

INDIANA GAMING COMMISSION
BUSINESS MEETING
NOVEMBER 16, 2017

ORIGINAL

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CIRCLE CITY REPORTING
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A P P E A R A N C E S

ON BEHALF OF THE GAMING COMMISSION:

Cris Johnston, Chairman

Joseph Svetanoff, Commissioner

Mike Herndon, Commissioner

Richard McClain, Commissioner

Jane Saxon, Commissioner

Sara Gonso Tait, Executive Director

Jennifer Reske, Deputy Director

Greg Small, General Counsel

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1 CHAIRMAN JOHNSTON: Good afternoon. I
2 would -- thank you for coming. I'd like to call
3 the November 16, 2017, Indiana Gaming Commission
4 meeting to order.

5 We'll do a quick roll call.

6 Commissioner Svetanoff.

7 COMMISSIONER SVETANOFF: Here.

8 CHAIRMAN JOHNSTON: Commissioner Herndon.

9 COMMISSIONER HERNDON: Here.

10 CHAIRMAN JOHNSTON: Commissioner McClain.

11 COMMISSIONER McCLAIN: Here.

12 CHAIRMAN JOHNSTON: And Commissioner Saxon.

13 COMMISSIONER SAXON: Here.

14 CHAIRMAN JOHNSTON: And the chairperson is
15 here.

16 The first order of business today, the
17 minutes of our, I think it was September 29th
18 meeting down at Evansville have been distributed.
19 Are there any corrections or adjustments needed?

20 Hearing none, is there a motion on the
21 approval of the minutes?

22 COMMISSIONER SVETANOFF: Motion to approve.

23 COMMISSIONER HERNDON: Second.

24 CHAIRMAN JOHNSTON: There's a motion and a
25 second.

1 All those in favor, say aye.

2 (Chorus of ayes.)

3 Opposed.

4 The minutes are adopted.

5 Let's move on to the report from the
6 Executive Director. Sara.

7 EXECUTIVE DIRECTOR TAIT: Thank you,
8 Mr. Chair.

9 So I'll start with our staff update. I am
10 pleased to introduce Mark Mason. Mark, if you
11 want to stand. Thank you.

12 Mark is our newest Assistant Director of
13 Charity Gaming. He joined the State Police in
14 1978 and he was the first commander of the Gaming
15 Enforcement Division of -- when casino gambling
16 was legalized in Indiana, so he served there in
17 that capacity for nine years. So this is sort of
18 like a homecoming for him back to the agency.

19 He left the State Police and became the
20 director of security at Hollywood Casino, where
21 he was for the last 14 years, and we are not
22 sorry to Hollywood for stealing him back to the
23 IGC.

24 Mark has way too many degrees for me to even
25 try to recite, but his most recent one is a

1 Master of Juris Prudence degree from IU McKinney
2 School of Law. He's been happily married for 38
3 years and has three children living in Indiana
4 and Texas.

5 So welcome back, Mark.

6 MR. MASON: Thank you.

7 EXECUTIVE DIRECTOR TAIT: I'd also like to
8 recognize our legal intern from this semester.
9 Where is Adelle? There you are. Adelle DuSold.
10 Adelle is a third year law student at the IU
11 McKinney School of Law in Indianapolis. She came
12 to the IGC having numerous experiences working in
13 the public sector, including the Johnson County
14 Circuit Court and as the press secretary intern
15 at the Indiana Senate. She has been a great
16 addition to the legal division in the IGC, and we
17 appreciate all of her efforts this semester.

18 Thank you, Adelle.

19 Our Background and Financial Investigations
20 Divisions conducted re-investigations of casino
21 licensee Rising Star Casino and supplier
22 Interblock. Those reports are included in your
23 confidential materials, and Directors Brown and
24 Leek are present should you have any questions.

25 So for those that were not in attendance at

1 our last meeting in Evansville, I noted that I'm
2 going to significantly pare down my Executive
3 Director Report by summarizing the exclusion and
4 waiver reports. The full details have been
5 provided to the Commissioners in their materials
6 and they are posted on our website.

7 So since our last meeting, we have had three
8 waivers of IGC regulations and we have added 16
9 individuals to the exclusion list.

10 Lastly, I wanted to congratulate Tropicana
11 Evansville on a successful opening of their new
12 land-based casino, and just wanted to wish
13 everybody a happy holidays.

14 So that is it for me.

15 CHAIRMAN JOHNSTON: Very good. I guess this
16 is our last meeting of the calendar year, so.

17 Any questions for Sara from the
18 Commissioners? Okay. Very good.

19 Any old business to come before the
20 Commission?

21 Seeing none, we'll move into new business
22 and today's agenda. First up on patron matters,
23 Stephanie Gardner is going to walk through us the
24 VEPs.

25 Good afternoon.

1 MS. GARDNER: Good afternoon, Commissioners
2 and Executive Staff. You have before you 15
3 orders regarding the Voluntary Exclusion Program.
4 Pursuant to the rules of the program, the
5 identities of the Voluntary Exclusion Program
6 participants must remain confidential.

7 Pursuant to 68 IAC 6-3-2(g), a participant
8 in the program agrees that if he or she violates
9 the terms of the program and enters the gaming
10 area of a facility under the jurisdiction of the
11 Commission, they will forfeit any jackpot or
12 thing of value won as a result of the wager.

13 Under Orders 2017-177 through 2017-191, a
14 total sum of \$18,210.32 was forfeited by John
15 Does 71 through 85. These winnings were
16 collected at Ameristar, Blue Chip, Hollywood,
17 Hoosier Park, Horseshoe Hammond, Horseshoe South,
18 Indiana Grand, Majestic Star and Rising Star.
19 These winnings were withheld as required by
20 Commission regulations.

21 Commission staff recommends that you approve
22 these orders.

23 CHAIRMAN JOHNSTON: Thank you very much,
24 Stephanie.

25 Any questions for Stephanie?

1 Seeing none, what's the pleasure of the
2 Commission on Orders 177 through 191?

3 COMMISSIONER SVETANOFF: Motion to approve.

4 COMMISSIONER HERNDON: Second.

5 CHAIRMAN JOHNSTON: There's a motion and a
6 second.

7 All those in favor, say aye.

8 (Chorus of ayes.)

9 Opposed.

10 The orders are adopted. Thank you.

11 MS. GARDNER: Thank you.

12 CHAIRMAN JOHNSTON: We do have an exclusion
13 list removal, and Dustin is going to walk us
14 through that.

15 MR. MOLOY: Good afternoon, Commissioners.

16 Members of the Commission, you have before
17 you Order 2017-192 concerning the petition for
18 removal from the exclusion list of Stephen
19 Blandford. On February 18, 2011, Mr. Blandford
20 was observed via video surveillance while at the
21 Horseshoe Southern Casino removing two playing
22 cards from the table while playing Mississippi
23 Stud Poker.

