

LOUISIANA GAMING CONTROL BOARD

Minutes of April 21, 1998

5/19/98
APPROVED

The Louisiana Gaming Control Board held a meeting on Tuesday, April 21, 1998, 10:00 a.m., at the Dept. of Natural Resources Mineral Board Hearing Room. In attendance were Hillary J. Crain, Chairman; Robert Fleming, Vice-Chairman; Ralph Perlman, Secretary-Treasurer; Gen. Sherian Cadoria, Ecotry Fuller, Marcia Morgan, Dudley Lastrapes, and ex-officio members Col. W.R. "Rut" Whittington and Sec. John Kennedy. Absent were Board members James Boyer and Rupert Richardson.

The meeting was called to order by the Chairman. The minutes of the March 17th & 20th meetings were presented to the Board. It was moved by Sec. Perlman and seconded by General Cadoria to adopt the proposed minutes. The Board unanimously approved the minutes.

Ms. Charlotte McGarr, state police auditor, presented the monthly riverboat revenue report to the Board. Mr. Mike Lejeune, audit supervisor with state police, presented the video gaming report to the Board.

Secretary Perlman discussed with Board members the Gaming Control Board's annual report to the legislature.

Next on the agenda was the review of internal controls with reference to underage patrons gaining access to riverboat casinos. At this meeting the riverboat casinos from the Shreveport and Bossier City area presented their internal controls to the Board. Marilyn Winn, General Manager of Harrah's; Juris Basen, General Manager of Casino Magic; Robert Piper, general counsel of Horseshoe; and Ron Barter, Senior Director of Operations with Isle of Capri-Bossier City, discussed the individual boats' procedures with reference to underage patrons.

Proceeding with the agenda was a discussion on licensing of first mates. This issue had been brought to the Board's attention at the previous board meeting. The Board had been requested to consider changing the classification of first mates from a certified position, which is equivalent to a key gaming position, to a non-key position. The Chairman stated since first mates did not have the authority to certify reports regarding cruising schedules and were not authorized to operate the vessel for cruises, they did not meet the definition of a key gaming employee under Rule 106, and could be licensed as a non-key gaming employee without amending Rule 106.

The Chairman updated board members on the litigation involving the land based casino. At the time of this meeting, the board was awaiting a decision from the First Circuit Court of Appeal.

Next was a motion by Dudley Lastrapes to adopt amendments to rules 2405 (change of ownership), 3301 (required surveillance) and 2329 (vendor solicitation). That motion was seconded by Marcia Morgan and unanimously approved by the Board. It was moved by Secretary Perlman to initiate the rule-make process for amending Section 2417 (B)(unsuitable conduct). That motion was



seconded by Mr. Lastrapes and unanimously approved by the Board.

It was moved by Secretary Perlman to go into Executive Session. That motion was seconded by Mr. Fuller and unanimously approved by the Board.

After the Executive Session, the Board returned to the Regular Session.

The Board acted on recommendations/decisions from the Hearing Officers in the following cases:

1. **In Re: Errick Griffin** - Motion to adopt proposed decision by Sec. Perlman, seconded by Gen. Cadoria. Unanimously approved by the Board.
2. **In Re: Donald Hall** - Motion to adopt proposed decision by Gen. Cadoria, seconded by Vice-Chairman Fleming. Unanimously approved by the Board.
3. **In Re: Thomas Franklin** - Motion to adopt proposed decision by Sec. Perlman, seconded by Mr. Lastrapes. Unanimously approved by the Board.
4. **Motion to supplement the record in Major's Truck Stop** - Moved by Vice-Chairman Fleming to deny the motion, seconded by Mr. Fuller. Unanimously approved by the Board.
Major's Truck Stop - Motion to adopt proposed decision by Ms. Morgan, seconded by Gen. Cadoria. Unanimously approved by the Board.
5. **Petro Truckstops #1 and Petro Truckstops #2** - Motion to fine each truckstop \$10,000.00 by Mr. Lastrapes, seconded by Gen. Cadoria. At that point a substitute motion was made by Vice-Chairman Fleming for a \$50,000.00 fine and was seconded by Mr. Fuller. The Board unanimously approved the substitute motion.
6. **In Re: Lowell Hebert** - Motion by Sec. Perlman to allow Mr. Hebert to withdraw his application and reapply; seconded by Gen. Cadoria. Unanimously approved by the Board.
7. **In Re: Mike Rider** - Motion by Mr. Lastrapes to adopt the proposed decision, seconded by Gen. Cadoria. Unanimously approved by the Board.

A request was made to extend the deadline on the 15th license until a ruling is made by the Supreme Court on the land based casino. It was moved by Ms. Morgan and seconded by Gen. Cadoria to extend the deadline. The Board unanimously agreed to extend the deadline until July 21, 1998.

Mr. Robin Nesbitt and Ms. Anna Simmons, attorneys who representing Ms. Viola Chenier, addressed Board members with a complaint they had with Casino Rouge and the payout on a Progressive Slot Machine. After listening to Mr. Nesbitt and Ms. Simmons, the Board determined this matter to be a patron dispute that was out of the Board's control, consequently there was no administrative action that the Board could take. It was moved by Gen. Cadoria, seconded by Ms.

Morgan, and unanimously approved by the Board that Mr. Nesbitt and Ms. Simmons were released from any administrative procedure with the Board, allowing them to pursue the matter in civil court.

There being no further business, it was moved by Sec. Perlman to adjourn. That motion was seconded by General Cadoria and unanimously approved by the Board.

The meeting was then adjourned.