

PENNSYLVANIA GAMING CONTROL BOARD

NORTH OFFICE BUILDING  
HEARING ROOM 1  
HARRISBURG, PENNSYLVANIA

THURSDAY, JULY 7, 2005, 9:43 A.M.

BEFORE:

THOMAS DECKER, CHAIRMAN  
MARY DiGIACOMO COLINS  
WILLIAM P. CONABOY  
JEFFREY W. COY  
KENNETH T. McCABE  
JOSEPH W. MARSHALL, III  
SANFORD RIVERS  
ROBERT P. CASEY, JR., PA STATE TREASURER

HILLARY M. HAZLETT, REPORTER  
NOTARY PUBLIC

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1           CHAIRMAN DECKER: Good morning, everyone.  
2 I'm Tad Decker. I'm Chair of the Pennsylvania Gaming  
3 Control Board. Welcome to the meeting this morning.

4           A quorum of the Board being present, this  
5 meeting is called to order. I would like to note  
6 that Secretary Fajt is unable to attend today due to  
7 a scheduling conflict. He's being represented at  
8 today's meeting by Steve Kniley -- hi, Steve. Thanks  
9 for sitting in today -- press secretary for the  
10 Department of Revenue.

11           I've been asked, again, to advise everyone  
12 to turn off their cell phones and blackberries  
13 because of interference with our sound system. So  
14 thank you for doing that.

15           Please join me in the Pledge of Allegiance.

16           (Pledge of Allegiance.)

17           CHAIRMAN DECKER: Thank you. Before we  
18 begin, I would like to let everyone know that the  
19 Board this morning had a brief executive session for  
20 the purpose of discussing personnel matters,  
21 specifically potential candidates for positions with  
22 the Board. No business was conducted and no  
23 decisions were made during this session.

24           Our first order of business this morning is  
25 the adoption of the minutes of the last meeting. Is

1     there a motion?

2                   COMMISSIONER COY:    So moved.

3                   CHAIRMAN DECKER:    A second?

4                   COMMISSIONER McCABE:   Second.

5                   CHAIRMAN DECKER:    Thank you.   Any  
6     discussion about the minutes?   All of those in favor  
7     of adopting them, please so indicate by saying aye.

8                   COMMISSIONERS:    Aye.

9                   CHAIRMAN DECKER:    Any opposed?

10                   Motion passes.   The minutes are adopted.

11                   I would also like to comment by way of old  
12     business about the diversity form that we talked  
13     about during our last meeting.

14                   The Board announced its intention at the  
15     last meeting to hold a forum aimed at educating and  
16     providing some benchmarking -- I'm sorry, networking  
17     opportunities for those who are interested in  
18     becoming suppliers on how they could get involved in  
19     the industry.

20                   Since then, we have been making some  
21     progress on plans for what is shaping to be about a  
22     day-long conference focused on encouraging diversity,  
23     particularly among suppliers but also among vendors  
24     as well down the road.

25                   We are still working on the specifics, but

1 the forum will be held on September 29th at -- this  
2 September 29th at a location to be announced in  
3 Philadelphia.

4 The Board is planning to hold a second  
5 diversity forum in Pittsburgh. Our goal is to  
6 sponsor this second forum shortly after we hold the  
7 conference in Philadelphia, probably near the end of  
8 October. At least, that's the time period we're  
9 targeting today.

10 Please monitor the Board's website for more  
11 information on the forum, including information on  
12 how to register. The Board's website, as I think  
13 most of you know, can be found at  
14 [www.pgcb.state.pa.us](http://www.pgcb.state.pa.us).

15 Ethics, for the past several weeks and I  
16 would say probably even longer, Commissioner Marshall  
17 has been researching options for enhancing the  
18 Board's ethics policy. I have asked him today to  
19 provide the Board with an update on his efforts.

20 Chip?

21 COMMISSIONER MARSHALL: Thank you,  
22 Mr. Chairman. While I would like to take great  
23 credit for all of the research, I would be remiss if  
24 I didn't acknowledge the work of Michelle Afragola

25 and some of my fellow members of the Board in kind of

6

1 working through this.

2           As we've reported in the past, it is our  
3 intention to have in place simultaneous with the  
4 beginning of the application process what we have  
5 internally referred to as an ethics policy, which  
6 will deal with communication from the point an  
7 application is filed until that application is acted  
8 upon by the Board.

