



STATE OF MAINE
Department of Public Safety
Gambling Control Board
87 State House Station
Augusta, Maine
04333-0087

JANET T. MILLS
GOVERNOR
MICHAEL SAUSCHUCK
COMMISSIONER

STEVEN SILVER
CHAIRMAN
MILTON CHAMPION
EXECUTIVE DIRECTOR

Gambling Control Board
Minutes of January 19, 2021 Board Meeting
Held online via Zoom application.

CALL TO ORDER

Chairman Steven Silver called the meeting to order at 9:00 am via Zoom application online due to the current Coronavirus pandemic.

MEMBERS PRESENT ONLINE

Steven Silver, Board Chair
Robert Harmon
Dr. Charmaine Brown

STAFF PRESENT ONLINE

Milton Champion, Executive Director
Vicki Gardner, Inspector Supervisor
Mallory Reilly, Office Specialist I
Det. Don Armstrong

Katie Johnson, Assistant Attorney General
John Nichols, Assistant Attorney General

MINUTES REVIEW AND APPROVAL

December 2020 Meeting Minutes

Mr. Robert Harmon moves to approve the December 2020 Board minutes as printed. Dr. Charmaine Brown seconded the motion, moves to roll call.

Members

Steven Silver: Yea
Bob Harmon: Yea
Dr. Charmaine Brown: Yea

The motion passed 3 in favor.

EXECUTIVE DIRECTOR'S REPORT

In December 2020 there were (5) shipments of machines and/or associated equipment shipped to or from licensed facilities. On site inspectors completed (519) observations, (23) checklists.

There were (0) formal complaints of potential violations; (4) minor violations being monitored from the Unit's activity log; (0) patron complaints; and (0) dispositions of formal reports sent to members for review per statute. There were (3) self-exclusions.

For the month of December 2020, the Unit has identified a decrease of 41.4% in total tax revenue for both facilities versus December 2019. Year to date the Unit has identified a decrease of 48.7% versus last year at the same time. Total loss of revenue to the state in 2020 versus 2019 was 28.5 million dollars.

Oxford reported an 8.27% win for the month of December from slots and 23.6% win from table games. Oxford's payback percentage was 91.7%. Average gross win per machine of \$248.58. Hollywood reported a 9.2% average win for the month of December from slots and 39.8% win from table games. Hollywood's payback percentage was 90.8%. Average gross win per machine was \$236.15.

STATE POLICE REPORT

Detective Don Armstrong presents his report to the Board. He informs the Board that there were 15 new license and 56 renewal license investigations completed, and there are currently 54 still pending. There were 2 TITO thefts; all funds have been recovered. Counterfeit bills were located during a drop and were turned over to the Secret Service.

The Bangor Police Department was called to the property 8 times, 4 of which were 911 hang up calls from the Hotel and not the Casino. Oxford Police Department were called to the property 2 times.

License Applications for Review-

NRT Technology – Gambling Services Vendor license renewal

Mr. Robert Harmon moves to approve NRT Technologies as a Gambling Services Vendor for renewal. Dr. Charmaine Brown seconded the motion, moves to roll call.

Members

Steven Silver: Yea

Bob Harmon: Yea

Dr. Charmaine Brown: Yea

The motion passed 3 in favor.

Masque Publishing – Table Games Distributor license renewal

Dr. Charmaine Brown moves to approve Masque Publishing as a Table Games Distributor for renewal. Mr. Robert Harmon seconded the motion, moves to roll call.

Members

Steven Silver: Yea

Bob Harmon: Yea

Dr. Charmaine Brown: Yea

The motion passed 3 in favor.

UNFINISHED BUSINESS

Resolution Summary – Executive Director Champion briefed the Board on the 11 resolutions:

1. Following the department's investigation, the director may refuse to issue an individual license to an applicant if the director determines that the applicant has not proven suitability under the requirements of the Gambling Control statute
2. Following the department's investigation, the director may refuse to issue a license to an applicant if the director determines that the applicant is not current in filing all applicable tax returns and in the payment of all taxes, penalties and interest owed to this State, any other state or the Internal Revenue Service.
3. The director may refuse to issue a license to an applicant if the director determines that the applicant has been convicted of or pled guilty or nolo contendere to a crime punishable by one year or more of imprisonment, or any civil adjudication or criminal violation involving dishonesty, deception, misappropriation or fraud.
4. The director may enter into a consent agreement that suspends a license upon receipt of any credible information pertaining to allegations of criminal activity that could result in a conviction that would disqualify the licensee from holding a license. The period of suspension will last until the criminal matter is adjudicated or dismissed. The consent agreement will be a non-disciplinary administrative consent agreement. If the licensee is ultimately convicted of a crime affecting eligibility, then the matter will be scheduled for hearing prior to any reinstatement of licensure.
5. Whenever the board is authorized to demand or receive any information, document or object from any party during the enforcement of the provisions of Title 8 Chapter 31, or any rules adopted under Title 8 Chapter 31, such power is delegated to the director and his or her staff.
6. Upon receipt of information that a person meets criteria for exclusion identified in Section 5 (1) (A) of Board Rule Chapter 13, the Director shall notify the person in writing of placement of the person's name on the Board's involuntary exclusion list and the reasons for that decision.
7. The executive director may, without prior approval of the Board, develop and distribute forms pertaining to the following activities:
 - 1) The collection of payments of taxes, fees and penalties;
 - 2) The minimum-security standards, including organizational structure of security personnel and alarm and other electrical or visual security measures;
 - 3) The recording of cash and evidence of indebtedness;
 - 4) The reporting of transactions, operations and events;
 - 5) The handling of money, chips, tokens or other items of value used to place bets on table games;
 - 6) The annual audit of the books and records of slot machine operators, casino operators, slot machine distributors, table game distributors and gambling services vendors;
 - 7) The interception of money or anything of value that an excluded person is seeking to redeem;