24 On April 4, 2011, Executive Director Ernest
25 Yelton placed Mr. Blandford on the statewide

1 exclusion list.

2 On July 20, 2017, the Commission received
3 Mr. Blandford's petition to be removed from the
4 exclusion list.

5 As a staff attorney, I was appointed to
6 review Mr. Blandford's petition, and a hearing
7 was conducted on April 6, 2017. Mr. Blandford
8 showed remorse and took responsibility for his
9 actions and he has cooperated throughout the
10 entire removal process.

11 When he took the two playing cards,
12 Mr. Blandford testified that he was in a rush to
13 leave and while gathering his chips, he
14 incidentally grabbed the two playing cards in
15 front of him.

16 Mr. Blandford further testified that he did
17 not realize that he had taken the cards until he
18 had left the casino.

19 Mr. Blandford was charged with a Class D
20 felony as a result of this incident. However,
21 since the incident, Mr. Blandford has had the
22 records related to the charges sealed and
23 expunged, graduated from law school, become a
24 member of the Kentucky Bar and has practiced law
25 in Kentucky as both an Assistant Commonwealth's

1 attorney and more recently as a sole
2 practitioner.

3 Mr. Blandford has become fully aware that
4 removing playing cards from a gaming facility is
5 a criminal act, and he testified that he would
6 never do it again. Mr. Blandford has not visited
7 an Indiana casino or another casino in another
8 jurisdiction since being placed on the Indiana
9 exclusion list. Outside of this incident,
10 Mr. Blandford has never been evicted from any
11 casino in or outside Indiana, and he has no other
12 criminal record.

13 Based on the totality of the factors above,
14 I concluded that Mr. Blandford met the required
15 standard of clear and convincing evidence, as
16 reflected in the findings of fact and
17 recommendation. Adopting these findings would
18 have the effect of granting Mr. Blandford's
19 petition for removal, and I respectfully
20 recommend the Commission adopt my findings at
21 this time.

22 CHAIRMAN JOHNSTON: Thank you. Any
23 questions for Dustin?

24 Is there a motion regarding Order 192?

25 COMMISSIONER HERNDON: So moved.

1 CHAIRMAN JOHNSTON: There is a motion. Is
2 there a second?

3 COMMISSIONER SVETANOFF: Second.

4 CHAIRMAN JOHNSTON: And a second.

5 All those in favor, say aye.

6 (Chorus of ayes.)

7 Opposed.

8 Order 192 is adopted.

9 The microphone is still yours. We're going
10 to move to supplier matters.

11 MR. MOLOY: Okay. Rolling right along.
12 Commissioners, you have before you Orders --
13 Order 2017-193. Pursuant to Indiana Code Section
14 4-33-7-8 and 68 IAC Section 2-2-8, a supplier's
15 license must be renewed annually along with
16 payment of a \$7,500 renewal fee.

17 Each of the following licensees has
18 submitted a timely request for renewal along with
19 the required payment: American Gaming Systems,
20 LLC, Aristocrat Technologies, Incorporated, and
21 Cummins-Allison Corp.

22 At this time Commission staff respectfully
23 recommends the approval of Order 2017-193 to
24 renew the supplier license of those listed.

25 CHAIRMAN JOHNSTON: Thank you. Any

1 questions on this order for the supplier
2 renewals?

3 Seeing none, what is the pleasure of the
4 Commission?

5 COMMISSIONER SVETANOFF: Motion to approve.

6 CHAIRMAN JOHNSTON: There's a motion. Is
7 there a second?

8 COMMISSIONER SAXON: Second.

9 CHAIRMAN JOHNSTON: Motion and a second.

10 All those in favor, say aye.

11 (Chorus of ayes.)

12 Opposed.

13 Order 193 is adopted. Thank you very much,
14 Dustin.

15 MR. MOLOY: Thank you.

16 CHAIRMAN JOHNSTON: We have supplier
17 transfer of ownership, and Danielle Leek is going
18 to walk us through Order 194.

19 MS. LEEK: Good afternoon.

20 Order 2017-194 is an order approving the
21 transfer of ownership of licensed supplier Global
22 Surveillance Associates.

23 68 IAC 5-2 states that supplier licensees
24 that are not publicly traded companies must
25 comply with certain requirements before

1 transferring an ownership interest, including a
2 suitability investigation, in order to protect
3 the Commission's interest in the suitability of
4 its licensees.

5 Global Surveillance Associates is a private
6 company wholly owned by Dan Riley. After
7 receiving notice that Mr. Riley wished to
8 transfer ownership of the company to Nicholas
9 Dicerbo, Mr. Dicerbo was required to file a
10 Level 1 occupational license application.
11 Commission staff conducted the investigation on
12 Mr. Dicerbo to determine his suitability as a
13 licensee and analyzed the proposed transfer of
14 ownership. No derogatory information was found
15 that would affect his ability to hold a license,
16 nor were there any concerns with the proposed
17 transfer of ownership. The final report's been
18 made available in your confidential materials.

19 The order before you will approve the
20 transfer of ownership of Global Surveillance to
21 Nicholas Dicerbo, and staff recommends that you
22 approve the order.

23 CHAIRMAN JOHNSTON: Thank you very much.
24 Any questions for Danielle?

25 What is the pleasure of the Commission on

1 Order 194?

2 COMMISSIONER HERNDON: Move that we approve
3 the order.

4 CHAIRMAN JOHNSTON: There is a motion for
5 approval. Is there a second?

6 COMMISSIONER SVETANOFF: Second.

7 CHAIRMAN JOHNSTON: There is a motion and a
8 second.

9 All those in favor, say aye.

10 (Chorus of ayes.)

11 Opposed.

12 Order is adopted. Thank you very much.

13 MS. LEEK: Thank you.

14 CHAIRMAN JOHNSTON: Moving on to
15 occupational licensing, Noah Jackson.

16 MR. JACKSON: Thank you, and good afternoon,
17 Commissioners.

18 You have before you Orders 2017-195 and
19 2017-196 concerning settlement agreements between
20 Commission staff and occupational licensees.

21 Both of these licensees failed to comply
22 with 68 IAC Section 2-3-9. In lieu of
23 disciplinary action, Commission staff offered
24 each licensee a settlement agreement that would
25 have them agree to an unpaid, voluntary

1 relinquishment of the occupational license for a
2 period of regularly scheduled working days with
3 no vacation or other paid time off to be used.
4 Both licensees agreed to the terms of the
5 settlement agreements.

6 Approval of Orders -- of Orders 2017-195 and
7 2017-196 would have the effect of approving the
8 settlement agreements entered into by the
9 parties, and Commission staff respectfully
10 recommends approval of the orders at this time.