9           We are trying at this point to balance  
10 several issues; the notion of communication both  
11 between the members of the Board, and applicants and  
12 persons acting on their behalf, communications  
13 between the Board and persons who intend to engage in  
14 advocacy for or against in the application process  
15 and communication between members of the Board and/or  
16 the staff.

17           We intend, I think, to recommend that we  
18 would take this policy down pretty deeply, including  
19 members of the Board, as well as senior members of  
20 the management of the Gaming Control Board.

21           We are attempting to also deal with the  
22 public's right to know or at least be able to monitor  
23 this process. So we're working on logistics around  
24 making sure that the public will be able to kind of

25 follow any kind of communication, both formal and

7

1 informal that exists during this phase.

2           We have, as I said, some logistical issues.  
3 We intend, Mr. Chairman, to recommend, assuming that  
4 we can get some kind of consensus on the part of the  
5 Board, to publish our proposal or proposed policy and  
6 accept public comment for some period of time in case  
7 we have missed something.

8           As you can imagine given our various roles,  
9 Lyness, and the Lyness opinion and how it will affect  
10 us, the, I guess, separation of attorneys from their  
11 advocacy and lobbying roles, things like that we're  
12 trying to work through.

13           We also believe that all applicants are  
14 entitled to confidentiality. As you know,  
15 Commissioner Colins in her regulations has endeavored  
16 to deal with the confidentiality of the application  
17 and the information contained therein.

18           As we have surveyed other jurisdictions,  
19 notably Mexico, they have felt the need to reinforce  
20 that notion of confidentiality and actually have both  
21 Board members and staff members sign a secondary  
22 pledge of confidentiality.

23           Finally, we're going to need to deal with

24 the issue of what would happen in the event that our  
25 policy is violated. And again, rather than try to

8

1 weed things out piecemeal, what we would propose to  
2 do is put something in the form that could be  
3 published on our website and access for comment.

4 I would expect part of in -- I would expect  
5 that we would be able to get -- reach some kind of  
6 consensus in the very near future and would, I  
7 suppose, announce the publication at one of the next,  
8 if not the next, Board meeting.

9 Any questions?

10 CHAIRMAN DECKER: Thank you, Commissioner  
11 Marshall.

12 Any questions for Chip on this issue from  
13 any Board members?

14 Mary?

15 COMMISSIONER DiGIACOMO COLINS: Well, I  
16 would just like to commend Commissioner Marshall's  
17 efforts in this regard at this point in time, because  
18 I think we're approaching the very important time  
19 where applications will soon be coming in for  
20 manufacturers and then hopefully, the Category 1  
21 applications will be coming in late summer.

22 I think this is crucial at this point in  
23 time to enhance the Board's credibility in that our



24 goal is to enforce the provisions of the Statute  
25 which are so important to protect confidential

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1 information as it's outlined in the Statute. So I  
2 thank you very much.

3 CHAIRMAN DECKER: That goes for all of us,  
4 Commissioner Marshall.

5 Is there any other old business?

6 If not, let's move on. Before we get to  
7 new business, I would like to talk for a minute about  
8 the recent State Supreme Court ruling in which Act 71  
9 was upheld by the Court.

10 We are, of course, very pleased with the  
11 Court's decision that lets us move ahead in an  
12 expeditious fashion and with both bringing and  
13 expanding gaming to Pennsylvania and putting into  
14 place a regulatory framework to ensure the integrity  
15 of gaming operations.

16 In view of the elimination of Section 1506  
17 of the Act, which dealt with local land use  
18 preemption, the Board is now revisiting certain parts  
19 of its draft regulations and revamping them to  
20 address the licensing of slot facilities in light of  
21 that change.

22 Our role is follow the Statute and findings

23 of the Supreme Court in order to create a new  
24 industry in Pennsylvania. With this court case now  
25 behind us, we are anxious to fulfill this mission.

10

1 Let's move on to the regulations update.  
2 Since we last met, Commissioner Colins has been  
3 continuing her efforts to develop our regulatory  
4 framework with members of our staff and what we call  
5 the volunteer group.

6 This is an ongoing process and one that has  
7 required a serious commitment from both Commissioner  
8 Colins and the work group that we have assembled.

