

Amended

LOUISIANA GAMING CONTROL BOARD

Minutes of August 20, 2002

The Louisiana Gaming Control Board held a meeting on Tuesday, August 20, 2002, 10:00 a.m., House Committee Room I of the Louisiana State Capitol. Present at this meeting were: Hillary J. Crain, Chairman; James G. Boyer, Secretary/Treasurer; Gen. Sherian Cadoria, Dennis Kinchen, Dudley Lastrapes, Marcia Morgan, Rupert Richardson and Kelly Simoneaux. Absent was board member Robert Fleming, and ex-officio members, Col. Terry Landry and Sec. Cynthia Bridges.

The meeting was called to order. It was moved by Gen. Cadoria to waive the reading and approve the minutes of the July meeting and Executive Session. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

Ms. Donna Jackson, State Police Gaming Audit, presented the revenue reports for the riverboats, landbased casino, and slots at the tracks. Ms. Stacey Madden, also with the State Police Audit Division, reported on the employee numbers and salaries of the landbased casino, and Ms. Donna Stevens, reported on the statistics for video poker.

The Chairman called on Mr. Young Bonner, Asst. Attorney General in the Gaming Division, who reported on the Procurement and Employee statistics for Delta Downs during the 2nd quarter of 2002.

Mr. Tom Warner, Asst. Attorney General in the Gaming Division, reported to the Board on the legislative oversight committee meeting concerning rules LAC 42:III.301 et seq., Compulsive Gambling and LAC 42:XI.2417(B)(6); Video Poker, Code of Conduct of Licensees, LAC 42:III.301(E)(1)(L); Gambling while Intoxicated; and LAC 42:III.302, Video Poker Problem Gambling.

He stated that the committee rejected rules 42:XI.2417(B)(6), 42:III.302, 42:III.301(E)(1)(L).

The Chairman stated that he had asked the Governor to reinstate proposed rule LAC 42:III.301(E)(1)(L) that dealt with preventing intoxicated persons from gaming, and was told that it would be reinstated.

There was a motion by Mr. Lastrapes to amend the agenda to include discussion and adoption of the rules which were not found unacceptable. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

Chairman Crain stated that when the legislature rejected rule 302, they inadvertently struck down a

portion of the rule that dealt with the compulsive gaming training program that had been adopted several years ago under rule LAC 42:III.118. It was moved by Mr. Simoneaux to amend the original notice of intent and withdraw the repeal of LAC 42:III.118. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

Ms. Morgan made a motion to adopt as permanent rules the rules which were not rejected by the committee, and rules that are reinstated by the Governor. Those rules include LAC 42:III.301, 303 and 304, as originally stated, and with the technical changes. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

Ms. Richardson made a motion to approve the withdrawal of rule LAC 42:III.305, Advertising, Compulsive Gambling Information, because it is already in the statute. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

Ms. Richardson moved that the Board proceed with the rulemaking and adopt LAC 42:XI.2417(B)(6), Video Poker, Code of Conduct. That motion was seconded by Sec. Boyer and unanimously approved by the Board.

The Board acted on the following truckstop applications:

1. **Irish Bayou Travel Center, L.L.C. d/b/a Irish Bayou Truck Stop & Casino - No. 3601512191** (Stock Sale) - Motion by Mr. Kinchen to approve the sale. That motion was seconded by Sec. Boyer and unanimously approved by the Board.
2. **Shop Rite, Inc. d/b/a Jennings Travel Center - No. 2703512949** - Motion by Sec. Boyer to approve the application. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.
3. **Hinson Investments, L.L.C. d/b/a Lucky Sam's Casino - No. 0500512983** - Motion by Ms. Richardson to approve the application. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

The Board acted on a request by Grand Palais, St. Charles Gaming and Louisiana Riverboat Gaming Partnership to Modify their Pre-Opening Conditions. Following the presentation by Mr. Leonce Gautreaux, Asst. Attorney General, it was moved by Mr. Lastrapes to grant the requests for Modification of the Pre-Openings Conditions. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.

It was moved by Sec. Boyer to approve the Amendment of Credit Facility requested by Pinnacle Entertainment, Inc. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

There was a request by PNK-Lake Charles for approval of their vessel design for the 15th riverboat. After discussion, it was moved by Mr. Simoneaux not to approve the concept of the vessel

because it was not in compliance with the statute definition of a riverboat. Voting for the motion were Gen. Cadoria, Mr. Kinchen, Ms. Morgan, Ms. Richardson, Mr. Simoneaux and Chairman Crain. Voting against the motion were Sec. Boyer and Mr. Lastrapes.

In accordance with the vote on the vessel design, it was moved by Gen. Cadoria to issue PNK a Notice of Deficiency, which is attached as Appendix A. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

The Board acted on a Petition for Transfer between Paul-Son Gaming Corporation (PGC) and the Bud Jones Co. & Etablissements Bourgogne et Grasset (P&G). Following discussion, it was moved by Sec. Boyer to approve the Petition. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

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

1. **In Re: Boyd Gaming d/b/a Treasure Chest Casino - No. RGS010238** (proposed settlement) - Motion by Gen. Cadoria to approve the settlement. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.
2. **In Re: Louisiana Gaming Corporation - No. 0904600087B** (proposed settlement) - Motion by Sec. Boyer to approve the settlement. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
3. **In Re: Harrah's Star Partnership d/b/a Star Casino-Lake Charles - No. RGS000458** (proposed settlement) - Motion by Sec. Boyer to approve the settlement. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
4. **In Re: Yolanda H. Wright - P040024274** - Motion by Mr. Lastrapes to affirm the Hearing Officer's decision denying the renewal of her non-key gaming permit. That motion was seconded by Gen. Cadoria and unanimously approved by the Board.
5. **In Re: Adrienne Stanley - P040023985** - Motion by Mr. Kinchen to affirm the Hearing Officer's decision denying the renewal of her non-key gaming permit. That motion was seconded by Sec. Boyer and unanimously approved by the Board.

There being no public comments, it was moved by Gen. Cadoria to adjourn the meeting. That motion was seconded by Sec. Boyer and unanimously approved by the Board.

The meeting was adjourned.