

INDIANA GAMING COMMISSION
BUSINESS MEETING
MAY 30, 2019

The Indiana Gaming Commission Business Meeting was stenographically taken down by me, Dianne Lockhart, CRR, RMR, a Notary Public in and for the County of Marion, State of Indiana, held at the Indiana State Library, Historical Reference Room B, 315 West Ohio Street, Indianapolis, Indiana, commencing at the hour of 1:00 p.m., May 30, 2019. The following transcript is a true and accurate transcript of the proceedings held.

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A P P E A R A N C E S

ON BEHALF OF THE GAMING COMMISSION:

Michael McMains, Chairman

Marc D. Fine, Commissioner

Joseph Svetanoff, Commissioner

Mike Herndon, Commissioner

Jane Saxon, Commissioner

Richard McClain, Commissioner

Sara Gonso Tait, Executive Director

Jennifer Reske, Deputy Director

Greg Small, General Counsel

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1 CHAIRMAN McMAINS: Good afternoon, everyone.
2 And welcome to the May 30, 2019, meeting of the
3 Indiana Gaming Commission. My name is Mike
4 McMains. This is Executive Director Sara Tait,
5 and she's going to call the roll of the
6 Commission members.

7 EXECUTIVE DIRECTOR TAIT: Chairman McMains.

8 CHAIRMAN McMAINS: Here.

9 EXECUTIVE DIRECTOR TAIT: Vice Chairman
10 Fine.

11 COMMISSIONER FINE: Here.

12 EXECUTIVE DIRECTOR TAIT: Secretary
13 Svetanoff.

14 COMMISSIONER SVETANOFF: Present.

15 EXECUTIVE DIRECTOR TAIT: Commissioner
16 Herndon.

17 COMMISSIONER HERNDON: Here.

18 EXECUTIVE DIRECTOR TAIT: Commissioner
19 Saxon.

20 COMMISSIONER SAXON: Here.

21 EXECUTIVE DIRECTOR TAIT: Commissioner
22 McClain.

23 COMMISSIONER McCLAIN: Here.

24 CHAIRMAN McMAINS: Please let the record
25 reflect that a quorum of the Commission is

1 present.

2 And the first item of business is to review
3 and approve the minutes of the last meeting of
4 the Commission.

5 Commissioners, have you all had a chance to
6 review those minutes of the March 8th meeting?

7 COMMISSIONER SVETANOFF: Yes.

8 COMMISSIONER FINE: Move for approval.

9 COMMISSIONER SVETANOFF: Second.

10 CHAIRMAN McMains: It's been properly moved
11 and seconded that the Indiana Gaming Commission
12 minutes as written for the March 8, 2019, meeting
13 be approved.

14 Any further discussion on the motion?

15 Hearing none, all in favor of the motion,
16 please signify by saying aye.

17 (Chorus of ayes.)

18 Opposed.

19 The motion passes unanimously.

20 Thank you.

21 Mrs. Tait.

22 EXECUTIVE DIRECTOR TAIT: Good afternoon,
23 everyone, and thank you, Mr. Chair.

24 Our investigations division has completed
25 three-year reinvestigations of six supplier

1 licensees: Aristocrat, Ainsworth Game
2 Technology, Konami Gaming, Halifax Security,
3 Zuvid and Incredible Technologies. We also
4 completed our initial investigation into Masque
5 Publishing.

6 All of these reports are included in your
7 confidential materials, and Directors Leek and
8 Brown are present if you have any questions.

9 Since the last business meeting, IGC staff
10 has added 12 individuals to the Statewide
11 Exclusion List. We have also granted three
12 waivers to casino operators.

13 Additional information is included in your
14 materials and will also be posted on our website.

15 I'm going to wait and provide a staff update
16 as we work our way through the agenda.

17 But speaking of staff, I'd like to
18 acknowledge all of the hard work that many of us
19 are putting in as a result of the legislative
20 mandates effective on the Gaming Commission
21 July 1st. We have been, and will continue to be,
22 very busy and we're all hands on deck and I'm
23 proud of our efforts and hope that nobody had big
24 plans this summer. So that's all for now, unless
25 there are any questions.

1 CHAIRMAN McMAINS: Thank you. Any
2 questions, Commissioners?

3 Thank you, Sara.

4 EXECUTIVE DIRECTOR TAIT: Yeah.

5 CHAIRMAN McMAINS: At this time I'd like to
6 administer the oath for everybody who may speak
7 before the Commission today. If you may be a
8 speaker, would you please stand and raise your
9 right hand and recite this oath after me: I
10 solemnly swear that I will tell the truth,
11 nothing but the truth, subject to the penalties
12 of perjury, so help me God.

13 Thank you. Please remain standing and I'd
14 like to go around the room and have each of you
15 recite your name for the record.

16 Sir.

17 MR. BROWN: Garth Brown.

18 MR. MULLEN: Dennis Mullen.

19 MR. MOLOY: Dustin Moloy.

20 MS. SERVIES: Alyssa Servies.

21 MS. HANNAH: Caitlin Hannah.

22 MS. MARTIN: Sara Martin.

23 MS. BUNTON: Angie Bunton.

24 MS. O'NEIL: Kate O'Neil.

25 MS. WOOD: Shelby Wood.

1 CHAIRMAN McMAINS: Did I get everybody?
2 Thank you. You may be seated.

3 Commissioners, any old business to come
4 before our meeting today? Hearing none.

5 Items of new business. Ms. Tait.

6 EXECUTIVE DIRECTOR TAIT: Right. So we will
7 go ahead and start with patron matters and the
8 Voluntary Exclusion Plan, so first up will be
9 Caitlin Hannah.

10 MS. HANNAH: Good afternoon, Commissioners
11 and Executive Staff.

12 You have before you 14 orders regarding the
13 Voluntary Exclusion Program. Pursuant to the
14 rules of the program, the identities of the VEP
15 participants must remain confidential. Pursuant
16 to 68 IAC 6-3-1(g), a participant in the program
17 agrees that if he or she violates the terms of
18 the program and enters the gaming area of a
19 facility under the jurisdiction of the
20 Commission, they will forfeit any jackpot or
21 thing of value won as a result of the wager.

22 Under Orders 2019-59 through 2019-72, a
23 total sum of \$18,273.11 was forfeited by John
24 Does 20 through 33. These winnings were
25 collected at Blue Chip, French Lick, Harrah's

1 Hoosier Park, Horseshoe Hammond, Horseshoe
2 Southern, Indiana Grand, Rising Star and
3 Tropicana. These winnings were held as required
4 by Commission regulations.

5 Mr. Chair, this concludes my presentation.

6 CHAIRMAN McMAINS: Thank you, Caitlin. Any
7 questions for Caitlin?

8 Commissioners, what's your pleasure?

9 COMMISSIONER FINE: Move for approval of
10 Orders 2019-59 through 2019-72.

11 COMMISSIONER HERNDON: Second.

12 CHAIRMAN McMAINS: It's been properly moved
13 and seconded to approve Orders 2019-59 through
14 2019-72.

15 Any further discussion on the motion?

16 Hearing none, all in favor of the motion,
17 please signify by saying aye.

18 (Chorus of ayes.)

19 Opposed.

20 The motion passes unanimously.

21 MS. HANNAH: Thank you.

22 EXECUTIVE DIRECTOR TAIT: Now moving on, Aly
23 Servies.

24 MS. SERVIES: I won't be up here for as long
25 as I was last time.

1 CHAIRMAN McMAINS: Are you sure?

2 MS. SERVIES: I'm very sure.

3 EXECUTIVE DIRECTOR TAIT: The boys are back.

4 MS. SERVIES: The boys are back in town.

5 Commissioners, you have before you Orders
6 2019-73, 2019-74 and 2019-75 concerning the
7 petitions for removal from the Exclusion List of
8 Zachary Rieselman, Mable Kayler and Vera Colbert.

9 Each individual was placed on the
10 Commission's Statewide Exclusion List, which
11 barred them entrance to any casino or gambling
12 gaming facility located in Indiana. Detailed
13 information regarding each individual's outcomes
14 is contained in confidential materials provided
15 to the Commission.

16 As a staff attorney, I was appointed to
17 review all three individual petitions and
18 conducted hearings. All three individuals
19 apologized for their action and showed sincere
20 remorse for what happened. None of the
21 individuals have had any criminal or game-related
22 issues occur since their exclusion.

23 Based on the totality of the factors, I
24 concluded that each individual met the required
25 standard of clear and convincing evidence as

1 reflected in the findings of fact and
2 recommendations provided to the Commission.

3 Approving Orders 2019-73, 2019-74 and
4 2019-75 would adopt my findings of fact and
5 recommendations, therefore approving all three
6 petitions for removal from the Exclusion List.

7 I will answer any questions at this time.

8 CHAIRMAN McMAINS: Thank you. Any
9 questions, Commissioners?

10 Hearing none, what is your pleasure?

11 COMMISSIONER FINE: Move for approval of
12 Order 2019-73, 2019-74 and 2019-75.

13 COMMISSIONER SVETANOFF: Second.

14 CHAIRMAN McMAINS: It's been properly moved
15 and seconded to approve proposed Orders 2019-73
16 through 2019-75.

17 Any further discussion on the motion?

18 Hearing none, all in favor of the motion,
19 please signify by saying aye.

20 (Chorus of ayes.)