11 CHAIRMAN JOHNSTON: Very good. Any
12 questions for Noah?

13 We will consider both 195 and 196 as Noah
14 has presented them.

15 Is there a motion on those orders?

16 COMMISSIONER SVETANOFF: Motion to approve.

17 CHAIRMAN JOHNSTON: Motion. Is there a
18 second?

19 COMMISSIONER HERNDON: Second.

20 CHAIRMAN JOHNSTON: Motion and a second.

21 All those in favor, say aye.

22 (Chorus of ayes.)

23 Opposed.

24 Orders 195 and 196 are adopted.

25 MR. JACKSON: Thank you.

1 CHAIRMAN JOHNSTON: Continue on, please.

2 MR. JACKSON: Commissioners, you now have
3 before you Orders 2017-197 through 2017-200 which
4 deny applications for occupational licenses to
5 work in Indiana casinos.

6 Pursuant to Indiana Code Section 4-33-8-3,
7 an occupational license may not be issued to an
8 individual unless he or she has met the standards
9 adopted by the Commission for holding an
10 occupational license.

11 An applicant for a Level 2 or a Level 3
12 occupational license must include the applicant's
13 criminal history in his or her application. Any
14 misrepresentation or omission made with respect
15 to the application may be grounds for denial of
16 the application pursuant to 68 IAC Section
17 2-3-4(b)(2).

18 As part of a routine background
19 investigation into each applicant, the Commission
20 staff discovered that the applicants represented
21 in Orders 2017-197 through 2017-200 failed to
22 meet the established standards for licensure.

23 All individuals were given an opportunity to
24 withdraw their application from consideration for
25 permanent licensure. Detailed information

1 regarding each individual's investigation is
2 contained in the confidential materials provided
3 to the Commission.

4 Because the individuals failed to meet the
5 standards for licensure, staff recommends that
6 the applications for permanent licensure be
7 denied through approval of Orders 2017-197
8 through 2017-200.

9 CHAIRMAN JOHNSTON: Thank you. Questions on
10 these orders? These are denying permanent
11 occupational licensure. No questions?

12 Is there -- what's the pleasure of the
13 Commission on Orders 197 through 200?

14 COMMISSIONER SVETANOFF: Motion to approve.

15 CHAIRMAN JOHNSTON: There's a motion. Is
16 there a second?

17 COMMISSIONER SAXON: Second.

18 CHAIRMAN JOHNSTON: Motion and a second.

19 All those in favor, say aye.

20 (Chorus of ayes.)

21 Opposed.

22 Orders 197 through 200 are adopted. Thank
23 you very much, Noah.

24 MR. JACKSON: Thank you.

25 CHAIRMAN JOHNSTON: Moving on to casino

1 matters. Angie. Good afternoon.

2 MS. BUNTON: Good afternoon. You have
3 before you nine settlement agreements concerning
4 disciplinary actions.

5 Order 2017-201 is a settlement agreement
6 with Belterra Casino where the casino allowed an
7 underage person on the casino floor on two
8 separate occasions.

9 Belterra has agreed to a monetary settlement
10 of \$13,500 in lieu of disciplinary action.
11 Belterra's also required to submit to the
12 Commission a corrective action plan for
13 identifying minors in the future.

14 Order 2017-202 is a settlement agreement
15 with French Lick Resort Casino and includes two
16 counts.

17 In the first count, the casino violated
18 their internal control procedures for jackpot
19 payouts of \$1,200 or more.

20 In the second count, the casino violated the
21 rules of the soft count process on multiple
22 occasions.

23 French Lick has agreed to a monetary
24 settlement of \$8,500 in lieu of disciplinary
25 action.

1 Order 2017-203 is a settlement agreement
2 with Hollywood Casino and includes five counts.

3 In the first count, the casino violated the
4 rules on electronic gaming devices.

5 In the second count, the casino violated the
6 rules on surveillance room access.

7 In the third count, the casino allowed a
8 patron to enter the drop zone area.

9 In the fourth count, the casino failed to
10 reset an electronic gaming device after a jackpot
11 had been won.

12 And in the fifth count, the casino violated
13 the rules on sensitive keys.

14 Hollywood has agreed to a monetary
15 settlement of \$87,500 in lieu of disciplinary
16 action.

17 Order 2017-204 is a settlement agreement
18 with Hoosier Park and includes four counts.

19 In the first count, the casino allowed an
20 underage person on the casino floor.

21 In the second count, the casino failed to
22 timely notify the Commission of a termination.

23 In the third count, the casino violated the
24 rules on progressive electronic gaming devices.

25 In the fourth count, the casino violated the

1 rules on electronic gaming device conversions.

2 Hoosier Park has agreed to a monetary
3 settlement of \$9,000 in lieu of disciplinary
4 action.

5 Order 2017-205 is a settlement agreement
6 with Horseshoe Hammond wherein the casino
7 violated the rules of the Voluntary Exclusion
8 Program.

9 Horseshoe has agreed to a monetary
10 settlement of \$4,500 in lieu of disciplinary
11 action.

12 Order 2017-206 is a settlement agreement
13 with Horseshoe South and includes three counts.

14 In the first count, the casino allowed an
15 underage person on the casino floor.

16 In the second count, the casino violated the
17 rules on sensitive keys.

18 In the third count, the casino violated the
19 rules on live gaming devices.

20 Horseshoe South has agreed to a monetary
21 settlement of \$4,500 in lieu of disciplinary
22 action.

23 Order 2017-207 is a settlement agreement
24 with Majestic Star Casino and includes two
25 counts.

1 In the first count, the casino allowed a
2 patron and two slot attendants into the drop zone
3 area. The casino also violated the rules of the
4 bill validator soft count process and violated
5 internal control procedures for the emergency
6 bill validator drop process.

7 In the second count, the casino violated the
8 rules of a promotional submission.

9 Majestic Star has agreed to a monetary
10 settlement of \$13,300 in lieu of disciplinary
11 action.

12 Order 2017-208 is a settlement agreement
13 with Rising Star Casino wherein the casino
14 violated the rules on manually paid jackpots,
15 sensitive keys and failed to safeguard the assets
16 of the casino.

17 Rising Star has agreed to a monetary
18 settlement of \$4,000 in lieu of disciplinary
19 action.

20 Order 2017-209 is a settlement agreement
21 with Tropicana Evansville wherein the casino
22 violated the rules on surveillance coverage on
23 progressive electronic gaming devices.

24 Tropicana has agreed to a monetary
25 settlement of \$3,000 in lieu of disciplinary

1 action.