9 Commissioner Colins, could you update us  
10 now on where we stand on the regulatory process?

11 Thanks, Mary.

12 COMMISSIONER DIGIACOMO COLINS: Yes. Thank  
13 you, Mr. Chairman.

14 Just to reiterate, the working group  
15 consists of attorneys who come from the different  
16 legislative caucuses, an attorney from the Governor's  
17 office, our staff attorney, Michelle Afragola, Susan  
18 Hensel, Lynn Stelle, myself.

19 We continue to work creating blocks of  
20 regulations for review and for publication and for  
21 application.

22 We have received in our -- in the process

23 now of completing our review of the public comment  
24 that was received on the Category 1, which would be  
25 the racetrack casino operators' licenses and we have

11

1 received approximately 17 public comments and again,  
2 as with the manufacturers' licensing public comments,  
3 these are very extensive comments.

4           They address numerous gaming issues,  
5 statutory issues. They come from law firms  
6 representing interested parties, potential  
7 applicants, and from gaming companies.

8           So the public comment is extensive. We're  
9 almost finished reviewing it. As a result of it, we  
10 will be making some changes to propose for the  
11 Category 1 regulations; but also as a result of this  
12 new public comment, we have seen some overlapping  
13 comment, which applies also to the manufacturer  
14 licensing issue.

15           We have seen repeat comments come in having  
16 to do with certain licensing issues that apply to  
17 manufacturers. As a result of that, I want to  
18 announce today that we're going to post a few changes  
19 to the manufacturers' application in order to address  
20 these public comments, because one specifically has  
21 to do with the fee schedule that is listed in the

22 manufacturer regulations.

23           We included in the regulations, a \$5,000  
24 fee listed for background investigation of key  
25 employees. This engendered a lot of public comment

12

1 initially.

2           We did not change it and it has continued  
3 to cause public comment. As a result of this  
4 continued concern, we have gone more deeply into the  
5 issue of the fees for the background investigation.

6           We've talked further with representatives  
7 from New Jersey and other jurisdictions. We have  
8 made some adjustments to those fees.

9           What the adjustments do is they do not in  
10 essence reduce the efforts that would be extended in  
11 investigations or reduce the cost of investigations,  
12 but rather they back load it rather than front load  
13 it.

14           Let me give you an example. The  
15 application fee for an applicant entity will remain  
16 \$5,000. The application fee for key employee and key  
17 employee qualifier was previously to have been  
18 \$5,000, which was universally considered excessive  
19 and our investigation into other jurisdictions  
20 demonstrated that that was high up front. We're  
21 reducing that to \$2500 per key employee or key

22 employee qualifiers.

23           Nonetheless, the Statute still requires  
24 that we bill the entities at the end of the process  
25 for any costs that exceed that \$2500.

13

1           In addition, we had provided in the  
2 manufacturers' regulations provisions for key  
3 employee and key employee qualifier waivers and  
4 institutional investor waivers, meaning that an  
5 applicant can file these alleging or claiming that  
6 the certain key employee or key employee qualifier or  
7 members of the institutional investor does not have a  
8 relationship to gaming in Pennsylvania and their  
9 other criteria, and they can ask that they be exempt  
10 from having to be licensed.

11           That waiver form has been added as a  
12 downloadable form to the application, and the fee to  
13 file this waiver form is \$500. Again, if the costs  
14 of processing it exceed that, the applicant will be  
15 billed. The application fee for gaming employee  
16 remains at \$350.

17           Then there were -- there was a comment  
18 having to do with the diversity plan that came in  
19 through the Category 1 public comment period. As a  
20 result, we have changed the regulation, which relates

21 to all applicants that provides that a diversity plan  
22 will be submitted at the time of application, as  
23 opposed to 30 days later. So the diversity plan  
24 requirement is now at time of application.

25 Finally, I just want to bring up a few more

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1 things. The manufacturers' license applications that  
2 are due on August 15th are only the first round of  
3 applications. The Board will make a determination  
4 later when and if we will need to open that ground to  
5 accept more applications from manufacturers.

6 I also want to remind all counsel who  
7 submit public comment that they must identify who  
8 their client is. That, of course, is something we  
9 all know you have to do as lawyers, but I remind you  
10 to do that, please.

11 Then, finally, the work group is presently  
12 completing and making the required changes to the  
13 Category 1s for the next meeting. We're also working  
14 on the BIE regulations and the regulations for Cat  
15 2s, Cat 3s, and vendor licensing.

16 I hope to have some of those available for  
17 the posting at the next meeting as well. So that's  
18 what we have been doing.

