

APPROVED

11/16/99

LOUISIANA GAMING CONTROL BOARD

Minutes of October 19, 1999

The Louisiana Gaming Control Board conducted a meeting on Tuesday, October 19, 1999, in House Committee Room 5 of the Louisiana State Capitol, at 10:00 a.m. Present at this meeting were Hillary J. Crain; Chairman, Robert M. Fleming; Vice-Chairman, James Boyer, Gen. Sherian Cadoria, Dudley Lastrapes, Marcia Morgan, Rupert Richardson, and ex-officio members, Sec. Brett Crawford and Col. W.R. "Rut" Whittington. Absent were Board Members Ralph Perlman and Ecotry Fuller.

The Chairman called the meeting the order. General Cadoria made a motion to approve the minutes of the September meeting. That motion was seconded by Rupert Richardson and unanimously approved by the Board.

Mr. Robert Tucker, state police riverboat gaming, presented the riverboat revenue, and Ms. Donna Stevens, accountant in video gaming, presented the figures for video poker.

The Chairman called upon Ms. Judy Cockerham, Asst. Attorney General and Trooper Richard Honora, who presented an application for Lucky Louie's Truck Stop to Board Members. Following their presentation, it was moved by James Boyer to approve the application. That motion was seconded by Vice-Chairman Fleming and unanimously approved by the Board.

Ms. Cockerham and Trooper Donald Shropshire presented an application for L.J.'s Place Truck Stop. Following their presentation, Ms. Richardson moved to approve the application and was seconded by Ms. Morgan. The Board unanimously approved the application.

Ms. Elizabeth Behan, Asst. Attorney General and Trooper Floyd McElroy presented the application of Big O Truck Stop. Following their presentation, it was moved by Dudley Lastrapes, seconded by Gen. Cadoria, and unanimously approved by the Board to license this applicant.

The Chairman stated that there was a change in the law during the last session of the legislature dealing with device owners doing service entity work. There is a rule that requires device owners to have a service entity license. He stated that the rule requiring the license would no longer be enforced and would be repealed.

Next on the agenda was the land based casino. Representing Jazz Casino Corporation were David Satz, attorney, Fred Burford, President and Chief Executive Officer, and Bazille Uddo, attorney. On behalf of Harrah's New Orleans Management Company were Jay Sevigny, President and Chief Operations Officer and Kevin Colomb, Vice-President and general counsel. They

presented a petition seeking all the contractual and regulatory approvals necessary to open the casino under the gaming act.

Mr. John Campbell, Special Assistant Attorney General, responded to each item of the petition.

Lieutenant George Dean, Supervisor of the State Police Land Based Division, addressed Board Members regarding suitability and licensing of employees for Jazz Casino Corporation and Harrah's New Orleans Management Company. He also stated that the mock opening was scheduled for October 25<sup>th</sup>, and that the succeeding two days were going to be test days. He stated that a draft order had been prepared, and if it met with the Board's approval, conditioning the opening upon the successful completion of the mock and test days.

Following the presentation, it was moved by Ms. Richardson to authorize the Chairman to execute the Order seeking the contractual and regulatory approvals, that had been approved as to the form and substance by the attorney general's office, and read into the record. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

The next item presented by Mr. Satz was consideration of amending the contract, concerning direct payments to the City of New Orleans and the Compulsive Gaming Fund, and the payment of Pre-opening Suitability Costs. Mr. Mike Dufilho, also a Special Assistant Attorney General, addressed each item of behalf of the state.

After the presentation, Mr. Boyer moved to approve the amendments. That motion was seconded by Mr. Richardson and unanimously approved by the Board.

The next item on the agenda was approval of hotel contracts with Jazz Casino Corporation.

Ms. Melinda Tucker, Asst. Attorney General, presented Hotel Contracts that were entered into between Jazz Casino Corporation and the following Hotels: Windsor Court, Embassy Suites and Omni Royal Crescent.

Mr. Jay Quinlan, Asst. Attorney General, and Mr. Ray Lamonica, Special Asst. Attorney General, presented a Stipulation for Consideration of Extending the Conditional Renewal of Players-Lake Charles, L.L.C. It was moved by Mr. Lastrapes to accept the stipulation, seconded by Ms. Morgan, and unanimously approved by the Board.

Mr. Leonce Gautreaux, Asst. Attorney General, presented a Stipulation for Consideration of Extending the Conditional Renewal of Horseshoe. It was moved by Ms. Richardson to accept the stipulation, seconded by Gen. Cadoria, and unanimously approved by the Board.

Continuing with the agenda, the Chairman called upon Ms. Claudeidra Minor, Asst. Attorney General, and Mr. Walt Evans, General Counsel for Hollywood Casino to update the Board on Condition Number 13, dealing with economic and procurement conditions.

Following their presentation, it was moved by Mr. Boyer to authorize the Chairman to sign the order when the conditions had been complied with. That motion was seconded by General Cadoria and unanimously approved by the Board.

Mr. Tom Warner, Asst. Attorney General, addressed the Board with reference to LAC 42:XIII.117 and 118, School donations & Compulsive Gambling. It was moved by Ms. Morgan, seconded by Vice-Chairman Fleming, and unanimously approved by the Board to adopt rules 117 and 118.

The Board unanimously agreed to schedule a Public Hearing at the November meeting with reference to LAC 42:III. 119, 120, Reciprocity, Application & Reporting, and LAC 42:XIII. 1701, 2108, 2325 and 2331, Definitions, Nongaming Supplier Permits, Supplier Permit Criteria and Imposition of Sanctions.

It was moved by Mr. Boyer, seconded by Gen. Cadoria and unanimously approved by the Board, to institute the rule-making procedures for proposed rules LAC 42:XIII. 4201et seq., Electronic Gaming Devices.

It was moved by Ms. Richardson to go into Executive Session. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

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

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

1. In Re: Jimmy Wayne Johnson - Motion by Vice-Chairman Fleming to accept the proposed settlement. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
2. In Re: Horseshoe Entertainment - Motion by Mr. Boyer to affirm Hearing Officer. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
3. In Re: Daiquiri Chef - Motion by Ms. Richardson to affirm Hearing Officer. That motion was seconded by General Cadoria and unanimously approved by the Board.
4. In Re: Brandon McPherson - Deferred to December.
5. In Re: Emile Richard - Motion by Mr. Lastrapes to accept the settlement. That motion was seconded by Mr. Boyer and unanimously approved by the Board.
6. In Re: Do-Rite Window Cleaning - Motion by Vice-Chairman Fleming to remand to Hearing Officer. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
7. In Re: Tubby's Fried Chicken - Motion by Ms. Morgan to affirm Hearing Officer. That

motion was seconded by Vice-Chairman Fleming and unanimously approved by the Board.

8. In Re: Marlin's Bar - Motion by General Cadoria to affirm Hearing Officer. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
9. In Re: ECR Sales & Service - Motion by Vice-Chairman Fleming to remand to Hearing Officer. That motion was seconded by General Cadoria and unanimously approved by the Board.

There being no public comments, it was moved by General Cadoria to adjourn. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

The meeting was then adjourned.