21 Opposed.

22 The motion passes unanimously.

23 Thank you.

24 EXECUTIVE DIRECTOR TAIT: You may continue.

25 MS. SERVIES: Thanks.

1 Commissioners, you have before you Order
2 2019-76 concerning a settlement agreement between
3 the Commission and Doris Webster.

4 On December 7, 2018, Ms. Webster was placed
5 on the Commission's Statewide Exclusion List,
6 which barred her entrance to any casino or
7 gambling game facility located in Indiana.

8 On December 26, 2018, the Commission
9 received Ms. Webster's request for a hearing
10 regarding her placement on the Exclusion List.
11 On February 21, 2019, a prehearing conference was
12 held wherein the administrative law judge
13 assigned to the matter gave the parties time to
14 conduct settlement discussions. Therefore,
15 pursuant to its authority under Indiana
16 Administrative Code Title 68, Section 7-1-15,
17 Commission staff entered into settlement
18 discussions with Ms. Webster.

19 On May 28, 2019, Ms. Webster and the
20 Commission agreed to settlement terms. The
21 settlement affirms Ms. Webster's placement on the
22 Exclusion List, but allows her to be removed from
23 the Exclusion List 12 months from the date of the
24 incident that led to her placement.

25 Approving Order 2019-76 would have the

1 effect of ratifying the terms of the settlement
2 agreement between Commission staff and
3 Ms. Webster.

4 I will be happy to answer any questions at
5 this time.

6 CHAIRMAN McMAINS: Thank you. Any
7 questions, Commissioners?

8 COMMISSIONER FINE: Move for approval of
9 2019-76.

10 COMMISSIONER SVETANOFF: Second.

11 CHAIRMAN McMAINS: Thank you. It's been
12 properly moved and seconded to approve proposed
13 Order 2019-76.

14 Any further discussion on the motion?

15 Hearing none, all in favor of the motion,
16 please signify by saying aye.

17 (Chorus of ayes.)

18 Opposed.

19 The motion passes unanimously.

20 Thank you.

21 EXECUTIVE DIRECTOR TAIT: Moving on to
22 matters with suppliers, we'll start with Dustin
23 Moley.

24 MR. MOLOY: Good afternoon, Commissioners.
25 You have before you Order 2019-77. Pursuant to

1 Indiana Code Section 4-33-7-8 and 68 IAC
2 Section 2-2-8, a supplier's license must be
3 renewed each year along with payment of \$7,500 as
4 a renewal fee.

5 Each of the following licensees has
6 submitted a timely request for renewal, along
7 with the required payment: Konami Gaming, Inc.;
8 Everi Payments, Inc.; Ainsworth Game Technology;
9 United States Playing Card Company; Novomatic
10 America's Sales, LLC; NRT Technology Corp.; and
11 VICI Properties, Inc.

12 Approving Order 2019-77 would have the
13 effect of renewing the license of each of the
14 respective licensees for a period of one year.

15 Thank you.

16 CHAIRMAN McMAINS: Thank you, Dustin.

17 Any questions for Dustin, Commissioners?

18 Hearing none.

19 COMMISSIONER SVETANOFF: Motion to approve
20 Order 2019-77.

21 COMMISSIONER SAXON: Second.

22 COMMISSIONER HERNDON: Second.

23 CHAIRMAN McMAINS: It's been properly moved
24 and seconded to approve proposed Order 2019-77.

25 Any further discussion on the motion?

1 Hearing none, all in favor of the motion,
2 please signify by saying aye.

3 (Chorus of ayes.)

4 Opposed.

5 The motion passes unanimously.

6 Thank you, Dustin.

7 EXECUTIVE DIRECTOR TAIT: And for permanent
8 licensure, Garth Brown.

9 MR. BROWN: Good afternoon, Commissioners
10 and Executive Staff. This is kind of hot.

11 You have before you Order 2019-78 regarding
12 the permanent licensure of supplier applicant
13 Masque Publishing, Inc.

14 On or about September 20, 2018, Masque
15 Publishing submitted a supplier's license
16 application to the Indiana Gaming Commission.
17 Masque supplies a variety of games, software and
18 equipment to casinos across the country.

19 After review of the submitted applications,
20 Commission staff issued a temporary license to
21 Masque on September 21, 2018. The temporary
22 license allowed Masque to begin selling products
23 in Indiana.

24 Commission staff conducted a background and
25 financial investigation on Masque and its

1 substantial owners and key persons. Commission
2 staff could find no derogatory information that
3 would affect the applicant's suitability.

4 Staff's final report regarding Masque is
5 available for your review. You'll need to grant
6 or deny Masque's application for a permanent
7 supplier's license.

8 Thank you.

9 CHAIRMAN McMAINS: Thank you.

10 Any questions for Garth?

11 What's your pleasure, Commissioners?

12 COMMISSIONER FINE: Move for approval of
13 2019-78.

14 COMMISSIONER SVETANOFF: Second.

15 COMMISSIONER HERNDON: Second.

16 CHAIRMAN McMAINS: It's been properly moved
17 and seconded to approve Order 2019-78.

18 Any further discussion on the motion?

19 Hearing none, all in favor of the motion,
20 please signify by saying aye.

21 (Chorus of ayes.)

22 All opposed.

23 The motion passes unanimously.

24 MR. BROWN: Thank you.

25 CHAIRMAN McMAINS: Thank you, Garth.

1 EXECUTIVE DIRECTOR TAIT: All right. Moving
2 on to Supplier Disciplinary Actions, Caitlin
3 Hannah.

4 MS. HANNAH: Good afternoon, Commissioners
5 and Executive Staff.

6 You have before you seven settlement
7 agreements concerning disciplinary actions
8 against licensed suppliers.

9 Order 2019-79 is a settlement agreement with
10 American Gaming Solutions -- or Systems wherein
11 the supplier placed an electronic gaming device
12 on the casino floor at Horseshoe Hammond,
13 Horseshoe South and Hoosier Park despite not
14 being the manufacturer of the product. The
15 manufacturer of the product does not hold a
16 supplier's license in Indiana.

17 American Gaming Systems agreed to a monetary
18 settlement of \$10,000 in lieu of disciplinary
19 action.

20 Order 2019-80 is a settlement agreement with
21 Aristocrat Technologies that includes two counts
22 wherein the supplier violated the rules of
23 shipping electronic gaming device software and
24 allowed a technician to perform work on an
25 electronic gaming device at a casino prior to

1 being approved for an occupational license.

2 Aristocrat Technologies agreed to a monetary
3 settlement of \$3,000 in lieu of disciplinary
4 action.

5 Order 2019-81, 2019-84 and 2019-85 are
6 settlement agreements with Bally Gaming, IGT and
7 Incredible Technologies wherein the suppliers
8 violated the rules of shipping electronic gaming
9 device hardware and software.

10 Each supplier agreed to a monetary
11 settlement of \$1,000 for Bally Gaming, \$3,000 for
12 IGT, and \$1,500 for Incredible Technologies in
13 lieu of disciplinary action.

14 Order 2019-82 is a settlement agreement with
15 Genesis Gaming Solutions that includes two counts
16 wherein the supplier failed to renew an
17 occupational license and failed to submit job
18 descriptions in a timely manner.

19 Genesis Gaming Solutions agreed to a
20 monetary settlement of \$2,000 in lieu of
21 disciplinary action.

22 Order 2019-86 is a settlement agreement with
23 The United States Playing Card Company wherein
24 the supplier violated the rules of shipping cards
25 and dice.

1 The United States Playing Card Company
2 agreed to a monetary settlement of \$1,500 in lieu
3 of disciplinary action.

4 Mr. Chair, this concludes my presentation.

5 CHAIRMAN McMANS: Thank you, Caitlin.

6 Commissioners, any questions for Caitlin?

7 COMMISSIONER FINE: Move for approval of
8 Orders 2019-79 through 2019-82 and Orders 2018-84
9 through 2019 --

10 CHAIRMAN McMANS: 86.

11 COMMISSIONER FINE: 86. Thank you.

12 COMMISSIONER SVETANOFF: Second.

13 CHAIRMAN McMANS: There's been a motion to
14 approve the orders described by Commissioner --

15 COMMISSIONER FINE: Let me ask one question.
16 So these are -- is that a typo? It says 2018.
17 Does that really mean 2019?

18 COMMISSIONER SVETANOFF: Scrivener's error.

19 CHAIRMAN McMANS: I believe so.

20 COMMISSIONER FINE: Okay, so they all start
21 with 2019?

22 EXECUTIVE DIRECTOR TAIT: Yes.

23 CHAIRMAN McMANS: So let me recite the
24 motion again for the Commission. There's a
25 motion to approve proposed Orders 2019-79, 80,

1 81, 82, 84, 85 and 86; correct?

2 COMMISSIONER SVETANOFF: And then noting 83
3 was withdrawn.

4 EXECUTIVE DIRECTOR TAIT: Yes.

5 COMMISSIONER SVETANOFF: And I'll second
6 that.

7 CHAIRMAN McMAINS: Any further discussion on
8 the motion, Commissioners?

9 Hearing none, all in favor of the motion,
10 please signify by saying aye.

11 (Chorus of ayes.)