19 CHAIRMAN DECKER: Thank you very much for  
20 that.

21 COMMISSIONER DiGIACOMO COLINS: You're  
22 welcome.

23 CHAIRMAN DECKER: And I'm positive we're  
24 going to hear from you, I think, every meeting for a  
25 while until the regulations are completed.

15

1 COMMISSIONER DiGIACOMO COLINS: That's  
2 right. Wake up, everyone.

3 COMMISSIONER MARSHALL: Or the fee goes  
4 down.

5 CHAIRMAN DECKER: The fee goes down. Okay.  
6 The fee becomes free. Okay. At the Board's most  
7 recent meeting in Pittsburgh, we delved into the  
8 issue to some degree of suppliers and discussed two  
9 options for regulating what would be by and large new  
10 business entities in the Commonwealth.

11 One option was to let the free market  
12 determine how many suppliers there would be in the  
13 state and how the suppliers would be disbursed  
14 geographically.

15 The second option proposed the creation of  
16 a regional -- I'm sorry, of regional supplier  
17 networks with a set number of suppliers in each  
18 region, at least five is my recollection.

19 The Board has not yet decided how to deal

20 with the supplier issue. In an effort to provide the  
21 Board with a plan that each member might find  
22 acceptable, I am introducing today an approach to  
23 suppliers that would divide the state into two  
24 regions and there's a bunch more.

25 Under the proposed plan, the Board would

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1 establish two distinct supplier regions in the  
2 Commonwealth taking into consideration relevant  
3 demographic and market information.

4 The Board would license no fewer than five  
5 suppliers within each region. Manufacturers  
6 ultimately will decide whether either region requires  
7 more suppliers for adequate distribution.

8 The No. 5 in my concept is that there are  
9 going to be at least five manufacturers in each of  
10 these locations.

11 A licensed manufacturer would be required  
12 to contract with at least one supplier in each  
13 region, provided the manufacturer is doing business  
14 there.

15 However, the manufacturer would not be  
16 required to have an exclusive arrangement with any  
17 supplier, although they wouldn't be prohibited from  
18 doing it.

19 A licensed manufacturer would be permitted



20 to enter into agreements with more than one supplier  
21 in a given region. A licensed supplier would be able  
22 to enter into agreements with more than one  
23 manufacturer, again, subject to the usual give and  
24 take of discussions.

25 A licensed supplier would be able to sell,

17

1 lease, offer, or otherwise provide, distribute,  
2 market, maintain, retain, or service slot machines or  
3 associated equipment and perform slot machine related  
4 services within its designated region.

5 In addition, if manufacturer consents, an  
6 authorized supplier in one region would be permitted  
7 to sell, service, etc. slot machines in the second  
8 region, although in the concept that I provided, the  
9 manufacturer may decide that only sales within the  
10 designated first region would count for purposes of  
11 judging that supplier's performance.

12 The Board would publish in the Pennsylvania  
13 Bulletin and on the Board's website the description  
14 of each supplier region in the Commonwealth.

15 The requirement that the state be divided  
16 into two regions would expire two years from the  
17 adoption by the Board -- from the date of adoption by  
18 the Board.

19                   Through creation of distributors under Act  
20 71 would not in and of itself be construed as  
21 creating a franchise for the purposes of any  
22 franchise statutes, rules, or regulations in the  
23 Commonwealth.

24                   Would any Board members care to comment on  
25 this now since I distributed this to you? Any

18

1 questions or comments, please feel to do so.

2                   COMMISSIONER McCABE: Mr. Chairman, please.

3                   CHAIRMAN DECKER: Go ahead.

4                   COMMISSIONER McCABE: I just have a  
5 comment. I hope that we receive a lot of comments on  
6 this from the public and from the industry, because I  
7 still need help and assistance to understand why  
8 breaking the state up into different regions is  
9 different then letting the free market decide who  
10 becomes a supplier or not.

11                   So I'm just asking them that we receive a  
12 lot of comment on this because I need help  
13 understanding why this is better.

14                   CHAIRMAN DECKER: Any other questions on  
15 this?

16                   Chip?

17                   COMMISSIONER MARSHALL: Thank you. Under  
18 your proposal, it says you'd license no fewer than

19 five. Would that -- is that a left-handed way of  
20 saying there will be no more than five?

21 CHAIRMAN DECKER: No, no. I'm sorry. The  
22 concept was there would probably be at least five  
23 manufacturers that would want to sell into those  
24 regions. That's why we came up with five. There  
25 could be more.

