

LOUISIANA GAMING CONTROL BOARD

Minutes of October 17, 2006

The Louisiana Gaming Control Board held a meeting on Tuesday, October 17, 2006, 10:00 a.m., in Senate Room A of the Louisiana State Capitol. Present at this meeting were: H. Charles Gaudin, Chairman, Judge Robert Fleming, James Boyer, Dennis Kinchen, William Lastrapes, Marcia Morgan, Rupert Richardson and M.J. "Kelly" Simoneaux. Absent were ex-officio members, Sec. Cynthia Bridges and Col. Henry Whitehorn.

The meeting was called to order. It was moved by Ms. Richardson to waive the reading and approve the minutes of the August meeting. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

Ms. Donna Jackson, State Police Gaming Audit Division, presented the revenue reports for the riverboats, landbased casino, and slots at the tracks. Mr. Jim Bossier, also with the Audit Division, reported on the video poker statistics.

Ms. Adrian Wilson, Asst. Attorney General, presented the Voluntary Compliance and Management Reports for riverboat casinos.

The Board acted on requests for modification of gaming space for the following casinos:

1. **Treasure Chest** – Motion by Mr. Boyer to approve the request. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
2. **Boomtown Bossier** – Motion by Ms. Richardson to approve the request. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
3. **Harrah's Louisiana Downs** – Motion by Mr. Lastrapes to approve the request. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

There was a public hearing with reference to LAC 42:XI.2430, Video Poker Penalty Schedule. Mr. Tom Warner, Asst. Attorney General, Captain Mike Noel, Louisiana State Police, and Mr. Mike Daniels, Asst. Attorney General, addressed the Board on behalf of the State.

Following comments from members of the public sector, it was moved by Judge Fleming to adopt the Penalty Schedule as it appeared in the August Notice of Intent and to accept comments and objections from the industry. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

Mr. Warner stated to the Board that a request had been made for a public hearing on LAC 42:VII.4203, Minimum Standards for Electronic Gaming Devices, Pari-Mutuel Live Racing Facility Slot Machine Gaming. It was moved by Ms. Richardson to schedule a public hearing on the above stated item at the November 21st board meeting. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

It was moved by Ms. Richardson to institute the rule-making procedures for LAC 42:VII.2325, Penalty Schedule, VII.2927, Advertising, Pari-Mutuel Live Racing Facility Slot Machine Gaming; IX.2919, Advertising Mandatory Signage, IX.4103, Enforcement Actions of the Board, Landbased Casino Gaming; XI.2407, Operation of Video Draw Poker Devices, XI.2430, Penalty Schedule, Video Poker; XIII.2325, Penalty Schedule, 2927, Advertising Riverboat Gaming. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals from Hearing Officers' Decisions in the following:

1. **In Re: Evangeline Downs Racetrack and Casino – No. CGD050485B** – Motion by Mr. Boyer to approve the \$12,500.00 penalty for allowing a patron on the Voluntary Exclusion list to gamble, and a \$1,600.00 penalty to the Compulsive and Problem Gaming Fund. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
2. **In Re: Catfish Queen Partnership in Commendam d/b/a Belle of Baton Rouge – No. CGD040180** – Motion by Judge Fleming to approve the \$12,500.00 penalty for allowing a patron on the Voluntary Exclusion list to gamble. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.
3. **In Re: Mississippi River Bottom Company d/b/a Mississippi River Bottom – No. 3601102911**
4. **In Re: HFL, Inc. d/b/a Johnny White's Sports Bar – No. 3601101238**

The above stated cases were handled in globo because they dealt with the same issue. Each licensee was assessed a \$250.00 penalty for failure to remain eligible for an IRS tax clearance. It was moved by Ms. Morgan to approve the \$250.00 penalty for each licensee. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

5. **In Re: Tapps, Inc. LLC d/b/a Tapps II – No. 3601112416** – Motion by Ms. Richardson to approve the \$1000.00 penalty for submission of improperly notarized documents. That motion was seconded by Mr. Simoneaux and unanimously approved by the Board.
6. **In Re: Multi-Merchants, Inc. d/b/a Distribution Center, Inc. – No. P080901545** – Motion by Mr. Kinchen to approve the \$562.50 penalty for failure to timely submit

their annual fee and annual affidavit. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

7. **In Re: Gemaco, Inc. – No. P076500035** – Motion by Ms. Morgan to approve the \$1,250.00 penalty for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
8. **In Re: Gemaco, Inc. – No. P066500036** – Motion by Mr. Kinchen to approve the \$2,375.00 penalty for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
9. **In Re: Bryan Ashley International, Inc. – No. P086502409A** – Motion by Mr. Boyer to approve the \$562.50 penalty for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.
10. **In Re: Collier Investments, Inc. – No. P080902067** – Motion by Ms. Morgan to approve the \$562.50 penalty for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
11. **In Re: New Orleans Fish House and Seafood, Inc. – No. P083600778; Louisiana Seafood Brokers, L.L.C. – No. P083801638; William B. Borges, Jr. – No. 06001; Lauri Borges – No. 06002; Craig B. Borges - No. 06003; Cliff Hall – No. 06004; Cathey Harris – No. 06005** – Motion by Mr. Lastrapes to approve the settlement whereby the parties agree that Louisiana Seafood Brokers, LLC and New Orleans Fish House and Seafood, Inc., would voluntarily surrender their non-gaming supplier permits and be ineligible to reapply for any approval for 60 months. This includes not doing business indirectly or by prohibited pass-through companies with any gaming licensee. In addition, William B. Borges, Jr., Lauri Borges, Craig B. Borges, Cliff Hall and Cathey Harris are also ineligible to reapply for any approval for 60 months. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
12. **In Re: PNK (Lake Charles) d/b/a L’Auberge du Lac – No. CGD050482** – Motion by Mr. Boyer to approve the \$15,000.00 penalty for violations regarding bill validator acceptors. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
13. **In Re: Harold L. Rosbottom, Jr. d/b/a Gaming Solutions – No. 0904813994** – Motion by Ms. Morgan to approve the \$250.00 penalty for failure to include the toll-free problem gaming number. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
14. **In Re: Navarre Chevrolet Incorporated – No. P081002235**
15. **In Re: MBM of Lake Charles – No. 081002245**

The above two cases were handled in globo because they dealt with the same issue. It was moved by Mr. Kinchen to approve the \$562.50 penalty for each licensee for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

There were public comments from Mr. Karl Koch concerning Pinnacle Entertainment and their contributions to a PAC. He requested the Board take action against Pinnacle Entertainment. Also speaking against Pinnacle was Mr. David Wilburn.

Mr. Larry Orlansky, counsel on behalf of Pinnacle rejected their statements. He stated they were inaccurate and offensive.

It was moved by Mr. Boyer that the Board not take action on the allegations involving contributions to a PAC. He stated the opponents were in the wrong forum. That motion was seconded by Mr. Kinchen and unanimously approved by the Board.

Following public comments, it was moved by Ms. Richardson to go into Executive Session. That motion was seconded by Mr. Boyer and unanimously approved by the Board.

The Board went into Executive Session. Following Executive Session, the Board returned to the Regular Session.

There being no further business, it was moved by Ms. Morgan to adjourn the meeting. That motion was seconded by Judge Fleming and unanimously approved by the Board.

The meeting was adjourned.