12 Opposed.

13 The motion passes unanimously.

14 MS. HANNAH: Thank you.

15 EXECUTIVE DIRECTOR TAIT: And now to matters
16 regarding occupational licensees. Aly.

17 MS. SERVIES: Commissioners, you have before
18 you Orders 2019-87 through 2019-92 concerning
19 settlement agreements between Commission staff
20 and occupational licensees. Each of these
21 licensees failed to comply with Indiana
22 Administrative Code Title 68 Section 2-3-9. In
23 lieu of disciplinary action, Commission staff
24 offered each of these licensees a settlement
25 agreement that would have them agree to an unpaid

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

6 Detailed information regarding each
7 applicant's investigation is contained in
8 confidential materials provided to the
9 Commission.

10 Approval of Orders 2019-87 through 2019-92
11 would have the effect of approving the settlement
12 agreements entered into by the parties.

13 I'll be happy to answer any questions at
14 this time.

15 CHAIRMAN McMAINS: Thank you, ma'am.

16 Any questions, Commissioners?

17 COMMISSIONER SVETANOFF: Motion to approve
18 Orders 2019-87 through Orders 2019-92.

19 CHAIRMAN McMAINS: Is there a second?

20 COMMISSIONER HERNDON: Second.

21 CHAIRMAN McMAINS: Thank you. It's been
22 properly moved and seconded to approve proposed
23 Orders 2019-87 through 2019-92.

24 Any further discussion on the motions?

25 Hearing none, all in favor of the motion,

1 please signify by saying aye.

2 (Chorus of ayes.)

3 Opposed.

4 The motion passes unanimously.

5 Thank you.

6 EXECUTIVE DIRECTOR TAIT: Go ahead,
7 continue.

8 MS. SERVIES: Commissioners, you have before
9 you Order 2019-93, which denies an application
10 for an occupational licensee to work in Indiana
11 casinos.

12 Pursuant to Indiana Code Section 4-33-8-3,
13 an occupational license may not be issued to an
14 individual unless he or she has met the standards
15 adopted by the Commission for holding an
16 occupational license.

17 An applicant for a Level 2 or Level 3
18 occupational license must include the applicant's
19 criminal history in his or her application. Any
20 misrepresentation or omission made with respect
21 to the application may be grounds for denial of
22 the application pursuant to Indiana
23 Administrative Code Title 68 Section 2-3-4(b)(2).

24 As part of the routine background
25 investigation into each applicant, Commission

1 staff discovered that the applicant represented
2 in Order 2019-93 failed to meet the established
3 standards for licensure.

4 The applicant was given an opportunity to
5 withdraw the application from consideration for
6 permanent licensure.

7 Detailed information regarding the
8 applicant's investigation is contained in
9 confidential materials provided to the
10 Commission.

11 Approval of Order 2019-93 would have the
12 effect of denying an occupational license to work
13 in Indiana casinos.

14 I'll be happy to answer any questions at
15 this time.

16 CHAIRMAN McMAINS: Thank you.

17 Commissioners?

18 COMMISSIONER FINE: Move for approval of
19 2019-93.

20 COMMISSIONER SVETANOFF: Second.

21 CHAIRMAN McMAINS: It's been properly moved
22 and seconded to approve motion -- proposed Order
23 2019-93.

24 Any further discussion on the motion?

25 Hearing none, all in favor of the motion,

1 please signify by saying aye.

2 (Chorus of ayes.)

3 Opposed.

4 The motion passes unanimously.

5 Thank you.

6 MS. SERVIES: Thank you.

7 EXECUTIVE DIRECTOR TAIT: All right. Now
8 paid fantasy sports license renewals. Dustin.

9 MR. MOLOY: Commissioners, you have before
10 you Order 2019-94 regarding the renewal of the
11 paid fantasy sports game operator's license for
12 DraftKings Inc., Order 2019-95 regarding the
13 renewal of the paid fantasy sports game
14 operator's license for FanDuel, Inc., and Order
15 2019-96 regarding the renewal of the paid fantasy
16 sports game operator's license for FantasyDraft,
17 LLC.

18 Each of the licensees have filed the proper
19 paperwork and paid the respective renewal fees.

20 Approving Orders 2019-94 through 96 would
21 have the effect of renewing the respective
22 licensees' paid fantasy sports game operator's
23 license for a period of one year.

24 Thank you.

25 CHAIRMAN McMANS: Sorry.

1 Commissioners, do you have any questions for
2 Dustin regarding the proposed motions?

3 COMMISSIONER FINE: Move for approval of
4 Order 2019-94, 2019-95 and 2019-96.

5 COMMISSIONER SVETANOFF: Second.

6 COMMISSIONER HERNDON: Second.

7 CHAIRMAN McMAINS: It's been properly moved
8 and seconded to approve proposed Orders 2019-94
9 through 96.

10 Is there any further discussion on the
11 motions, Commissioners?

12 All in favor of the motion, please signify
13 by saying aye.

14 (Chorus of ayes.)

15 All opposed.

16 The motion passes unanimously.

17 EXECUTIVE DIRECTOR TAIT: Moving on to
18 casino matters. Go ahead, Dustin.

19 MR. MOLOY: Commissioners, you have before
20 you Order 2019-97 regarding the renewal of the
21 casino owner's license for the Majestic Star
22 Casino, LLC, and the Majestic Star Casino II, LLC
23 (collectively Majestic Star), and Order 2019-98
24 regarding the renewal of the casino owner's
25 license for Horseshoe Hammond, LCC.

1 The casino licensees have each filed the
2 proper paperwork and paid their respective
3 renewal fees. Majestic Star's license is set to
4 expire on June 2, 2019, and Horseshoe Hammond's
5 license is set to expire on June 19, 2019.

6 Additionally, through Order 2019-58, the
7 Commission approved the transfer of ownership
8 interest for Majestic Star to Spectacle
9 Entertainment, LLC, conditioned on Spectacle
10 first identifying an updated trustee-in-waiting.
11 In its submission, Spectacle indicated in writing
12 that it desired to have John J. Thar take over as
13 trustee-in-waiting, which was then approved by
14 Executive Director Tait. In its most recent
15 renewal request, Majestic Star indicated in
16 writing its desire to maintain Mr. Thar as its
17 trustee-in-waiting.

18 In Horseshoe Hammond's most recent license
19 renewal request, it indicated in writing its
20 desire to change its trustee-in-waiting from
21 Thomas A. Thanas to Michael W. Hansen.

22 All casinos must request renewal of the
23 Commission's approval of the written power of
24 attorney concurrently with its request for
25 renewal, or present the Commission with a new

1 written power of attorney naming a new
2 trustee-in-waiting.

3 Approving Order 2019-97 would have the
4 effect of renewing Majestic Star's license for a
5 period of one year and maintaining its current
6 trustee-in-waiting, and approving Order 2019-98
7 would have the effect of renewing Horseshoe
8 Hammond's license for a period of one year and
9 changing its trustee-in-waiting to Mr. Michael W.
10 Hansen.

11 If you have any questions regarding these
12 orders, I'd be happy to answer them.

13 Thank you.

14 CHAIRMAN McMAINS: Thank you.

15 Commissioners, what's your pleasure?

16 COMMISSIONER SVETANOFF: Motion to approve
17 Orders 2019-97 and 2019-98.

18 COMMISSIONER SAXON: Second.

19 CHAIRMAN McMAINS: It's been properly moved
20 and seconded to approve proposed Orders 2019-97
21 and 2019-98.

22 Is there any further discussion on the
23 motions?

24 Hearing none, all in favor of the motion,
25 please signify by saying aye.

1 (Chorus of ayes.)

2 Opposed.

3 The motion carries unanimously.

4 Thank you.

5 MR. MOLOY: Thank you.

6 EXECUTIVE DIRECTOR TAIT: And, Angie, if
7 you'll come up for casino disciplinary actions.

8 MS. BUNTON: Good afternoon, Commissioners
9 and Executive Staff.

10 I have before you -- you have before you
11 twelve settlement agreements concerning
12 disciplinary actions.

13 Order 2019-99 is a settlement agreement with
14 Ameristar East Chicago and includes three counts
15 wherein the casino violated the rules and their
16 internal control procedures on child support
17 arrears delinquency reporting, violated the rules
18 of the soft count process and allowed an underage
19 person on the casino floor.

20 Ameristar agreed to a monetary settlement of
21 \$4,000 in lieu of disciplinary action.

22 Order 2019-100 is a settlement agreement
23 with Belterra Casino and includes four counts
24 wherein the casino failed to timely notify the
25 Commission of a termination, violated the rules

1 on playing cards, violated the rules and their
2 internal control procedures on the issuance of
3 fills at a live gaming device and violated the
4 rules for manually paid jackpots which created a
5 variance in the poker cage.

6 Belterra agreed to a monetary settlement of
7 \$7,000 in lieu of disciplinary action.

8 Order 2019-101 is a settlement agreement
9 with Blue Chip Casino and includes five counts
10 wherein the casino failed to timely notify the
11 Commission of a termination, violated the rules
12 and their internal control procedures on child
13 support arrears delinquency reporting, violated
14 their internal control procedures on the
15 redemption of TITO tickets, failed to notify
16 surveillance of a table credit and failed to
17 properly secure playing cards.

18 Blue Chip agreed to a monetary settlement of
19 \$5,000 in lieu of disciplinary action.

20 Order 2019-102 is a settlement agreement
21 with French Lick Resort Casino and includes three
22 counts. In count one, the casino failed to count
23 down playing cards on four separate occasions,
24 violated the rules of live gaming device
25 inventory, violated the rules on the inspection

1 of the roulette wheel, violated the rules on the
2 use of non-value roulette chips, failed to notify
3 surveillance of an issuance of a marker, failed
4 to properly secure playing cards, and violated
5 the rules and internal controls procedures by
6 improperly canceling cards.