2 Commission staff recommends that you approve
3 Order 2017-201 through Order 2017-209.

4 CHAIRMAN JOHNSTON: Thank you, Angie.

5 MS. BUNTON: Thank you.

6 CHAIRMAN JOHNSTON: You can take a breath
7 now. Are there any questions on Orders 201
8 through 209?

9 Seeing none, is there a motion?

10 COMMISSIONER SVETANOFF: Motion to approve.

11 CHAIRMAN JOHNSTON: There's a motion. Is
12 there a second?

13 COMMISSIONER McCLAIN: Second.

14 CHAIRMAN JOHNSTON: A motion and a second.
15 Any further -- any discussion? Questions?
16 There's a lot of material there.

17 Seeing none, all those in favor, say aye.

18 (Chorus of ayes.)

19 Opposed.

20 The orders are adopted.

21 Thank you, Angie.

22 MS. BUNTON: Thank you.

23 CHAIRMAN JOHNSTON: We have casino renewals.

24 And welcome back, Dustin.

25 MR. MOLOY: All right. Hello again.

1 Commissioners, you have before you Order
2 2017-210 and Order 2017-211 regarding the annual
3 renewal of casino owner's licenses for Belterra
4 Resort Indiana and Caesars Riverboat Casino, LLC,
5 operating as Belterra and Horseshoe Southern
6 Indiana respectively. Both entities have filed
7 the proper paperwork and have paid the required
8 annual renewal fee.

9 The Belterra license was set to expire on
10 October 22, 2017, and the Horseshoe Southern
11 Indiana license was set to expire on November 15,
12 2017. Executive Director Tait issued interim
13 renewals to the licensees to cover the period
14 between the expiration date and this business
15 meeting.

16 Additionally, by Orders 2016-248 and
17 2016-250, the Commission approved the power of
18 attorney for Belterra and Horseshoe Southern
19 Indiana respectively. The approvals expire on
20 the renewal of the casino owner's license. For
21 that reason, all casinos must request renewal of
22 the Commission's approval of the written power of
23 attorney concurrently with the request for
24 renewal, or present the Commission with a new
25 written power of attorney naming a new

1 trustee-in-waiting.

2 Both licensees have stated their intent to
3 maintain the existing trustee-in-waiting and have
4 not presented the Commission with any
5 modification of the power of attorney.

6 At this time the Commission staff
7 respectfully requests approvals of Orders
8 2017-210 and 2017-211 renewing the casino owner's
9 licenses for a period of one year.

10 CHAIRMAN JOHNSTON: Thank you, Dustin. Any
11 questions on these casino renewals?

12 Seeing none, what's the pleasure of the
13 Commission on Orders 210 and 211?

14 COMMISSIONER HERNDON: Move that we approve
15 them.

16 CHAIRMAN JOHNSTON: We have a motion to
17 approve. Is there a second?

18 COMMISSIONER SAXON: Second.

19 CHAIRMAN JOHNSTON: Motion and a second.

20 All those in favor, say aye.

21 (Chorus of ayes.)

22 Opposed.

23 Orders 210 and 211 are adopted. Thank you
24 very much.

25 MR. MOLOY: Thank you.

1 CHAIRMAN JOHNSTON: We now are going to have
2 a presentation. We're going to ask Matt
3 Schuffert from Ameristar East Chicago to join us.
4 Welcome.

5 And as Sara mentioned, the Tropicana took
6 advantage of some recent legislation to go to a
7 land-based casino, and Mr. Schuffert is going to
8 present what -- Ameristar's plans in terms of
9 relocating some of their gaming operations.

10 So welcome.

11 MR. SCHUFFERT: Well, thank you. Thank you,
12 Commissioners, Executive Director Tait and
13 executive staff for giving us the opportunity to
14 present this project to you today. We do have a
15 brief presentation which should fire up here
16 shortly, I hope, but a brief overview of the
17 project.

18 We are seeking your approval today to allow
19 us to bring our high limit gaming, both slots and
20 tables, off of the vessel and onto land adjacent
21 to the casino.

22 Basically it's going to allow us to create a
23 land-based high limit experience on land adjacent
24 to the casino. In this space we'll have about 95
25 slot machines, 14 tables. It'll have some

1 dedicated amenities, including a cage, a players'
2 reward center, we'll have a bar, some food and
3 beverage amenities, restrooms. It will increase
4 our overall gaming count by about 107. This will
5 still, you know, be below the greatest number of
6 games that we can -- we can have as communicated
7 to us back in 2015. This will take our overall
8 slot units and table units up to about 1,907.

9 Some other benefits by allowing this project
10 to happen, it's going to be able to allow us to
11 increase our gaming capacity on the vessel
12 itself.

13 The total cost of the project, which
14 includes some additional gaming equipment we're
15 going to buy to backfill the area that's being
16 vacated on the -- on the casino is about \$5.8
17 million.

18 This kind of gives you a current look today
19 of our levels 2 and 3. The current high limit
20 table area and high limit slots areas are
21 separated both in the forward sections of
22 level -- of deck 2 and deck 3.

23 Moving to land is obviously going to give us
24 a great opportunity to consolidate those areas,
25 but then it's going to allow us to take level 1,

1 which is pretty congested, and bring some video
2 poker product and move that up to level 3, but
3 probably most importantly, it's going to allow us
4 to add about 140 machines on the deck 2, which
5 currently is our highest utilized and highest
6 performing floor that we have.

7 This is the space that we're looking to
8 convert and how it is -- is laid out today. As
9 you can see to the top left, where the current
10 turnstiles are located, that is a current
11 restaurant that we own and operate called Burger
12 Brothers.

13 Moving to the right, we have a promotional
14 area. Moving down from there we have a current
15 main players' club area.

16 This is the space that we're, you know,
17 asking your approval to allow gaming to go into.
18 Most of this space, with the exception of the
19 restaurant, is some pretty underutilized space
20 today. Burger Brothers will be relocated into
21 our pavilion into another space that was just
22 recently vacated by a third-party restaurant.

23 So this is the current view as you're
24 leaving our casino today through level 2, the
25 main deck as we call it, and as you exit and

1 you -- to your left is the current Burger
2 Brothers restaurant and you continue down the
3 corridor and you see this space, the Winners
4 Square. This is the space that we're looking to
5 convert today, which is adjacent to the casino
6 itself.

7 This will be the layout of the new space.
8 Like I mentioned, 95 slots, 14 tables, a full bar
9 with video poker bar top units in it, two food
10 stations, a cage and a players' club area, My
11 Choice area, and then dedicated restrooms which
12 will only be accessible by folks who are inside
13 of this room.

14 And this is the rendering of what the space
15 will look like. If I go back a couple, this is
16 the same view as you see it today and this is the
17 rendering of what the space will be converted
18 into with the high limit doors there kind of at a
19 corner of where the space is located. And then
20 here's a rendering of what the space will look
21 like when it's completed.