- 8) The interception of money or anything of value required by law to pay child support debt or other obligations;
- 9) Gambling-related advertising and marketing programs;
- 10) The distribution and servicing of slot machines and table games and associated equipment;
- 11) The methods of identification necessary to accomplish licensing; and
- 12) The collection of information concerning an applicant's immediate family, character, associates, criminal record, business activities and financial affairs.

In addition, the executive director may, without prior approval of the Board, make changes to any form of application to the extent that the modified form contains all necessary information, attestations, disclosures, waivers, acknowledgements, and consents specified by rule or statute.

8. For the purposes of a casino application for licensure, the following positions (or their equivalents) are deemed to be key employees as described in 8 M.R.S. §1016:

- 1) General Manager
- 2) Head of Surveillance
- 3) Head of Security
- 4) Head of Management Information Services MIS
- 5) Head of Accounting/Finance
- 6) Head of Main Cage
- 7) Head of Marketing
- 8) Head of Human Resources
- 9) Head of Slots
- 10) Head of Table Games
- 11) Head of Compliance

The casino shall, in its license application, identify the employee and job title for each of the above designated key positions and further submit to the Board the necessary disclosures for each employee on a separate form provided by the Board.

9. The executive director may, upon proper application, grant a waiver from the employee license requirement if the slot machine operator, casino operator, slot machine distributor, table game distributor or gambling services vendor demonstrates to the board's satisfaction that the public interest is not served by the requirement of the employee license. A denial of a waiver request may be appealed to the board by the employee or by the entity making the request.
10. The director may approve an amendment to a table game that has been previously approved by the board if the amendment does not materially differ from the previous board approval.
11. Upon confirmation that proposed chips or tokens comply with the required rules the director may:
 - 1) approve the issuance of chips or tokens.
 - 2) approve modifications of chips or tokens.

The director shall not approve or modify chips or tokens unless the licensee has complied with all the procedures required by rule. The director shall approve or modify chips or tokens in writing.

Director Champion then requests a Resolution to delegate the approval of individual employee applications, initial and renewal, to the Executive Director position. The Board members discuss if this should be an all new resolution or if resolutions 1-3 should be reduced and then combined with the new resolution rather than setting up a number 12. A.A.G Katie Johnson stated that the intention of resolution 12 was to address renewals and she recommended that they keep resolutions 1-3 separate. The Board and A.A.G Johnson agreed that once resolution 12 was cleaned up with final language it could be presented to the Board at the February meeting.

NEW BUSINESS:

Request for Rule Development-Chapter 29 Promotional Credits-

James Bonsant, Oxford Casino Dir. Of Compliance, described the request for rule development to the Board. Oxford Casino would like it to be considered that a guest be allowed to wager more than the amount on the match play coupon at a table game, as opposed to the current rule that states that the bet must be equal to the amount of the match play coupon.

Mr. Bonsant also asked for clarification on what is required to be reported on the \$250 monthly report, which was not on the agenda for the day and would need to wait until a future meeting. Jack Sours, Oxford GM, urged the Board to revisit this clarification due to ambiguous language.

Mr. Robert Harmon moved to direct the Executive Director to engage in rulemaking for Rules Chapter 29, Section 2(5)(c). Dr. Charmaine seconded the motion. Moves to roll call.

Members

Steven Silver: Yea

Bob Harmon: Yea

Dr. Charmaine Brown: Yea

The motion passed 3 in favor.

Internal Control Change Request – Jackpots not paid by slot machines – Hollywood Casino

Ronnie Little, Dir. Of Finance, presented the request to the Board. Hollywood Casino is requesting a second step to identify a patron before issuing their jackpot cash. Due to the Coronavirus causing every patron to wear a mask, this addition to the internal controls would require the Casino to do a secondary verification to ensure funds are going to the correct person.

Dr. Charmaine Brown moved to approve the request for internal control changes. Mr. Robert Harmon seconded the motion. Moves to roll call.

Members

Steven Silver: Yea

Bob Harmon: Yea

Dr. Charmaine Brown: Yea

The motion passed 3 in favor.

PUBLIC COMMENT –

Board Member Robert Harmon asked for a status update on a Hearing Officer assigned to the Board. AAG John Nichols informed the Board that there has been a Hearing Officer contracted to the Department, who will conduct upcoming adjudicatory hearings.

ADJOURNMENT

Mr. Robert Harmon moves to adjourn the meeting. Dr. Charmaine Brown seconded the motion.

The meeting adjourns at 10:40 AM. The next Board meeting will be held on February 16, 2021 at 9:00am.

Respectfully submitted by:

*Mallory Reilly
Office Specialist I*

Board approved: February 16, 2021