

7 MS. TRAYLOR:

8 Yes.

9 MS. HOOD:

10 Chairman Johns?

11 CHAIRMAN JOHNS:

12 Yes. So 2214 will be remanded back
13 to the hearing officer for another hearing based
14 upon the stipulations that the Board has just
15 voted on.

16 Next case will be case No. 2215. And
17 any discussion on that case? Any motion on that
18 case?

19 MS. BERRY:

20 I would like to make the same motion,
21 that we remand Case 2215 back to the hearing
22 officer based on the petitioner's participation in
23 an evaluation by a Professional Licensed and
24 Certified Addictive Gambling Counselor.

25 CHAIRMAN JOHNS:

1 Okay. And do I have a second on that
2 motion?

3 MS. HAMILTON-ACKER:

4 (Indicating)

5 CHAIRMAN JOHNS:

6 By Ms. Hamilton-Acker. Is there any
7 discussion on that motion?

8 (NO RESPONSE)

9 CHAIRMAN JOHNS:

10 So the motion is that Case No. 2215
11 be remanded back to the hearing officer with the
12 stipulation that 2215 receive an evaluation by a
13 Certified Licensed Addictive and Problem Gambling
14 Counselor. Is there any discussion? Any
15 questions?

16 MR. SHOLES:

17 One question.

18 CHAIRMAN JOHNS:

19 Yes, Judge.

20 MR. SHOLES:

21 How does the appellant know that the
22 counselor that they -- are they going to be
23 obligated to select the counselor, or will the --
24 Judge Ponder select the counselor or some -- how
25 do they know -- how -- my concern is they might go

1 and see someone who is not qualified. How do we
2 avoid that?

3 CHAIRMAN JOHNS:

4 Well, I would -- I would
5 absolutely -- I think that's part of the motion
6 that they -- they would be certified, but let's --
7 let's ask legal counsel. Good question, Judge.

8 MS. HIMEL:

9 Assistant Attorney General
10 Dawn Himel. It would be my recommendation that
11 the Board actually make a list of approved
12 gambling addiction counselors that it wants to
13 have those persons go to, and then they can pick
14 from that list and/or have Judge Ponder pick from
15 a list that the Board approves.

16 CHAIRMAN JOHNS:

17 Judge, you fine with that?

18 MR. SHOLES:

19 Oh, I'm fine. I just don't want them
20 to go and see someone and us come back and say,
21 well, that's not a good person but . . .

22 CHAIRMAN JOHNS:

23 Okay. Okay. So we will be providing
24 that list, and we will do that in the next week?

25 MS. HOOD:

1 Yes.

2 CHAIRMAN JOHNS:

3 We can do that within the next week.

4 And we'll get some recommendations, also, from

5 Ms. Janet Miller on that, also.

6 So we have a motion before us on

7 Case No. 2215, and we have a motion by Ms. Berry,

8 a second by Ms. Hamilton-Acker. And, Ms. Hood,

9 would you call the roll?

10 MS. HOOD:

11 Ms. Berry?

12 MS. BERRY:

13 Yes.

14 MS. HOOD:

15 Mr. Jackson?

16 MR. JACKSON:

17 Yes.

18 MS. HOOD:

19 Ms. Lewis?

20 MS. LEWIS:

21 Yes.

22 MS. HOOD:

23 Mr. Poole?

24 MR. POOLE:

25 Yes.

1 MS. HOOD:

2 Ms. Hamilton-Acker?

3 MS. HAMILTON-ACKER:

4 Yes.

5 MS. HOOD:

6 Judge Sholes?

7 MR. SHOLES:

8 Yes.

9 MS. HOOD:

10 Ms. Traylor?

11 MS. TRAYLOR:

12 Yes.

13 MS. HOOD:

14 Chairman Johns?

15 CHAIRMAN JOHNS:

16 Yes. Okay. So Case No. 2215 will be
17 remanded back to the hearing officer for another
18 hearing based upon the evaluation by a Licensed
19 Certified Gambling Counselor, and we will be
20 providing that list to both of the cases; so . . .

21 Okay. Members, is there anything
22 further to come before the Board?

23 (NO RESPONSE)

24 CHAIRMAN JOHNS:

25 Just a very quick update on Horseshoe

1 in Lake Charles. December 8 has been scheduled
2 for a -- I think a mock run-through with State
3 Police to see if they're ready to open. They are
4 hoping that, if all goes well and every -- all the
5 i's are dotted, t's crossed, that they may be
6 opening in mid-December, but that remains to -- to
7 be seen by recommendation from State Police.

8 All right.

9 MS. BERRY:

10 Motion to adjourn?

11 CHAIRMAN JOHNS:

12 And that -- well, I will tell you
13 that will be done by -- that will be done by an
14 emergency meeting. It will need Board approval to
15 allow them to open, but we will do that and make
16 it very convenient for you. Okay? All right.

17 Any other business before our Board?

18 (NO RESPONSE)

19 IX. ADJOURNMENT

20 CHAIRMAN JOHNS:

21 Hearing none, Mr. Jackson always
22 moves that we adjourn.

23 MR. JACKSON:

24 So moved.

25 MS. BERRY:

1 And Ms. Berry has seconded that
2 motion. Is there any objection?

3 (NO RESPONSE)

4 CHAIRMAN JOHNS:

5 We are hereby adjourned. Thank you
6 very much, Members, for a long day. Thank you
7 very much.

8 (PROCEEDINGS CONCLUDED AT 12:14 P.M.)

9

10

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REPORTER'S CERTIFICATE

I, Karla H. Mayers, a Certified Court Reporter in and for the State of Louisiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings held at this Louisiana Gaming Control Board meeting on the 17th day of November, 2022, as set forth in the forgoing 89 pages.

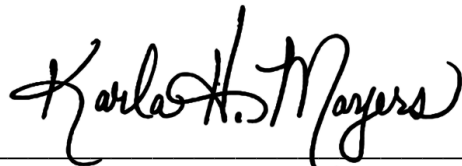
I further certify that said testimony was reported by me in the Stenotype reporting method, was prepared and transcribed by me or under my direction to the best of my ability and understanding.

I further certify that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board and that I have been informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services.

I further certify that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board.

I further certify that I am not an attorney or counsel for any of the parties, that I am neither related to nor employed by any attorney or counsel connected with this action, and that I have no financial interest in the outcome of this matter.

This certification is valid only for this transcript accompanied by my original electronic signature on this page.



Karla H. Mayers, CCR
Certificate No. 94023

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