19

1 I think from a practical matter, there  
2 probably wouldn't be less. Yeah, it could be as many  
3 want to be.

4 COMMISSIONER MARSHALL: So --

5 CHAIRMAN DECKER: There's no cap on the  
6 number of suppliers in my proposal.

7 COMMISSIONER MARSHALL: So that in a sense  
8 deals with Ken's comments because it does allow for a  
9 free market?

10 CHAIRMAN DECKER: The rest of these  
11 provisions are an attempt to mirror what a free  
12 market would look like. I don't know this industry  
13 all that well. I don't pretend to know it.

14 That's why I haven't said -- I don't  
15 pretend to understand whether there should be  
16 exclusive or nonexclusive in these particular  
17 regions. That's really up to the market to let that

18 evolve.

19 COMMISSIONER MARSHALL: And I suppose now  
20 that we have three proposals, it might not be a bad  
21 thing if we could somehow get an opinion that at  
22 least all three of these are consistent with the  
23 Statute.

24 I know they're kind variations on the same  
25 theme but there are -- I guess represent different

20

1 political or philosophical intent.

2 Mary, I don't know, I hate to put you on  
3 the spot, but they're your regs. Is there a sense or  
4 maybe is there somewhere we should go to just make  
5 sure before we start choosing or graphing?

6 COMMISSIONER DiGIACOMO COLINS: My sense --  
7 initially, when I had offered an analysis that was  
8 based on the Statute and how to interpret the  
9 Statute, my analysis was, and I still stand by it,  
10 that absent any supporting tangible evidence that  
11 creating these regions, how many there are, absent  
12 evidence to show that it would enhance the purposes  
13 of the Statutes to create jobs, to promote diversity,  
14 then I think we might be far reaching. That's why I  
15 think this public comment period is very, very  
16 important.

17 CHAIRMAN DECKER: Mary, let me interrupt

18 you for a moment because we know we're going to do  
19 this but let me get it on the record.

20 With the Board's approval, I would suggest  
21 that we post this proposal on the Board's website and  
22 accept public comment on it for a ten-day period.

23 COMMISSIONER MARSHALL: Mr. Chairman, I  
24 would move that.

25 CHAIRMAN DECKER: Okay.

21

1 COMMISSIONER DiGIACOMO COLINS: I'll second  
2 it.

3 CHAIRMAN DECKER: Again, let me make clear  
4 that this is only a proposed concept and does not at  
5 this point take the form of a proposed regulation.

6 COMMISSIONER MARSHALL: Would you be  
7 willing to add at least, I guess, in the notification  
8 that we would encourage folks to comment on the  
9 question, I guess, as to all three of the proposals,  
10 whether they're comfortable with -- whether or not  
11 there are any differing views that all three or any  
12 of the three are consistent with our obligations  
13 under the Statute?

14 COMMISSIONER DiGIACOMO COLINS: Really --  
15 right. The issue if we can narrow it is how does  
16 either of these schemes, all of them, none of them,

17 one of them, serve to create jobs, economic  
18 development, and enhance diversity in the  
19 Commonwealth. I think once we get comments that show  
20 us that, we can work with these.

21 CHAIRMAN DECKER: Don't feel obligated if  
22 you've already sent comments in. I mean, we've  
23 gotten comments on the five regions. We've gotten  
24 comments on no regions. If you've already sent those  
25 in, we're going to take due notice of it.

22

1 If you want to supplement your comments on  
2 those particular ones while commenting on this,  
3 please feel free to do so. We would like to do so.  
4 Okay. It's not required that you resubmit your prior  
5 comments.

6 Mary?

7 COMMISSIONER DiGIACOMO COLINS: Tad, I  
8 wanted to just say, as we move forward and we start  
9 to get phone calls and questions about the -- we're  
10 getting questions about should we get a  
11 manufacturer's license or should it be a supplier's  
12 license.

13 As these questions are starting to come in,  
14 we're beginning to understand more, at least I am,  
15 the big picture about the marketplace and how a lot  
16 of the duties formerly performed by manufacturers now

17 will be transferred to suppliers. Yet, it's ever  
18 unfolding.

19 We're learning more and more what these  
20 duties are. So I think as we evaluate this, too, we  
21 have to be aware that we need flexibility in dealing  
22 with this information as it comes to us as we process  
23 the applications and go forward.