7 In count two, the casino failed to notify
8 the Commission in a timely manner of improper
9 wagers being placed at a craps table.

10 In count three, the casino violated the
11 rules for electronic gaming devices by installing
12 an improper reel strip, violated their internal
13 control procedures for the issuance of a TITO
14 ticket and violated the rules of the progressive
15 controller entry authorization log.

16 French Lick agreed to a monetary settlement
17 of \$18,500 in lieu of disciplinary action.

18 Order 2019-103 is a settlement agreement
19 with Hollywood Casino and includes two counts
20 wherein the casino violated the rules for chip
21 storage and violated the rules on playing cards.

22 Hollywood agreed to a monetary settlement of
23 \$3,000 in lieu of disciplinary action.

24 Order 2019-104 is a settlement agreement
25 with Harrah's Hoosier Park and includes four

1 counts wherein the casino violated the rules on
2 the Voluntary Exclusion Program, violated the
3 rules and their internal control procedures on
4 the child support arrears delinquency reporting,
5 violated the rules on electronic gaming devices
6 by creating duplicate cards which failed to
7 properly identify and track which individuals
8 were accessing an electronic gaming device and
9 violated the rules and their internal control
10 procedures for manually paid jackpots.

11 Harrah's Hoosier Park agreed to a monetary
12 settlement of \$20,000 -- \$20,500 and to submit a
13 corrective action plan for replacing and
14 developing new cards for the slot system in lieu
15 of disciplinary action.

16 Order 2019-105 is a settlement agreement
17 with Horseshoe Hammond and includes two counts
18 wherein the casino violated the rules and
19 internal control procedures for child support
20 arrears delinquency reporting and violated the
21 rules for the soft count process.

22 Horseshoe agreed to a monetary settlement of
23 \$2,500 in lieu of disciplinary action.

24 Order 2019-106 is a settlement agreement
25 with Horseshoe South and includes four counts

1 wherein the casino violated the rules and
2 internal control procedures for child support
3 arrears delinquency reporting, violated the rules
4 for live gaming device fills, violated the rules
5 of the Voluntary Exclusion Program, and violated
6 the rules and their internal control procedures
7 for the drop and count of live gaming devices.

8 Horseshoe South agreed to a monetary
9 settlement of \$7,500 in lieu of disciplinary
10 action.

11 Order 2019-107 is a settlement agreement
12 with Indiana Grand and includes six counts
13 wherein the casino violated the rules and
14 internal control procedures for child support
15 arrears delinquency reporting, violated the
16 surveillance rules, violated the rules of the
17 Voluntary Exclusion Program, failed to notify the
18 Commission of a termination in a timely manner,
19 failed to notify the Commission of a theft in a
20 timely manner and allowed an underage person on
21 the casino floor.

22 Indiana Grand agreed to a monetary
23 settlement of \$11,000 in lieu of disciplinary
24 action.

25 Order 2019-108 is a settlement agreement

1 with Majestic Star Casino and includes five
2 counts wherein the casino violated the rules on
3 electronic -- sorry, it's a lot -- electronic
4 gaming devices, violated the rules on manually
5 paid jackpots by failing to withhold taxes on a
6 jackpot and failing to properly check the child
7 support arrears delinquency registry and the
8 Voluntary Exclusion Program, violated the rules
9 on the Voluntary Exclusion Program, violated the
10 rules and their internal control procedures on
11 the bill validator drop process and violated the
12 rules on cage variances.

13 Majestic Star agreed to a monetary
14 settlement of \$15,000 and to submit a corrective
15 action plan for verification of even exchanges,
16 cage transaction and paperwork errors in the cage
17 in lieu of disciplinary action.

18 Order 2019-109 is a settlement agreement
19 with Rising Star Casino and includes two counts
20 wherein the casino allowed unauthorized access to
21 the back of the house area of the casino, failed
22 to notify the Commission of cheating and
23 misconduct at a live gaming device in a timely
24 manner and violated the rules and their internal
25 control procedures for manually paid jackpots and

1 the bill validator drop process.

2 Rising Star agreed to a monetary settlement
3 of \$11,000 in lieu of disciplinary action.

4 Order 2019-110 is a settlement agreement
5 with Tropicana Evansville and includes four
6 counts wherein the casino violated the rules for
7 manually paid jackpots, violated the rules and
8 internal control procedures for child support
9 arrears delinquency reporting, allowed an
10 underage person on the casino floor, failed to
11 properly secure playing cards, failed to notify
12 surveillance of a live gaming device fill and
13 violated the rules on live gaming device
14 inventory.

15 Tropicana agreed to a monetary settlement of
16 \$10,000 in lieu of disciplinary action.

17 Mr. Chair, this concludes my presentation.

18 CHAIRMAN McMANS: Well done. Thank you
19 very much.

20 MS. BUNTON: Thank you.

21 CHAIRMAN McMANS: Commissioners, any
22 questions for Angela?

23 Hearing none.

24 COMMISSIONER SVETANOFF: Motion to approve
25 Orders 2019-99 through Orders 2019-110.

1 COMMISSIONER SAXON: Second.

2 CHAIRMAN McMAINS: It's been properly moved
3 and seconded to approve proposed Orders 2019-99
4 through 2019-110.

5 Any further discussion on the motion?

6 Hearing none, all in favor of the motion,
7 please signify by saying aye.

8 (Chorus of ayes.)

9 Opposed.

10 The motion passes unanimously.

11 Thank you.

12 MS. BUNTON: Thank you.

13 EXECUTIVE DIRECTOR TAIT: All right. And
14 casino financings, Dennis.

15 MR. MULLEN: Thank you. Good afternoon,
16 Commissioners and Executive Staff.

17 You have before you Orders 2019-111 and 112
18 which concern a request for approval of a
19 proposed financial transaction.

20 Order 111 concerns a request submitted by
21 Full House Resorts, which operates Rising Star
22 Casino, and Order 112 concerns a request
23 submitted by Caesars Entertainment Corporation,
24 which is the parent company of the entities that
25 operate Hoosier Park, Indiana Grand, Horseshoe

1 Hammond and Horseshoe Southern Casinos.

2 Pursuant to Indiana Code Articles 4-33 and
3 4-35 and Title 68 of the Indiana Administrative
4 Code, the Commission reviews certain financial
5 transactions to analyze the financial health of
6 casino licensees and to ensure that a casino
7 owner's license is not leased or hypothecated and
8 that money is not borrowed or loaned against a
9 casino owner's license.

10 Caesars submitted its request on April 9,
11 2019. Full House submitted its request on
12 April 17, 2019. In addition to seeking
13 permission to act on the proposed financial
14 transactions, both entities requested a waiver of
15 68 IAC's so-called two meeting requirement in
16 accordance with the Commission's authority
17 pursuant to -- pursuant to Resolution 2017-109.

18 The confidential details of each proposed
19 financial transaction, as well as Commission
20 staff's analysis were provided to Commissioners.

21 In accordance with the procedures identified
22 in Resolution 2017-109, Caesars received interim
23 approval on May 1, 2019. Full House was granted
24 interim approval on May 3, 2019. The interim
25 approvals issued to both entities contained the

1 following conditions which are also contained in
2 the draft orders before you.

3 The term -- first, the terms articulated in
4 the final financing documentation do not
5 materially differ from the terms that Full House
6 and Caesars has presented in writing for
7 approval.

8 Second, the terms of the final documentation
9 do not violate Indiana Code Article 4-33 or 4-35.

10 Third, Full House and Caesars must provide
11 the Commission with a legal opinion demonstrating
12 compliance with Indiana Code Article 4-33 and
13 4-35.

14 And, finally, Full House must close on its
15 proposed financing before May 30th -- 31st,
16 excuse me, 2019, and I would note that financing
17 has since closed and the required counsel opinion
18 was included in your Commission documents.
19 Meanwhile, Caesars must close on their proposed
20 financial transaction on or before December 31st
21 this year.

22 Resolution 2017-109 requires that the
23 interim approvals be reported to the Commission
24 for consideration and final ratification or other
25 direction.

1 I'll be happy to answer any additional
2 questions you have at this time.

3 Thank you.

4 CHAIRMAN McMAINS: Commissioners, any
5 questions for Dennis?

6 Hearing none, what is your pleasure?

7 COMMISSIONER FINE: Move for approval of
8 Order 2019-111 and Order 2019-112.

9 COMMISSIONER SVETANOFF: Second.

10 CHAIRMAN McMAINS: It's been properly moved
11 and seconded to approve proposed Orders 2019-111
12 and 2019-112.

13 Any further discussion on the motions?

14 Hearing none, all in favor of the motion,
15 please signify by saying aye.

16 (Chorus of ayes.)

17 Opposed.

18 The motion passes unanimously.

19 EXECUTIVE DIRECTOR TAIT: All right.

20 Commissioners, before we move on to the charity
21 gaming resolutions, I just wanted to provide an
22 update. Last legislative session the IGC offered
23 an agency bill to simplify and reorganize the
24 charitable gaming statute. Over time it had been
25 added to and was confusing for our organizations.