22 So we're very excited to be able to utilize
23 this legislation to bring some gaming on land.
24 We think it's a great opportunity to -- to give
25 an experience that our guests have never

1 experienced in East Chicago at Ameristar, and,
2 you know, with your approval, you know, we plan
3 to start this project early January, late
4 December.

5 We have already met with the City of East
6 Chicago and they've approved our technical
7 review, and the planning commission has already
8 approved the project as well pending your
9 approval, then we will submit for expedited plan
10 review with the State of Indiana.

11 At this time I'll open it up to any
12 questions.

13 CHAIRMAN JOHNSTON: If that timeline is met,
14 when would that -- when would these new spaces be
15 operational?

16 MR. SCHUFFERT: We're thinking mid April,
17 about a three and a half month total construction
18 time period.

19 CHAIRMAN JOHNSTON: Any questions for Matt?

20 COMMISSIONER SVETANOFF: Just a quick
21 comment. I'm the Commissioner from Lake County,
22 Indiana. I applaud you for taking advantage of
23 the land-based legislation. We look forward to
24 you being successful in this project, bringing
25 jobs to our community, but also expanding on and

1 so forth. Again, congratulations.

2 MR. SCHUFFERT: Well, thank you, appreciate
3 those kind words.

4 CHAIRMAN JOHNSTON: If there's no further
5 questions, thank you very much and good luck.

6 MR. SCHUFFERT: Okay. Thank you.

7 CHAIRMAN JOHNSTON: Dennis Mullen is going
8 to walk us through the order for consideration of
9 this relocation of gaming operations.

10 MR. MULLEN: Yes. Thank you, Chairman,
11 Commissioners, executive staff, and thank you,
12 Mr. Schuffert, for coming down and giving us that
13 presentation.

14 You now have before you Order 2017-212, and
15 if granted, this order would provide Ameristar
16 with Commission approval to undertake the inland
17 gaming project Mr. Schuffert just described to
18 us.

19 As a bit of brief background to this
20 request, Indiana Code Section 4-33-6-24, which
21 was enacted into law in 2015, provides the
22 conditions that must be met before a casino may
23 relocate any casino operations inland.

24 Those include that the inland casino must be
25 located on property that the licensed owner has

1 owned or leased and used in the conduct of the
2 licensed owner's gaming operations on February 1,
3 2015. The inland casino must be located on
4 property adjacent to the dock site of the
5 riverboat. The casino must comply with all
6 applicable building codes and any safety
7 requirements imposed by the Commission. And the
8 Commission must approve the relocation of the
9 licensed owner's gaming operation.

10 And as Mr. Schuffert said, there is a
11 limitation on how many gaming devices can be
12 used. It cannot exceed the amount that the
13 licensed owner operated since January 1, 2007.

14 So on November 1, 2017, Ameristar submitted
15 its request to construct a new inland gaming
16 facility containing a new high limit table and
17 slot offering, as well as a dedicated cage, and
18 the gaming operations will be located within the
19 gaming turnstiles.

20 Commission staff has reviewed the request
21 and confidential materials submitted by Ameristar
22 in conjunction with the requirements I've
23 described from Section 24, and at this point --
24 at this time we recommend approval of Ameristar's
25 request.

1 Order 2017-212 requires that all conditions
2 set forth in Section 24 be met as the project
3 moves from planning to construction to
4 completion.

5 As an additional requirement imposed
6 pursuant to Subsection D of Section 24, staff
7 also recommends that you delegate plan approval
8 authority to Executive Director Tait to allow
9 this project to move forward in the most
10 efficient manner possible.

11 Thank you. And I'll be happy to answer any
12 questions you have at this time.

13 CHAIRMAN JOHNSTON: Thank you, Dennis. Any
14 questions?

15 What's the pleasure of the Commission on
16 Order 212?

17 COMMISSIONER SVETANOFF: Motion to approve.

18 COMMISSIONER HERNDON: Second.

19 CHAIRMAN JOHNSTON: There's a motion and a
20 second.

21 All those in favor, say aye.

22 (Chorus of ayes.)

23 Opposed.

24 Order 212 is adopted. Thank you very much.

25 MR. MULLEN: Thank you.

1 CHAIRMAN JOHNSTON: We have a couple of
2 orders from -- relating to the athletic division.
3 Noah Jackson, welcome back.

4 MR. JACKSON: Thank you. Commissioners, you
5 have before you Orders 2017-213 and 2017-214
6 concerning settlement agreements between
7 Commission staff and two professional mixed
8 martial arts licensees.

9 The licensees participated in professional
10 mixed martial arts bouts and submitted to all
11 required post-bout testing. Both licensees were
12 found to be in violation of 68 IAC Section
13 24-3-37.

14 In lieu of disciplinary action for the
15 violations, Commission staff offered to settle
16 the matter with the individuals for a fine of
17 \$250 each. Both licensees accepted the terms of
18 the settlement agreements.

19 Approval of Orders 2017-213 and 2017-214
20 would have the effect of granting Commission
21 approval of the settlement agreements.

22 At this time Commission staff respectfully
23 recommends the approval of the orders.

24 CHAIRMAN JOHNSTON: Thank you. Any
25 questions for Noah?

1 If not, we'll take both orders as Noah's
2 presented them, 213 and 214.

3 Is there a motion?

4 COMMISSIONER HERNDON: Motion to approve.

5 CHAIRMAN JOHNSTON: There's a motion. Is
6 there a second for the settlements?

7 COMMISSIONER McCLAIN: Second.

8 CHAIRMAN JOHNSTON: And there's a second
9 from Commissioner McClain.

10 All those in favor, say aye.

11 (Chorus of ayes.)

12 Opposed.

13 The orders are adopted.

14 MR. JACKSON: Thank you.

15 CHAIRMAN JOHNSTON: Thank you, Noah.

16 We have a couple of applicants for paid
17 fantasy sports. Danielle is going to walk us
18 through Orders 215 and 216.

19 MS. LEEK: You have before you two orders,
20 Order 2017-215 and Order 2017-216, granting a
21 permanent paid fantasy sports game operator's
22 license to Starstreet, LLC, and Yahoo Fantasy
23 Sports, LLC, respectively.

24 In August and September 2017, both of these
25 companies submitted a paid fantasy sports game

1 operator license application and the required
2 fees.

3 Commission staff has conducted a background
4 and financial investigation of these companies
5 and their operations and can find no derogatory
6 information that would affect each applicant's
7 ability to hold a PFS license. Staff's final
8 reports regarding Starstreet and Yahoo Fantasy
9 Sports have been made available for your review.

10 The orders before you will grant the
11 permanent game operator's license for Starstreet
12 and Yahoo Fantasy Sports, and staff recommends
13 that you approve the orders.