24 CHAIRMAN DECKER: Thank you.

25 There's a motion and a second. All of

23

1 those in favor of supporting the motion to publish  
2 these and to get comments for a ten-day period,  
3 please indicate by saying aye.

4 COMMISSIONERS: Aye.

5 CHAIRMAN DECKER: Any opposed?

6 The motion carries, and we will do that.

7 Okay. Let's move on. We're going to talk  
8 about giving you an update on administrative matters,  
9 if I read my agenda correctly.

10 Just one second. Let me back up. I want  
11 to make sure that everyone knows that the ten-day  
12 period starts now and ends on July 18th. Okay. We  
13 need comments on or before July 18th. Thank you for  
14 that.

15 Our next agenda is to update on -- provide

16 an update on administrative matters. As you know,  
17 the Board has spent the last several months  
18 interviewing dozens of candidates, more than dozens  
19 of candidates for various key positions.

20 I am pleased to say that in light of the  
21 Supreme Court ruling, the Board is now ready to vote  
22 on several candidates who subject to Board approval  
23 and, before Ken says it, a complete background  
24 investigation.

25 COMMISSIONER McCABE: Thank you.

24

1 CHAIRMAN DECKER: Thank you. I'm sorry. I  
2 lost my place here. We believe these candidates will  
3 play a crucial role in our start-up efforts.

4 We have seen a terrific group of  
5 individuals. Decisions have been difficult to make.  
6 Although we are continuing the interview process, we  
7 are now ready to consider candidates to begin filling  
8 out our staff.

9 Before we turn to the motions, I just want  
10 to say that I have been sincerely impressed, I'll say  
11 again and emphasize it, with the caliber of those who  
12 have applied for positions with us. It's really been  
13 very gratifying.

14 The first candidate that we would like to  
15 announce today is Anne Neeb. Anne is currently



16 Executive Director with the Louisiana Gaming Control  
17 Board and will join us as the agency's first  
18 executive director.

19 COMMISSIONER MARSHALL: Mr. Chairman, I  
20 would move.

21 CHAIRMAN DECKER: Right. Let me frame the  
22 motion for a second. Is there a motion to hire Anne  
23 Neeb as executive director at a salary of \$180,000  
24 contingent on the passage of the background  
25 investigations?

25

1 COMMISSIONER MARSHALL: So moved.

2 COMMISSIONER RIVERS: Second.

3 CHAIRMAN DECKER: Any discussion? Each of  
4 you have had an opportunity to meet with her. Any  
5 questions about this?

6 Hearing none, if you support the motion in  
7 the hiring of Anne Neeb, please indicate by saying  
8 aye.

9 COMMISSIONERS: Aye.

10 CHAIRMAN DECKER: Any opposed?

11 Anne is now going to be our first executive  
12 director.

13 The next candidate is David Kwait, who is a  
14 40-year veteran of the Federal and State Law

15 Enforcement communities.

16           Is there a motion -- I would like to make a  
17 motion to offer David Kwait the position as director  
18 of Bureau of Investigations and Enforcement at a  
19 salary of \$140,000 contingent on the passage of the  
20 background investigation.

21           COMMISSIONER MARSHALL: So moved.

22           COMMISSIONER COY: Second.

23           CHAIRMAN DECKER: Any discussion?

24           Hearing none, please indicate your support  
25 for this motion by saying aye.

26

1           COMMISSIONERS: Aye.

2           CHAIRMAN DECKER: Any opposed?

3           Motion passes. Congratulations to David  
4 Kwait.

5           Our next candidate is Lisa McClain. Lisa  
6 is currently an assistant counsel with the Judicial  
7 Conduct Board of Pennsylvania and will join us as  
8 assistant counsel for working with the Bureau of  
9 Investigations and Enforcement.

10           Is there a motion to hire Lisa McClain as  
11 assistant counsel?

12           COMMISSIONER DiGIACOMO COLINS: So moved.

13           COMMISSIONER McCABE: Second.

14           CHAIRMAN DECKER: Again, contingent on a

15 background investigation. Second.

16 Any discussion?

17 All those in favor of the motion, please  
18 indicate by saying aye.

19 COMMISSIONERS: Aye.

20 CHAIRMAN DECKER: Any opposed?

21 Lisa, congratulations. The motion passes.

22 The next candidate is Michael Schwoyer, who  
23 is currently executive director and chief counsel the  
24 for the Judiciary Committee of the House of  
25 Representatives.