1 Our goal with this proposal was to avoid
2 controversial policy issues, remain revenue
3 neutral and allow charities to be more successful
4 in compliance. We removed administrative
5 barriers, and we hope that this new statute
6 allows for more innovative and efficient
7 administration of charitable gaming. We also
8 were able to cut nearly 30 percent of the
9 statute.

10 The proposal, House Enrolled Act 1517,
11 received no testimony in opposition and
12 overwhelmingly passed both chambers.

13 We're excited about these changes and
14 believe it will allow the IGC to carry out the
15 governor's pillar of providing great government
16 service.

17 I'd like to acknowledge the author of our
18 bill, Chairman Ben Smaltz, and thank him for his
19 efforts at shepherding the bill through the
20 process, and also Chairman Alting for his
21 sponsorship in the Senate.

22 After nearly 33 years with the State, Debbie
23 Baumann, who was our supervisor of our charity
24 gaming program coordinators, retired. We wish
25 Debbie the best of luck in her well-deserved

1 retirement.

2 But with the new statute and Debbie's
3 departure, we reevaluated the needs of the
4 division and created a new position, director of
5 operations, so Kim Barnett, if you'll please
6 stand up. Kim has been selected for this
7 executive level position and a very much deserved
8 promotion. So congratulations, Kim.

9 And with the update on House Enrolled Act
10 1517, I'll hand it off to Sara.

11 MS. MARTIN: Good afternoon, Commissioners.
12 Before you today are two resolutions related to
13 charity gaming, Resolution 2019-113 and
14 Resolution 2019-114.

15 I'll start with Resolution 2019-113 which
16 relates to the delegation of authority to the
17 Executive Director related to charity gaming.

18 In 2008 the Commission adopted Resolution
19 2008-109 which conferred upon the Executive
20 Director the right to exercise all powers and
21 duties conferred upon the Commission by Indiana
22 Code 4-32.2, reserving for itself all powers and
23 duties regarding the adoption of administrative
24 rules and the revocations of charity gaming
25 licenses. The Commission found this limitation

1 of assignment to be in the best interest of
2 charity gaming. Resolution 2008-109 was adopted
3 on a continual basis and has been in place since
4 2008.

5 As mentioned previously, during the 2019
6 legislative session via House Enrolled Act 1517,
7 the General Assembly repealed IC 4-32.2, the
8 current charity gaming article, and replaced it
9 with IC 4-32.3, which is a reorganized and
10 revised charity gaming article. IC 4-32.3 goes
11 into effect on July 1, 2019.

12 Due to the vast number of licensees and the
13 nature of charity gaming, Commission staff
14 believes requiring the Commission to meet for
15 purposes of day-to-day administration of charity
16 gaming would be burdensome, inefficient and
17 unresponsive to the needs to charity gaming.
18 Commission staff recommends the Commission
19 continue to act as the final authority with
20 respect to the adoption of administrative rules
21 and the revocation of charity gaming licenses,
22 consistent with Indiana Code 4-22-2 and 4-21.5
23 respectively. This balance of authority has
24 served the Commission's needs with respect to
25 charity gaming since 2008.

1 Resolution 2019-113 confers that same
2 authority upon the Executive Director, but has
3 been updated to reflect the new statutory
4 citation.

5 And under the new statute, Indiana Code
6 4-32.3-3-1 clearly contemplates the transfer of
7 authority from the Commission to the Executive
8 Director, and Commission staff recommends such a
9 transfer as has been authorized since 2008 unless
10 and until the Commission desires to terminate
11 that transfer.

12 And I will move on to Resolution 2019-114,
13 which relates to the adoption of charity gaming
14 emergency rules. As mentioned, during the 2019
15 legislative session, House Enrolled Act 1517 and
16 Senate Enrolled Act 393 were enacted into law,
17 which I will refer to collectively as the charity
18 gaming bills.

19 Senate Enrolled Act 393 allows the
20 Commission to issue annual casino night licenses
21 to certain bona fide civic organizations, and
22 House Enrolled Act 1517 repeals the current
23 charity gaming article and replaces it with the
24 reorganized and updated charity gaming article.

25 And together the charity gaming bills will

1 be codified under Indiana Code 4-32.3 and will
2 become effective July 1, 2019. The
3 administrative rules currently in effect are
4 insufficient to provide adequate oversight of
5 charity gaming as contemplated by the charity
6 gaming bills. To that end, the emergency rules
7 are meant to address existing practices and
8 incorporate recent legislative changes to ensure
9 the status quo is maintained. In addition, there
10 could be a negative fiscal impact to the State in
11 the event the Commission does not have
12 regulations in place at the time that Indiana
13 Code 4-32.3 -- I'm sorry, 4-32.2 is repealed.

14 And, finally, some new -- newly enacted
15 statutory changes contradict portions of the
16 current administrative rule and require updates
17 to the administrative rule to supplement and
18 clarify the statute.

19 Indiana Code 4-32.2-3-3(b) provides, in
20 pertinent part, that the Commission may adopt
21 emergency rules under Indiana Code 4-22-2-37.1 if
22 the Commission determines that, first, the need
23 for a rule is so immediate and substantial that
24 the rulemaking procedures under Indiana Code
25 4-22-2-13 through Indiana Code 4-22-2-36 are

1 inadequate to address the need, and, secondly,
2 that an emergency rule is likely to address that
3 need.

4 Pursuant to Indiana Code 4-32.2-3-3(b)(8),
5 the need for this amendment is immediate and
6 substantial such that rulemaking procedures under
7 Indiana Code 4-22-2-13 through Indiana Code
8 4-22-2-36 are inadequate to address the need and
9 that the emergency rule is likely to address that
10 need.

11 Approval of Resolution 2019-113 would have
12 the effect of limiting the assignment of
13 authority to the Executive Director, specifically
14 reserving for the Commission all powers and
15 duties with respect to the adoption of charity
16 gaming administrative rules and as serving as the
17 final authority in all instances of charity
18 gaming license revocations.

19 Approval of Resolution 2019-114 would have
20 the effect of approving the resolution adopting
21 the emergency rule as well as an additional
22 90-day extension. The emergency rule will become
23 effective upon acceptance by the publisher for
24 filing.

25 At this time I'm happy to take any

1 questions.

2 CHAIRMAN McMAINS: Well done, Sara. Thank
3 you.

4 Questions for Sara?

5 Hearing none, what's your pleasure,
6 Commissioners?

7 COMMISSIONER FINE: Move for approval of
8 Resolution 2019-113 and Resolution 2019-114.

9 COMMISSIONER HERNDON: Second.

10 CHAIRMAN McMAINS: It's been properly moved
11 and seconded to approve proposed Resolutions
12 2019-113 and 2019-114.

13 Any further discussion on the motions?

14 Hearing none, all in favor of the motion,
15 please signify by saying aye.

16 (Chorus of ayes.)

17 Opposed.

18 The motion passes unanimously.

19 Thank you.

20 And, Kim, congratulations.

21 MS. BARNETT: Thank you.

22 EXECUTIVE DIRECTOR TAIT: Okay. Next up,
23 Commissioners, I'd like to invite Dennis Mullen
24 to come and he is going to provide an overview of
25 House Enrolled Act 1015 which was the major

1 gaming legislation that passed this spring, so,
2 Dennis, and then I will interrupt him here and
3 there to provide updates to you all.

4 CHAIRMAN McMAINS: Color commentary.

5 EXECUTIVE DIRECTOR TAIT: Yes, I will
6 provide color commentary.

7 MR. MULLEN: Are we going to put it on the
8 big screen?

9 EXECUTIVE DIRECTOR TAIT: Sure.

10 MR. MULLEN: Give Robert a second.

11 EXECUTIVE DIRECTOR TAIT: And it's loaded on
12 your computers.

13 MR. MULLEN: Thank you, Commissioners and
14 Executive Staff again. And I guess if you didn't
15 know already, the Indiana Gaming Commission was
16 fairly busy this legislative session. In
17 addition to the charity gaming bill that was just
18 described by Executive Director Tait and Sara
19 Martin, there's also this little omnibus gaming
20 bill that went through, House Enrolled Act 1015,
21 so I've been asked today to provide you all a
22 high level overview of that bill. Feel free to
23 stop me at any point, ask questions, I'll do the
24 best I can or defer to executive staff to answer
25 those questions.

1 So this bill was passed into law on May 8,
2 2019. I will specifically discuss today the
3 impact to the existing Gary licenses, the Vigo
4 County casino license that's contemplated by the
5 bill, some other important changes made by 1015,
6 and then will wrap up with an overview of sports
7 wagering which was legalized in this bill with
8 regulatory authority being vested with the
9 Commission.

10 I like the transition. Shout out to Kimi
11 Simpson for helping me on this PowerPoint, as she
12 always does.

13 So currently the Majestic Star Casino in
14 Gary, Indiana, has two gaming licenses which are
15 operated at one casino location. This bill
16 authorizes the owner of the Gary casino licenses
17 to petition the Commission to relocate one of
18 those licenses to a land-based location within
19 the city of Gary.

20 If the Commission approves that move inland,
21 the Gary license holder then must relinquish the
22 other license back to the state. That point is
23 going to be important for part two of our
24 discussion today regarding the Vigo County casino
25 that's contemplated.

1 The casino may be relocated anywhere within
2 the city of Gary, of course, with the
3 Commission's blessing. The request to move
4 inland must be made to the Commission on or
5 before December 31, 2019, this year.