14 CHAIRMAN JOHNSTON: Thank you very much.
15 Any questions for Danielle?

16 If we approve these, what would be the total
17 number of operators in paid fantasy sports?

18 MR. SMALL: Six.

19 EXECUTIVE DIRECTOR TAIT: Six.

20 CHAIRMAN JOHNSTON: Six? Okay. Very good.
21 Again, any questions for Danielle?

22 Seeing none, what is the pleasure of the
23 Commission on Orders 215 and 216 for operator's
24 licenses in the paid fantasy sports world?

25 COMMISSIONER SAXON: Move to adopt.

1 COMMISSIONER McCLAIN: Second.

2 CHAIRMAN JOHNSTON: There's a motion, motion
3 and a second.

4 All those in favor, say aye.

5 (Chorus of ayes.)

6 Opposed.

7 The orders are adopted. Thank you.

8 MS. LEEK: Thank you.

9 CHAIRMAN JOHNSTON: On the same subject
10 matter, rules, my favorite, Dennis is back with
11 us on two resolutions dealing with rules.

12 MR. MULLEN: Yes, and if we're going to have
13 six operators, we might as well have some rules,
14 so. It's been a long time coming.

15 Resolution 2017-217. In 2016 the governor
16 of Indiana enacted into law Indiana Code Chapter
17 4-33-24, which authorized and governed paid
18 fantasy sports games in the state of Indiana.

19 The rule before you addresses Indiana Code
20 Section 4-33-24-13, which required the Commission
21 to adopt standards and rules for paid fantasy
22 sports games licensing and operation in the
23 state.

24 As you know, paid fantasy sports games have
25 been operating under some emergency rules as the

1 Commission staff implemented the rule before you
2 and put this rule through the State's rule
3 promulgation process.

4 In satisfying the promulgation process, the
5 following steps have been completed leading up to
6 today:

7 On January 3, 2017, we requested an
8 exception to the current rulemaking moratorium in
9 place and authorization to proceed with this
10 rulemaking.

11 On May 1, 2017, the State Budget Agency
12 authorized the Commission to proceed with this
13 rulemaking.

14 On May 10, 2017, the Commission posted its
15 notice of intent to adopt the rule on the
16 Legislative Services Agency's Register, and on
17 that date we also provided the State Budget
18 Agency with our draft rule for review and
19 approval.

20 Then on September 8, 2017, the State Budget
21 Agency authorized the Commission to proceed with
22 our draft rule.

23 And on September 27th of this year, our
24 draft rule was posted on the Indiana Register.

25 Commission staff had a public hearing on the

1 rule on October 23, 2017, and all public comments
2 regarding the rule were reviewed by Commission
3 staff and were included in your Commission
4 documents.

5 Should you approve this rulemaking,
6 Commission staff will file the final rule with
7 the attorney general, who will then pass it to
8 the governor's office for ultimate approval.
9 Following those approvals, the Indiana Register
10 will post this as a final rule.

11 Commission staff recommends approval of our
12 final rule, and by adopting Resolution 2017-217,
13 the final rule would be approved.

14 Are there any questions from the Commission
15 at this time?

16 CHAIRMAN JOHNSTON: No, I don't believe so.
17 This is the final rule which we'll take action on
18 individually, but do you want to go ahead and
19 describe the next resolution, Dennis?

20 MR. MULLEN: Sure. Yeah, that would be
21 great.

22 The next resolution is 2017-218. And as I
23 mentioned previously, paid fantasy sports games
24 are currently operating under a set of emergency
25 rules as Commission staff worked through the

1 process of adopting this final rule that's up for
2 approval right now. Paid fantasy sports games
3 will continue to operate under that emergency
4 rule until the permanent rules have been approved
5 by the attorney general and the governor.

6 So the current emergency rule expires in
7 March of 2018, which is likely before our next
8 Commission meeting will take place, so while
9 Commission staff anticipates our permanent rule
10 will be in place long before the expiration of
11 the current emergency rule, simply out of an
12 abundance of caution, we're going to ask you to
13 readopt our emergency rules at this time just in
14 case something unforeseen happens, and that would
15 allow us to readopt the emergency rule and
16 actually allow it to run through September of
17 next year.

18 CHAIRMAN JOHNSTON: Okay. So 217 is
19 adopting the final rule. 218 is sort of a
20 backstop just for timing purposes potentially?

21 MR. MULLEN: That's right. The attorney
22 general's office has up to 45 days to approve the
23 rule and then the governor's office has up to 30,
24 so, again, as I said, theoretically we should be
25 just fine, but to put in our back pocket in case

1 something unforeseen happens.

2 CHAIRMAN JOHNSTON: Okay. Very good. So we
3 will take these individually.

4 So what is the pleasure of the Commission on
5 Resolution 217, which is adopting the final
6 rules?

7 COMMISSIONER SVETANOFF: Motion to approve.

8 CHAIRMAN JOHNSTON: There's a motion to
9 approve.

10 COMMISSIONER HERNDON: Second.

11 CHAIRMAN JOHNSTON: And a second. Any
12 questions of Dennis on the final rules?

13 Seeing none, all those in favor, say aye.

14 (Chorus of ayes.)

15 Opposed.

16 Resolution 217 and the final rules are
17 adopted. Thank you.

18 Now we'll take up Resolution 218, again as a
19 backstop for timing purposes. It's not
20 anticipated to be needed, but, again, as a
21 precautionary measure.

22 So is there a motion for Resolution 218?

23 COMMISSIONER HERNDON: So moved.

24 CHAIRMAN JOHNSTON: There's a motion.

25 COMMISSIONER SVETANOFF: Second.

1 COMMISSIONER McCLAIN: Second.

2 CHAIRMAN JOHNSTON: Several seconds. You
3 can pick whichever one you want. The -- again,
4 any questions on this?

5 Seeing none, what's the pleasure of the
6 Commission? All those in favor, say aye.

7 (Chorus of ayes.)

8 Opposed.

9 Order for Resolution 218 is adopted. Thank
10 you, Dennis. Thank you for all the work, and the
11 Commission, on the rule making process. It's not
12 an easy undertaking, so thanks to the entire
13 staff for following through on that.

14 The next item on our agenda is a requirement
15 of the Commission periodically to undergo a
16 disparity study. And with us today is Drew
17 Klacik to walk us through a presentation on his
18 work in finance.

19 MR. KLACIK: Good afternoon. And thanks for
20 trusting me and the IU Public Policy Institute
21 with this important work.