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1 Is there a motion to offer -- hire Michael  
2 Schwoyer as deputy chief counsel for the Bureau of  
3 Investigations and Enforcement?

4 COMMISSIONER DiGIACOMO COLINS: So moved.

5 CHAIRMAN DECKER: Again, contingent on the  
6 passing of a background investigation.

7 Is there a second?

8 COMMISSIONER McCABE: Second.

9 CHAIRMAN DECKER: Any discussion?

10 All those in favor of the motion, please  
11 indicate by saying aye.

12 COMMISSIONERS: Aye.

13 CHAIRMAN DECKER: Any opposed?

14 Motion carries. Congratulations, Michael.  
15 We're happy to have you on board. Michael was also  
16 one of the, what I call, volunteers of Commissioner  
17 Colins' working group.

18 Our next and last candidate for  
19 consideration today is Nanette Horner, a member of a  
20 law firm in Atlantic City, New Jersey, Brown and  
21 Carroll, and she specializes in casino gaming law and  
22 moreover, she teaches gaming law at Rutgers  
23 University.

24 Is there a motion to offer a Nanette Horner  
25 the position of deputy chief counsel for the Bureau

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1 of Licensing contingent, again, upon the background  
2 investigation?

3 COMMISSIONER MARSHALL: So moved.

4 CHAIRMAN DECKER: Second?

5 COMMISSIONER DiGIACOMO COLINS: Second.

6 CHAIRMAN DECKER: Any discussion?

7 All those in favor of the motion, please  
8 indicate by saying aye.

9 COMMISSIONERS: Aye.

10 CHAIRMAN DECKER: Any opposed?

11 The motion carries.

12 Congratulations, Nanette. We're delighted  
13 to have you on board with us.

14                   Again, let me offer my congratulations and  
15 those of the Board to each of these candidates.  
16 We're delighted and really looking forward to having  
17 them on board.

18                   Is there any other new business to come  
19 before the Board?

20                   Following the meeting, the Board will hold  
21 an executive session for purposes of discussing  
22 personnel matters and conducting interviews. No  
23 business will be conducted nor decisions taken during  
24 the executive session.

25                   For the record, the Board's next public

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1 meeting is scheduled for July 22nd at 10:00 a.m. in  
2 Harrisburg.

3                   However, let me also note that following  
4 our adjournment today, a Communications Director,  
5 Nick Hays, will have an announcement for you about  
6 press availability later today -- not later right  
7 away.

8                   As such, the members of the Board will not  
9 be taking any questions at the conclusion of this  
10 meeting. What we're going to do is have a press  
11 conference somewhere else.

12                   Is Nick here somewhere? Nick will tell you

13 where and when. It will be right following the  
14 meeting, correct, in five minutes. So that's why I'm  
15 saying, hold your questions until then, please.  
16 We're going to introduce to you the candidates -- not  
17 the candidates, our new hires, which I'm very pleased  
18 to draw that distention finally.

19 Is there -- may I have a motion since  
20 there's no further business to -- please, Ken.

21 COMMISSIONER McCABE: Just one correction.  
22 Is our next meeting the 22nd or the 21st?

23 CHAIRMAN DECKER: What day is the 21st?

24 COMMISSIONER McCABE: Thursday is July  
25 21st.

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1 CHAIRMAN DECKER: Is the meeting, I think.  
2 Did we change it? I think it's July 21st. Did I say  
3 the 22nd? I apologize. It's the 21st for us, the  
4 22nd for everybody else. I'm only kidding.

5 Is there any -- may I have a motion since  
6 there is no other business, if there isn't any, to  
7 adjourn the meeting?

8 COMMISSIONER MARSHALL: So moved.

9 CHAIRMAN DECKER: Second?

10 COMMISSIONER DiGIACOMO COLINS: Second.

11 CHAIRMAN DECKER: All of those in favor  
12 indicate by saying aye.

13 COMMISSIONERS: Aye.

14 CHAIRMAN DECKER: Thank you. The meeting  
15 is adjourned. Thank you for your attendance at  
16 today's meeting.

17 (The meeting concluded at 10:13 a.m.)

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1 I hereby certify that the proceedings and  
2 evidence are contained fully and accurately in the  
3 notes taken by me on the within proceedings and that  
4 this is a correct transcript of the same.

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Hillary M. Hazlett, Reporter  
Notary Public

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