6 The legislature set the required standards
7 to move to a land-based facility which include:
8 A \$20 million payment to the state general fund
9 which can be made in five annual payments. The
10 operator must submit to the Commission consent
11 from the legislative body of the City of Gary.
12 It must also submit a plan to the Commission
13 regarding transferring existing employees to a
14 similar position at the inland casino. And then
15 the bill allows the operator to operate the same
16 number of gambling games that is currently
17 prescribed by statute at both locations.

18 As far as the Commission's responsibility,
19 we have been prescribed the responsibility to
20 first create the form that will be submitted as
21 the request to remove and relocate the casinos
22 inland. Of course, we have to approve the
23 request for an inland move.

24 It prescribes the factors that we are to
25 consider when evaluating the request to relocate,

1 so we're looking at economic benefits, tax
2 revenue projections and then, of course, capital
3 investment in the area.

4 And then, of course, the Commission will
5 have other operational duties that are related to
6 the planning and construction of that inland
7 facility much like we do for other inland move
8 requests that have been made under IC 4-38-6-24
9 in the past.

10 Importantly, the bill contemplates that if
11 the new inland facility becomes operational, the
12 license holder may continue to operate as two
13 licenses for tax purposes, and if the Gary
14 facility is sold within five years of relocation,
15 there is a \$20 million transfer fee that is
16 applied to that sale.

17 In addition, and to wrap up our section on
18 the Gary licenses, there is a hold harmless
19 provision that's included, the very basics of
20 which are if -- the following three factors have
21 to be met: First, the inland casino has to be
22 approved; the revenue then must increase for the
23 Gary casino; and then the qualified cities, any
24 of the qualified cities as defined by the statute
25 and listed on this slide, their revenues must

1 also drop.

2 EXECUTIVE DIRECTOR TAIT: So I'd like to
3 briefly just overview what might be expected of
4 the Commission if we receive a request for
5 Spectacle to relocate to another location in
6 Gary.

7 As Dennis indicated, it's triggered by that
8 request from Spectacle. Staff will receive the
9 request. Then we will determine the appropriate
10 meeting date for the consideration of the full
11 Commission. We will also ensure that consent has
12 been received from the City of Gary.

13 When the Commission is asked to consider the
14 request, it will look very much like the inland
15 casino requests we've had over the last few years
16 and include the statutory requirements and
17 factors that Dennis mentioned.

18 Much of the technical and day-to-day
19 implementation aspects of the plans such as
20 surveillance and building requirements has
21 traditionally been delegated to staff in the
22 past. We'll likely ask you to do the same in
23 this case.

24 Much of the timing will be dictated on the
25 operator. And we will also develop a procedure

1 for formally moving from Buffington Harbor
2 timing-wise to the new location, and also a
3 process for a formal relinquishment of the
4 owner's license.

5 At this point staff has not received a
6 request, and we will certainly update you all if
7 and when we receive one.

8 Happy to take any questions on Gary. And,
9 if not, we can move on to Vigo County.

10 MR. MULLEN: Sure. Questions at this point?

11 CHAIRMAN McMANS: Dennis, you said the
12 total number of gaming devices at the new casino,
13 if it -- if it occurs, would be the -- what both
14 of the present casinos have; is that correct?

15 MR. MULLEN: Correct. Yeah. That is 2,764
16 will be their maximum limits.

17 Anything else I can answer or executive
18 staff can answer at this time?

19 Very good. So we will move on to the Vigo
20 County casino. As I sort of hinted at earlier,
21 off the bat the statutory language related to a
22 potential Vigo County casino is dependent on a
23 Gary license being relinquished back to the
24 state. Should that happen, the license
25 relinquished will be placed in Vigo County.

1 It must be approved by the Vigo County
2 residents via local referendum. The referendum
3 process will be administered by the County
4 Election Board, not the Gaming Commission. We'll
5 have no role in that.

6 However, if the referendum passes, the
7 Commission will then -- shall, in fact, accept
8 applications and proposal from any interested
9 party for that Vigo County license. And to be
10 very clear, that's any interested party. That
11 would include entities other than our current
12 licensed casino operators right now.

13 So just like the Gary license, the
14 legislature sets out sort of the minimum bid
15 requirements, which include a \$100 million
16 minimum investment by the prospective operator,
17 and also a payment of \$5 million to the State of
18 Indiana.

19 The Commission will obviously play a major
20 role in this process, should it occur. We're
21 responsible for, again, creating and then
22 reviewing applications and proposals for this
23 facility. And, again, they provide us the
24 factors that we are to consider in the awarding
25 of this license.

1 Again, economic benefits, the tax revenue,
2 job creation, capital investment, certainly we'll
3 also consider the fact whether or not the
4 applicant has a resolution in support from the
5 Vigo County legislative body.

6 We are also required to approve an LDA
7 between the operator and Vigo County. That LDA
8 is a requirement, and we are required to approve
9 that LDA.

10 Just like the Gary chapter of this -- this
11 bill, there's a hold harmless provision that
12 applies to the City of Evansville in the Vigo
13 County casino, and it contemplates three annual
14 payments that would be made to the City of
15 Evansville once the Vigo County facility becomes
16 operational.

17 Sara, do you have comments?

18 EXECUTIVE DIRECTOR TAIT: Yes, I do. Thank
19 you. So similarly to my Gary talk, as Dennis
20 indicated, the Vigo County casino is only
21 allowable if one of the Gary licenses is
22 relinquished, so it is very premature to opine as
23 to potential timing. However, I do believe,
24 again, it's important to address what may happen
25 and your role and what will be asked of you.

1 Luckily for us, the Gaming Commission, we've
2 done this before, and we've done it well. Staff
3 has already started the process of reviewing old
4 Commission processes and orders concerning the
5 selection and issuance of new casino licenses
6 from 1993 and 1994, and also what we did during
7 the French Lick process.

8 I would anticipate that much of what we will
9 do, if Vigo County proceeds, will be modeled on
10 our previous processes. We will need to create a
11 new application, retain outside experts and
12 assist -- to assist us in evaluating proposals
13 and the market, consider an order for
14 endorsements and evaluations by applicants of
15 the -- of applicants by the local government and
16 more.

17 Again, it's preliminary to begin any of
18 these things, but we will engage in a transparent
19 and open process if this moves forward.

20 Based on reports we've seen in the media, it
21 does appear as though the Vigo County Election
22 Board is proceeding with the referendum in
23 November. As Dennis said, the IGC has no
24 authority or involvement in this process.

25 However, in reviewing guidance from 1993, we

1 do anticipate at our August meeting that staff
2 will present the Commission with an order to
3 address potential donations to fund the
4 referendum.

5 Previously the Commission required
6 applicants to disclose any donations and specific
7 dollar amounts. We believe this was a wise
8 approach and anticipate asking you to consider
9 passing the same requirements. We will also
10 consider whether to broaden this disclosure
11 requirement.

12 As Dennis mentioned, there is the LDA that
13 also is provided for in the statute. This -- the
14 LDA agreements have been a huge asset for other
15 local casino host communities funding such things
16 as special projects, infrastructure and
17 scholarships, so you'll be asked to approve any
18 potential LDA as well.

19 Again, this is all very premature, but in
20 the event that the Vigo County casino is
21 authorized, IGC staff looks forward to working
22 with the county and the City of Terre Haute.
23 We're excited for them. We hope to have a lot of
24 interest in this license and a very competitive
25 process. And, again, we intend it to be as

1 transparent as possible.

2 So we're happy to answer any questions on
3 Vigo County, and we can move on to other aspects.

4 CHAIRMAN McMAINS: Thank you, Sara.

5 Any questions for Sara or for Dennis?

6 What is your --

7 MR. MULLEN: I will continue.

8 EXECUTIVE DIRECTOR TAIT: Got more. It's a
9 big bill.

10 MR. MULLEN: We're still going. So now I'll
11 touch on some of the other important gaming
12 changes that were included in this bill.

13 The bill authorizes live table games at our
14 racino properties Indiana Grand and Hoosier Park
15 January 1, 2020. You may recall prior to this
16 bill passing, that date was 2021, so that bumps
17 up -- I guess that bumps down by a year that
18 requirement.

19 It provides that the racino is authorized to
20 conduct wagering on table games, but requires
21 them to submit a plan to the Commission that
22 meets requirements for the table games for our
23 riverboat operators.

24 The bill removes the current two boat rule
25 that allows an operator to run -- to maintain two

1 casino licenses in the state and now caps that
2 level at six licenses per operator.

3 It also creates a new factor called undue
4 economic concentration that the Commission may
5 consider when reviewing and granting an owner's
6 license. That will certainly come into play for
7 any potential inland move for the Gary licenses
8 and then the potential Vigo County facility as
9 well.

10 And there we're instructed to look at
11 competition, current economic stability and then,
12 of course, impact to local communities as well.

13 The bill provides that a portion of the
14 French Lick Casino's wagering tax to go from the
15 state general fund to the West Baden Springs
16 Historic Hotel Preservation & Maintenance Fund.

17 And then the bill lowers certain wagering
18 tax rates as described within the bill.

19 Important to note here I think is that
20 starting on July 1, 2021, the free play available
21 to our casino operators goes up from \$7 million a
22 year to \$9 million a year, something I think
23 they'd all agree will be beneficial to them.