22 Soon you're going to see a PowerPoint, but
23 let me start by saying a disparity study is a
24 really interesting document. There's three
25 pieces to it. We first estimate the capacity of

1 MBE and WBE firms to do business in key areas of
2 the economy, then we measure the actual
3 expenditures made by the riverboats -- or, sorry,
4 casinos and racinos in those same categories, and
5 then we do simple subtraction, the estimated
6 capacity minus the actual realization equals
7 disparity. So we call these disparity studies,
8 but 80 percent of my work is actually on
9 estimating capacity.

10 Three key points that I want you to remember
11 throughout the course of the day. This is our
12 third disparity study and we've kept the process
13 exactly the same every time, which means that
14 there's consistent measures of capacity,
15 utilization and disparity that gives you the
16 ability to understand how not just disparity, but
17 also utilization and capacity building has
18 changed over time.

19 Our findings are the same as the first
20 three. There's no disparity, but some trends in
21 terms of MBE and WBE spending and capacity have
22 started to move downwards. And when we think
23 about the future, the notion of proactively
24 intervening before you get to the point of
25 disparity appears to be a pretty rational

1 approach to the process. And, again, by doing it
2 the same way three times, we have the ability to
3 give you a heads up before you get to the point
4 where disparity occurs.

5 So you can now see the definitions.
6 Capacity again is the estimated or predicted
7 ability of MBE firms and WBE firms to be ready,
8 willing and able to do business with the casinos
9 and the racinos.

10 Utilization is the expenditure or the
11 contracts that the riverboat -- that the casinos
12 and the racinos make with MBE, WBE and non-firms.

13 And disparity, one more time, is the stuff
14 we learned in second grade. It is capacity minus
15 utilization equals disparity. At least I learned
16 it in second grade. I'm not sure what math is
17 taught today.

18 CHAIRMAN JOHNSTON: You might be an advanced
19 student.

20 MR. KLACIK: Yeah, sure. Maybe I was young
21 for my age.

22 So when we get to capacity, that's where
23 the -- that's where the challenges really exist,
24 because there's not one agreed-upon way to
25 estimate capacity. They can be as narrow as

1 ready, willing and able means you've proven that
2 you can do business with a casino, to as broad as
3 all firms.

4 We've historically done it exactly the same
5 way, and we've leaned towards as broad as
6 possible.

7 Utilization is a lot easier. It's either
8 expenditures, contracts or encumbrances. That is
9 a real number, not an estimated number.

10 So the key point across all of this that
11 I've already made is the more in common those
12 measures are, the better ability you have to
13 track the performance over time, again, and not
14 just of the outcome, but also what the inputs
15 are, because if you think about it logically, if
16 you drove capacity down and held spending the
17 same, disparity would shrink, right, and so
18 measuring capacity, estimating capacity the same
19 every time is really critical.

20 The way we measured capacity was the total
21 number of firms that -- and dollars that did
22 business with riverboat -- with casinos and
23 racinos, plus all firms that have notified
24 casinos and racinos that they were interested in
25 doing business, plus firms that were on MBE and

1 WBE vendor lists in the local communities where
2 the casinos and racinos are located, plus any
3 firms that told us that they were ready, willing
4 and able by attending one of the outreach
5 meetings we had or by registering online.

6 Utilization are actual expenditures, and
7 they're all expenditures between January 1, 2012,
8 and December 31st of 2016.

9 So I said this three times already, you can
10 read it again, but it really is important to not
11 just focus on disparity, but to focus on
12 capacity, because capacity means that we're
13 striving to grow the ability of MBE and WBE firms
14 to participate in our economy. And one more
15 time, that's why at least I like, and I think you
16 all like, the idea that we measure that the same
17 every time.

18 One key difference is that almost every
19 disparity study is done for government, and this
20 is done for casinos and racinos. I've yet to
21 work with a government that actually has purchase
22 orders for gin or for gaming machines, and so the
23 procurement category is slightly different when
24 we work on riverboats because the -- or casinos
25 and racinos, I'm so sorry, casinos and racinos

1 because they buy a much different set of goods
2 and services than do traditional units of
3 government. Does that make sense to you all? It
4 took me a while to figure that one out.

5 So I've also talked about this a bit, but I
6 want to make sure that you understand how
7 carefully and how hard we work to make sure that
8 every firm in Indiana that was interested in
9 doing business with a casino or a racino had the
10 opportunity to tell us that they were ready,
11 willing and able.

12 And most of that then focused, after we got
13 past the lists of people that have -- of firms
14 that have already done business, that notified
15 they wanted to do business or are on a
16 community's vendor list was an outreach effort
17 that was organized by the Gaming Commission. We
18 went to Evansville, we went to Merrillville, and
19 we held our third meeting in Indianapolis, where
20 we asked anyone who is ready, willing and able to
21 come up, tell us they wanted to do business with
22 riverboat casinos, and then we asked them to go
23 tell any of their friends that if they couldn't
24 make the meeting but they want to do business
25 with riverboat casinos, to go online and register

1 and let us know.

2 There's some literature that suggested the
3 certification process is one of the biggest
4 barriers to being identified as a minority or a
5 women owned business. In this case we allowed
6 them to just give us their name, tell us if they
7 were MBE or WBE and tell us if they were doing
8 procurement, nonprofessional services,
9 professional services or construction.

10 So the hard part, as I've already said, and
11 the part you most had to listen to was the
12 buildup to how we define those measures.

13 And then comes the simple math, which is
14 aggregation within the category and then
15 subtracting basically utilization from estimated
16 capacity.

17 In none of the categories, which, again,
18 were construction, professional services, other
19 services and, I left out procurement I think,
20 across those four categories we found disparity
21 in none of them for either MBEs or WBEs. That's
22 consistent with the two previous disparity
23 studies for casinos and racinos, and pretty much
24 inconsistent with any other disparity study ever
25 done. Almost every other disparity study in the

1 history of the United States has found disparity.

2 I think one reason for that is that local
3 governments and governments have to do sealed bid
4 processes, and the casinos and racinos have more
5 flexibility in who they contract with.

6 So there was no disparity, but as you see
7 this graph, it's what makes us want to pay
8 attention. Since the last disparity study, MBE
9 and WBE spending in the aggregate as a share of
10 overall spending has been trending downwards, and
11 if that trend continues, we may get to the point
12 where a future study does find disparity.

13 In particular, the two -- the two sectors
14 where we've seen the most downward trending are
15 professional services and other services. And in
16 both cases, both capacity and utilization shrunk.
17 There can be a lot of reasons for both of those,
18 for that diminished spending and diminished
19 capacity. Only a couple of them are really
20 within our control. So increased competition is
21 a function not just of what Indiana does, but
22 what Kentucky, Ohio and Michigan do, and that
23 adds additional pressure to the casinos and
24 racinos.

25 It seems that we've heard -- we've heard

1 that there is less local decision-making and more
2 decision-making at corporate headquarters, which
3 takes away a bit of the relationship spending
4 that may have occurred in the past.

