



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

March 16, 2006 Minutes

A meeting of the Pennsylvania Gaming Control Board was held on March 16, 2006 in Hearing Room 1 of the North Office Building. The meeting began at 10 a.m.

Members in attendance were:

Thomas Decker, Chairman
Mary DiGiacomo Colins
William P. Conaboy
Jeffrey W. Coy
Joseph W. Marshall, III
Kenneth W. McCabe
Sanford Rivers

Ex-officio members in attendance were:

Robert P. Casey, Jr., State Treasurer (via teleconference)
Gregory C. Fajt, Secretary of Revenue
Dennis Wolff, Secretary of Agriculture

Staff who appeared officially before the Board:

Anne LaCaour Neeb – bureau update
Mike Walsh – administration update
Frank Donaghue – bureau update/regulations
Michael Schwoyer – information sharing agreement
Michael Edmiston – regulations
Dale Miller – regulations
James Doherty – regulations
Don Shiffer – regulations
Michelle Afragola – regulations
Maureen Williamson – regulations

A quorum being present Chairman Decker called the meeting to order.

Transcript

On a motion by Board Member Marshall, seconded by Board Member McCabe, the transcript of the February 28, 2006 meeting was unanimously approved.

Administration

PGCB MOTION NO. 2006-26 HR – Employment

Motion Made: Board Member Colins
Seconded: Board Member Coy

New Hires:

Richard Sandusky, Director of Regulatory Review, Office of Chief Counsel
Douglas Sherman, Deputy Chief Counsel for Litigation, Office of Chief Counsel
Darryl Brown, Investigator, BIE, Central Region
Nan Davenport, Assistant Enforcement Counsel, BIE, Central Region

Resolved, the Board hereby approves the hiring of all the above candidates for employment. Permanent statuses will be contingent upon a satisfactory background check.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-27 BIE – Authorizes Chairman Decker to negotiate and enter into information sharing agreements on behalf of the Board

Motion Made: Board Member Marshall
Seconded: Board Member McCabe

Resolved, the Board hereby authorizes Chairman Decker to negotiate and enter into information sharing agreements on behalf of the Board with law enforcement entities and gaming authorities in the Commonwealth and other domestic, foreign, or federally approved jurisdictions in order to facilitate the efficient and effective administration, supervision, and enforcement of Act 71.

Board Decision: Passed by unanimous vote

Regulations

PGCB RESOLUTION NO. 2006-4 REG – Adoption of the Temporary Regulations for Hearings and Appeals

Motion Made: Board Member Conaboy
Seconded: Board Member McCabe

- Whereas On July 5, 2004, the Pennsylvania General Assembly enacted the Pennsylvania Racehorse Development and Gaming Act, establishing the Pennsylvania Gaming Control Board as the primary regulatory agency charged with the responsibility of implementing and overseeing slot machine gaming in the Commonwealth; and
- Whereas The Act authorizes the Board to adopt “temporary” regulations in order to facilitate the prompt implementation of the Act during the two years following the Act’s effective date; and
- Whereas The Board has developed draft temporary regulations governing the Hearings and Appeals process; and
- Whereas The public has had an opportunity to comment on the draft temporary regulations; and
- Whereas The Board’s final temporary regulations are designated as Title 58, Recreation, Part 7, Gaming Control Board, Subpart H, Practice and Procedure, specifically, Chapters 492, 293 and 494; and
- Whereas The Board reserves the right to amend the temporary regulations as it deems necessary and in accordance with the purpose of the Act and in order to further the intent of the Act; be it
- RESOLVED That the Board adopts the draft regulations as its temporary regulations for the Hearings and Appeals process.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-28 REG – Posting of Exclusion, Self-Exclusion and Credentials Draft Regulations for Public Comment

Motion Made: Board Member Colins
Seconded: Board Member McCabe

Resolved, the Board hereby approves posting the Exclusion, Self-Exclusion and Credentials draft regulations to the Pennsylvania Gaming Control Board’s website and the accepting of public comment for 10 days. The 10 day comment period would begin today, March 16, 2006 and end at the close of business March 31, 2006.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-29 REG – Amendments to Temporary Regulations

Motion Made: Board Member Coy

Seconded: Board Member Marshall

Resolved, the Board hereby adopts the amendments to 58 Pa. Code §§ 401.4, 463.1, 463.5, 465.3, 465.7, 465.10 and 465a. The amendments will be posted to the Board's website and published by the Pennsylvania Bulletin. The amendments are effective as of March 20, 2006.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2006-30 REG – Response to Public Comment regarding the Definition of Stock

Motion Made: Board Member Colins
Seconded: Board Member McCabe

Resolved, the Board hereby adopts the response to the public comment regarding the Definition of Stock.

Board Decision: Passed by unanimous vote

Adjournment

There being no further business before the Board, on a motion by Board Member Conaboy, seconded by Board Member Coy, the meeting was adjourned.