24 So that concludes my discussion on some of
25 the other aspects of this bill.

1 If there's any questions or Sara, executive
2 staff, has comments, be happy to pause.

3 EXECUTIVE DIRECTOR TAIT: I think before you
4 dive into sports wagering, just so I can break up
5 my comments.

6 MR. MULLEN: Sure. Give me a break.

7 EXECUTIVE DIRECTOR TAIT: Yeah. I'll take
8 the opportunity to announce some staffing changes
9 as a result of our new responsibilities
10 overseeing sports wagering.

11 So without adding new positions to the
12 agency, we were able to reclassify some existing
13 positions into the new sports wagering division.

14 And Dennis Mullen has been selected to be
15 the director of that division. Dennis is a
16 proven regulator, he's been our deputy general
17 counsel for years, and we are very pleased that
18 he accepted this challenge. I don't know if he's
19 regretting it yet or not, but.

20 MR. MULLEN: Not yet. I'm excited.

21 EXECUTIVE DIRECTOR TAIT: Not yet? Okay.
22 So as the result of Dennis's promotion, Dustin
23 Moloy -- if you'd like to stand, Dustin -- has
24 been promoted to deputy general counsel. So
25 congratulations to both Dustin and Dennis on

1 these well deserved promotions.

2 We are also hiring three additional
3 positions to support sports wagering: A new
4 background investigator, a new auditor and
5 another assistant director of compliance. We've
6 also selected a candidate to head our technology
7 and investigations, and as I indicated
8 previously, we're all very, very busy this
9 summer, but we have the tools and resources
10 available to us as a mature regulatory agency to
11 take on this task.

12 So, Dennis, why don't you kick off the task
13 of sports wagering.

14 MR. MULLEN: Sure. First official duty.

15 EXECUTIVE DIRECTOR TAIT: Yes.

16 MR. MULLEN: Sure. So 1015, as I mentioned
17 at the outset, also legalizes sports wagering in
18 the state and vests regulatory authority with the
19 Commission under newly enacted Indiana Code
20 Article 4-38.

21 The licensed facilities may conduct sports
22 wagering. Licensed facilities is a defined term
23 that includes riverboat, racino, off-track
24 betting, satellite facilities, and, importantly,
25 this bill also allows mobile wagering.

1 The licensing scheme is described in the
2 statute. It creates three new license types.
3 The first is a certificate of authority, so this
4 will be your casinos, racinos and off-track
5 betting facilities.

6 A vendor license is an entity that contracts
7 with one of the certificate holders to conduct
8 sports wagering on the certificate holder's
9 behalf. And a certificate holder may contract
10 with up to three vendors. These are commonly
11 referred to as skins. An example of one would be
12 like a DraftKings.

13 It also provides for a sports wagering
14 service provider. This would be an entity that,
15 say, provides odds or lines, betting lines, to
16 either the certificate holder or the vendor,
17 whosever conducting the sports wagering.

18 The initial fee is \$100,000 for applications
19 for the certificate of authority and vendor
20 license. The sports wagering service provider
21 application fee is set at \$10,000. It also
22 includes a \$50,000 renewal for the certificate of
23 authority and vendor licensees. All that money
24 goes to the newly created sports wagering fund.

25 IC 4-38 also incorporates supplier and

1 occupational licensing for sports wagering, and
2 it gives the Commission authority to determine
3 what entities and what individuals -- individuals
4 would qualify for such licenses under the conduct
5 of sports wagering.

6 So speaking of the conduct of sports
7 wagering, some important notes. Wagers may be
8 placed at retail locations or mobile sports
9 wagering is permitted. Patrons, of course, have
10 to be 21 years of age or older to -- to submit a
11 wager. And the individual may register in person
12 or online for any account-based wagering.

13 It specifically prohibits betting on high
14 school or youth sports and wagering on E-sporting
15 events.

16 In-play wagering, on the other hand, is
17 specifically permitted with the authority vested
18 in the Commission to approve those sorts of
19 wagers in addition to giving us discretion on any
20 data requirements that our operators will use.

21 It also provides the Commission discretion
22 to allow wagering on other events than sporting
23 events.

24 Transitioning to technology. This will, of
25 course, be an important component in this new

1 field. It requires the Commission to test and
2 approve all sports wagering devices and
3 platforms. A certificate holder or vendor may
4 only accept wagers placed on a mobile device from
5 a patron located in -- within the boundaries of
6 the state of Indiana. So that's going to be
7 important for Wire Act purposes.

8 And then it requires certificate holders and
9 vendors offering mobile sports wagering to
10 implement geofencing technology to ensure that
11 patrons using those platforms and devices are
12 placing the wagers within the state.

13 And we have been researching geofencing
14 quite a bit, and the technology is very
15 impressive. It allows certificate holders and
16 vendors to block users that make repeated
17 unauthorized attempts to access sports wagering
18 from outside the state, say, or using proxies or
19 other spoofing technology that would allow them
20 to make it appear as if their device is within
21 the state of Indiana, when in reality they're
22 outside the state.

23 Certificate holders and vendors will also be
24 required to protect against identity theft,
25 detect suspicious activities and potential fraud

1 risks.

2 The statute lays out certain integrity
3 requirements. It requires us, the sports
4 governing body, certificate holders and vendors
5 to share information and maintain confidentiality
6 of that information to ensure that the integrity
7 of sports wagering is upheld.

8 It requires the licensees again to secure
9 sports wagering data, and it outlines specific
10 individuals that are prohibited from placing
11 wagers.

12 And, again, as I mentioned earlier, it
13 allows the Commission to approve data sources.

14 And to wrap up the discussion of the
15 statutory portion of this -- of this bill, the
16 tax rate is a 9 1/2 percent flat tax of the
17 adjusted gross receipts obtained by the
18 certificate holder, so that's paid by them
19 regardless of if they're operating via contract
20 with a vendor or not.

21 It provides the Commission authority to
22 adopt sports wagering rules related to compulsive
23 gambling.

24 And it requires certificate holders to
25 withhold winnings from individuals delinquent in

1 child support, very similar to our process for
2 child support checks for casino jackpots that's
3 currently in place.

4 I'll touch on the statutory timelines that
5 are implemented by this bill. We may begin
6 accepting applications on July 1, 2019. And then
7 1015 allows a certificate holder or vendor to
8 begin conducting sports wagering on September 1st
9 of this year.

10 And to wrap up my portion of this
11 discussion, pursuant to Section 22, Article 4-33,
12 the Commission will submit a written report to
13 the governor before September 1, 2020, which will
14 detail the development of fiscal impact of sports
15 wagering, and, in addition, we will conduct a
16 study on the local impact of 1015 to provide to
17 the governor's office.

18 So that ends my presentation. Of course,
19 I'll be happy to answer any additional questions.
20 And if Director Tait would --

21 EXECUTIVE DIRECTOR TAIT: Yeah, just to kind
22 of dive more into the process to implement and
23 roll out sports wagering. It will mirror the
24 process that we took with paid fantasy sports a
25 few years ago. As legislation regarding sports

1 waging has been offered over the last -- past
2 few years, we have been developing an expertise
3 in becoming familiar with the technical aspects.

4 Since the passage of House Enrolled Act
5 1015, we've solicited counsel from other states
6 that have implemented sports wagering and we are
7 very thankful for their assistance.

8 We're actually sending six staff members out
9 to New Jersey. We are engaging actively with
10 stakeholders and other experts. Our process
11 again will be transparent, and information and
12 updates will be placed on our website.

13 We've already started drafting the new
14 applications and emergency rules. While we're
15 not required to do so, we will provide draft
16 copies of the emergency rules for public comment
17 and are aiming for release in early July.

18 The Commission will be asked formally to
19 adopt the emergency rules at our August business
20 meeting. And as we'll discuss later, some
21 actions will begin after July 1st, as September
22 is a very aggressive timeline for launch.

23 We are making no promises for a
24 September 1st launch, but we are willing to say
25 that it is a goal we're striving to meet.

1 However, we're mindful that it is a tall order
2 and there are many factors outside of our
3 control. As retail can easily fold into casino
4 operations, other jurisdictions have provided us
5 wise counsel that mobile is more difficult to
6 launch, so it is possible that we could have a
7 two-tiered launch. Much of the timing will
8 depend on our operators.

9 While IGC staff is busy, our operators will
10 be equally as busy getting ready. They will be
11 submitting applications, creating internal
12 control procedures, hiring and training new
13 staff, entering into agreements for data and
14 platform providers and so on.

15 So we look forward to this challenge and we
16 are committed to creating a strong regulatory
17 environment that ensures the integrity of these
18 activities.

19 So that's all we kind of have prepared.
20 Happy to answer any questions.

21 I think we have one more order of business
22 before you.

23 MR. MULLEN: Correct. Are there any
24 questions at this time regarding the
25 presentation?

1 Very good. Well, thank you all.

2 Resolution 2019-115 is a resolution
3 regarding another delegation of authority to
4 Executive Director Tait.

5 As detailed in my presentation on 1015, the
6 bill provides authority to the Commission to
7 regulate sports wagering in our state. The grant
8 of authority includes a number of day-to-day
9 responsibilities vested with us which will
10 require the ability to be responsive to
11 develop -- developing and sometimes emergent
12 issues.