5 Economic trends are another factor. We've
6 seen diminished number of firms overall,
7 particularly in construction and professional
8 services, probably because of the last great
9 recession.

10 And then there are the two that you all and
11 the casinos and racinos can affect, which is
12 certification. As we were estimating both
13 capacity and utilization, we looked through the
14 firms and there were a number of firms,
15 particularly WBE firms, that gave us every reason
16 to believe were women or minority owned firms
17 that had not gone through the certification
18 process, which means on the spending side they're
19 not allowed to be counted.

20 And then outreach efforts, the number of
21 vendors who said they were ready, willing and
22 able by the riverboats -- by the casinos and the
23 racinos. The list of ready, willing and able
24 vendors that had not done business with the
25 casinos and racinos over the past four years was

1 actually smaller than it was in the previous
2 study.

3 So that's kind of the report, I hope in a
4 relatively brief and insightful fashion, and I
5 apologize for all my confusion about how to refer
6 to the facilities.

7 CHAIRMAN JOHNSTON: Thank you very much.
8 Any questions for Drew?

9 Regarding the capacity, the industry
10 capacity, it sounds like you rely on the
11 robustness of your outreach efforts. Is that a
12 fair statement? Or is there some other
13 independent or resources that you use to
14 determine the industry capacity?

15 MR. KLACIK: So everything's a fair
16 statement. But it's really one of three pieces.
17 So we first rely on the robustness of the data
18 the Gaming Commission collects, which is not just
19 those boats that have done business, but also
20 boats that have expressed -- not boats, dang --
21 casinos and racinos that have expressed interest
22 in doing business with -- or MBE and WBE firms
23 that have expressed interest in doing business
24 with casinos and racinos. That's kind of group
25 one.

1 Group two are firms that are on certified
2 vendor lists in the communities where the casinos
3 and racinos are located.

4 And then effort three is that outreach
5 effort, and that's the effort to try to get
6 everyone who has yet to appear on one of the
7 previous lists.

8 CHAIRMAN JOHNSTON: Now, the same theme as
9 capacity, how do you determine individual firm
10 capacity? And I know you're looking at this over
11 many years, but let's say an operator has a big
12 construction project, but because of the economic
13 situation, the potential firms to do work may not
14 at that particular time have capacity to actually
15 bid on it or deliver that product or supply or --
16 or that -- those construction services. I don't
17 know, I'm curious as to can you model that over a
18 period of time or not?

19 MR. KLACIK: So the first bit of good news
20 is that it's over a five-year period and so that
21 kind of, in a sense, each individual firm having
22 capacity at a moment will ebb and flow.

23 The second is that the definition is ready,
24 willing and able, not just able, and so if you've
25 said that at some time during those five years

1 you have -- you're ready, willing and have
2 capacity, you're -- you're allowed to be in
3 the -- in the pool of capacity, so it is modeled
4 and it's over a five-year period, which as you
5 know further reduces risk.

6 CHAIRMAN JOHNSTON: Yes. Anybody else want
7 to geek out with me and Mr. Klacik? No other
8 questions?

9 Okay. Thank you.

10 MR. KLACIK: Thank you very much.

11 CHAIRMAN JOHNSTON: Jenny, do you want to
12 discuss the resolution we have before us or any
13 other -- the Commission's role and your efforts,
14 you've had the pleasure of working with the firms
15 doing the disparity study over the years.

16 MS. RESKE: Thank you, Mr. Chair. Good
17 afternoon, Commissioners.

18 Yes, I'd like to thank Mr. Klacik for
19 continuing to work with us. His confusion about
20 how to reference the gaming facilities is
21 justified because he's been doing work for us for
22 over two decades. He was part of the group that
23 actually did the initial analysis of the
24 riverboat applicants, so since then he's become
25 an expert, a nationally recognized expert

1 actually in statistical analysis, and we're very
2 honored that he agreed to continue to work with
3 us and to complete our third study.

4 In addition to Mr. Klacik's work, we also
5 obtained an independent legal analysis by Howard
6 Stevenson. He's managing partner with the
7 Stevenson Legal Group. The opinion found that
8 the study conforms with statute and case law.
9 And that's also been provided to you for your
10 review.

11 Because the study found no disparity, we are
12 not in a position to establish goals at this
13 time. Your adoption of the study, however,
14 establishes capacity numbers that the industry is
15 going to use in determining spending practices.
16 Spending with women and minority owned businesses
17 is going to be monitored annually by Commission
18 staff, and if we find that the industry has
19 failed to spend at capacity, we'll conduct a
20 review, and the Commission could be in the
21 position of establishing goals at a later date.

22 And if there are no other questions at this
23 time, staff requests your favorable consideration
24 of Order 2017-219.

25 CHAIRMAN JOHNSTON: Order 219 is adopting

1 the findings of the Public Policy Institute that
2 Mr. Klacik and Jenny just reviewed with us. Are
3 there any questions?

4 Seeing none, what's the pleasure of the
5 Commission on Resolution 219?

6 COMMISSIONER SVETANOFF: Motion to adopt.

7 CHAIRMAN JOHNSTON: There's a motion. Is
8 there a second?

9 COMMISSIONER SAXON: Second.

10 CHAIRMAN JOHNSTON: Motion and a second.

11 All those in favor, say aye.

12 (Chorus of ayes.)

13 Opposed.

14 Order 219 is adopted.

15 I believe that conducts -- or concludes our
16 agenda for today. We're putting together our
17 2018 meeting schedule, and so we're looking --
18 the next one will be in the month of March, but
19 we're -- we'll publish that set date once it's
20 established.

21 Seeing no other business to come before us,
22 I will adjourn the meeting. Thank you very much.

23 (At 2:56 p.m., November 16, 2017, this
24 meeting of the Indiana Gaming Commission was
25 adjourned.)

1 STATE OF INDIANA)
2 COUNTY OF MARION) SS:

3
4 I, Dianne D. Lockhart, a Notary Public and
5 Stenographic Reporter within and for the County of
6 Marion, State of Indiana at large, do hereby certify
7 that the Indiana Gaming Commission Business Meeting
8 held on November 16, 2017, commencing at 2:00 p.m. at
9 the Indiana State Library, Historical Reference Room,
10 315 West Ohio Street, Indianapolis, Indiana, was
11 taken down in stenograph notes and afterwards reduced
12 to typewriting under my direction, and that the
13 typewritten transcript is a true record of the
14 proceedings had.

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 and affixed my notarial seal this 4th day of
17 December, 2017.

Dianne D. Lockhart

NOTARY PUBLIC

21 My Commission Expires:
22 June 4, 2023

23 County of Residence:
24 Marion County

25