13 Just by way of some quick examples, the
14 Commission is required to approve wagering
15 devices and platforms, what athletic events and
16 other events licensees may accept wagers on.
17 Certainly any inland moves that would be
18 triggered by creation of the sports betting
19 lounges within our existing facilities under
20 IC 4-33-6-24, and then we're responsible for all
21 licensing, including temporary licensing, as
22 outlined in Indiana Code 4-38, and occupational
23 licensing.

24 Because the Commission only meets quarterly,
25 Commission staff believes that the regulatory

1 framework that assigns a significant amount of
2 authority to the Commission would be burdensome,
3 unresponsive and an inefficient use of resources.

4 Accordingly, Commission staff recommends the
5 Commission adopt a resolution under the authority
6 granted in IC 4-38 assigning to the executive
7 director the authority to perform all duties and
8 exercise all powers conferred in IC 4-38 and
9 1015.

10 And before I get to the duties reserved for
11 the Commission, this would also include the
12 ability and authority to approve those inland
13 moves under IC 4-33-24-6 that we have approved
14 approximately four of in the past just to meet
15 the timelines that we anticipate our operators to
16 want to establish those sports wagering lounges,
17 so all of those duties would be assigned to
18 Executive Director Tait, reserving to the
19 Commission the adoption of administrative rules
20 related to the sports wagering, permanent
21 licensure, the imposition of license denials and
22 then the imposition of nonemergency disciplinary
23 action against licensees associated with sports
24 wagering operations.

25 I'd point out that this delegation is very

1 similar and consistent with the authority
2 delegated to the executive director as it relates
3 to many of the Commission's other duties in the
4 areas that it regulates such as the casinos,
5 charity gaming and then boxing and MMA.

6 So if there are any questions regarding this
7 delegation of authority, I'm happy to answer them
8 at this time.

9 Thank you.

10 CHAIRMAN McMAINS: Thanks, Dennis.

11 Any questions from the Commission?

12 COMMISSIONER SVETANOFF: Motion to approve
13 Resolution 2019-115.

14 COMMISSIONER HERNDON: Second.

15 CHAIRMAN McMAINS: It's been properly moved
16 and seconded to approve proposed motion --
17 rule -- I'm sorry, Resolution 2019-115.

18 Any further discussion on the motion?

19 Hearing none, all in favor of the motion,
20 please signify by saying aye.

21 (Chorus of ayes.)

22 All opposed.

23 Passes unanimously.

24 Thank you.

25 MR. MULLEN: Thank you all.

1 EXECUTIVE DIRECTOR TAIT: And,
2 Commissioners, before we adjourn for the day, the
3 Commission received a request to speak at this
4 meeting. It met the requirements of our
5 regulations, and I granted that request.

6 So I'd like to go ahead and invite up
7 representatives from Unite Here Local 23, Kate
8 O'Neil and Shelby Wood.

9 You have been granted ten minutes to address
10 the Commission, and as we received your
11 documents, I will provide those to the
12 Commissioners. Thank you for being here.

13 MS. O'NEIL: Thank you. Good afternoon,
14 Chairman McMains, Commissioners and Executive
15 Staff.

16 My name is Kate O'Neil. I'm a research
17 director with Unite Here. Unite Here locals
18 represent gaming workers at four Indiana casinos,
19 including the Horseshoe Southern Indiana operated
20 by Caesars Entertainment.

21 We are here today to express our concern
22 about recent changes in the ownership and the
23 board of Caesars, which as you know, operates
24 several casinos here in Indiana.

25 In March of this year, Carl Icahn won three

1 board seats at Caesars Entertainment, and
2 effectively gained the right to select the new
3 CEO. At the time he owned less than 10 percent
4 of the company's stock. He now owns more than
5 18 percent.

6 So-called active investors, whether they are
7 hedge funds or private equity, are generally
8 interested in benefiting themselves and other
9 shareholders in the short term, often without
10 regard to the long-term health of the company.
11 But workers care about the company's long-term
12 success.

13 The current situation is not entirely new.
14 Workers have lived with the consequences of
15 mismanagement of the casino industry by Wall
16 Street firms for more than a decade.

17 In no company is this more apparent than at
18 Caesars under the control of Apollo and TPG
19 starting in 2008.

20 Under Apollo and TPG, workers witnessed
21 years of cutting jobs and cutting maintenance
22 spending. After years of neglect, Caesars has
23 been in dire need of reinvestment. Only recently
24 has the company begun to meet those needs,
25 primarily in Las Vegas.

1 We want to see investment in Indiana
2 casinos, but fear the investment could be
3 jeopardized by Wall Street investors trying to
4 make a quick buck.

5 As regulators, you have many important
6 decisions to make in the months ahead. Holding a
7 gaming license is a privilege. As such, gaming
8 licenses can be denied or revoked, and when
9 licenses are approved, conditions can be placed
10 on license holders.

11 But we are also concerned that the existing
12 regulatory framework may not have anticipated
13 shareholders holding a small minority stake
14 pushing for strategic changes and seats on the
15 board.

16 We believe that workers, regulators,
17 politicians and other community stakeholders need
18 to work together to defend the health and
19 integrity of the casino industry, and we
20 sincerely hope you'll work with us.

21 Prior to the meeting we sent you a letter
22 from Marlene Patrick-Cooper, the president of
23 Unite Here Local 23. That letter spells out our
24 concerns in more detail.

25 I thank you for the opportunity to speak.

1 And I'm going to now hand over our time to Shelby
2 Wood, who has also brief remarks on this topic.

3 MS. WOOD: Good afternoon. My name is
4 Shelby Wood, and I work at Indiana Grand Racing &
5 Casino out of Shelbyville, Indiana. I've been a
6 host cashier in the 24-hour food venue for just
7 shy of a full year.

8 My co-workers and I are organizing a union
9 with Unite Here Local 23 because we know that
10 these jobs can be better. I really worry that if
11 there is pressure on Caesars to focus on
12 short-term profits, the hourly workers at the
13 Indiana Grand are going to continue to take the
14 cuts.

15 Things are already tight, they're already
16 difficult. The starting pay is already low, and
17 we have no guarantee to raises.

18 A lot of the workers at Indiana Grand,
19 especially the hourly workers, are already being
20 worked to their full capacity. Almost every
21 single week I am getting overtime hours. In my
22 department, a lot of people are pulling six day
23 weeks sometimes to cover for people being out for
24 illness, maternity leave, vacation, or to meet
25 increased demand on holidays, big racing days and

1 other things like that that draw people to our
2 property. Sometimes they ask people to cover a
3 shift and come in on short notice, but a lot of
4 times we're just down an employee.

5 I've seen how all of this affects our
6 customer interactions. I know we have the new
7 rewards program where guests are being asked
8 about their experience on the property, and I
9 know that my department can suffer sometimes.
10 We're not always as friendly as we can be due to
11 these long shifts, fewer days off or a
12 combination of any of these things.

13 With my co-workers, we are organizing a
14 union because we know that these jobs can be
15 better, and I know and trust that Caesars can
16 make these jobs better, because they're doing it
17 at other properties both in and outside of
18 Indiana.

19 I am 23, going on 24 years old. I've
20 already graduated college, so I'm looking for
21 those next steps of buying a house, getting
22 married, having kids of my own. Right now that's
23 just not possible with this kind of job. Every
24 bit of my paycheck is being used, and that's not
25 even towards my own rent. Every bit of it is

1 going towards my student loan debt, to my
2 groceries, to gas, to my car payment, just so I
3 can get to this job alone.

4 But making this job better means that I can
5 save, and it means that I can get married this
6 spring, I can eventually buy a house in the
7 Indianapolis area, I can have a family, things
8 like that.

9 I would like to have a job where I can be
10 there for years and years to come, but if I can't
11 even pay my own rent, let alone a mortgage later
12 on, I just don't see how that's possible.

13 We hope you will work with casino workers in
14 Indiana to protect the gaming industry, and we
15 hope that you will support us in our efforts to
16 make our jobs better and not worse.

17 Thank you.

18 CHAIRMAN McMAINS: Thank you.

19 Commissioners, any questions for these
20 ladies?

21 Ms. O'Neil and Ms. Wood, thank you very much
22 for coming and sharing your thoughts. We
23 understand what you're saying, and we'll take
24 your comments seriously.

25 MS. O'NEIL: Thank you.

1 MS. WOOD: Thanks so much.

2 CHAIRMAN McMAINS: Is there any other
3 business to come before the meeting today?

4 EXECUTIVE DIRECTOR TAIT: No.

5 CHAIRMAN McMAINS: Is there a motion to
6 adjourn?

7 COMMISSIONER SVETANOFF: Motion to adjourn.

8 MULTIPLE COMMISSIONERS: Second.

9 CHAIRMAN McMAINS: So moved and seconded. I
10 gather there's no discussion on that motion.

11 Hearing none, all in favor, please signify
12 by saying aye.

13 (Chorus of ayes.)

14 Thank you. Thank you, everyone.

15 Our next -- let me announce real quickly,
16 our next Commission meeting will be August 28,
17 2019.

18 (At 2:23 p.m., May 30, 2019, this meeting of
19 the Indiana Gaming Commission was adjourned.)

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25

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

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 May 30, 2019, commencing at 1:00 p.m. at the
9 Indiana State Library, Historical Reference Room B,
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 _____ day of
17 June, 2019.

18
19 _____
20 N O T A R Y P U B L I C
21

22 Commission Number 0668781

23
24 My Commission Expires:
25 June 4, 2023

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