

# MAINE GAMBLING CONTROL BOARD

**January 19, 2016**

**09:00 – 10:50am**

**Gambling Control Board Room**

**45 Commerce Drive Suite 3, Augusta Maine 04333**

Meeting opened at 9:00 am

**Board members present:** Tim Doyle, Chair; Barbara Dresser; Robert Harmon; Joe Laliberte

**Staff present:** Auditor Donald Berrie, Auditor Jill Tobey, Inspector Supervisor Vicki Gardner, Office Assistant II Mallory Reilly, Executive Director Patrick Fleming.

**Legal counsel present:** Assistant Attorney General Ron Guay.

## **Introductions:**

The Board introduced themselves followed by introductions of the staff and counsel by Executive Director Fleming.

## **Review of the minutes 12/15/2015**

**Motion to accept the minutes with changes to reflect the public hearing directly following the completion of all the Boards regular business. Robert Harmon, Board Member**

**Seconded: Barbara Dresser, Board Member**

**Vote: 3 For: 1 abstained Joe Laliberte**

## **Executive Director Report:**

Legislature – the legislature is back in session and it is supposed to be a short session. There was one gambling bill carried over to allow a casino in Southern Maine. Director Fleming stated we have not heard when this bill will be heard in the Veterans and Legal Affairs committee. He has also been contacted in the last couple of months for fiscal estimates for three separate citizens' initiatives to open a casino in Southern Maine. All three initiatives are pretty much the same in their scope except one initiative limits who would be eligible to get the license to operate the casino. Our resource needs are essentially the same for any other additional casinos.

MDEA Funding – There is one bill that is on the fast track through the legislature that impacts this Board. L.D. 1537 An Act to Combat Drug Addiction through Enforcement, Prevention, Treatment and Recovery is the bill that includes adding additional MDEA agents. Director Fleming advised the Board at the last meeting that our general fund all other funds were going to be transferred to MDEA to pay for the additional agents. Our all other expenses would then be paid for by our special revenue account which is made up of funds from table games from each casino and licensing fees. Director Fleming states he was originally told that this was going to be for the remainder of this fiscal year but it has been expanded to get through the remainder of the budget cycle. There is a provision in the bill to pay for the MDEA agents from the general fund but there is some question as to whether the bill will pass or be signed into law.

Employee License Issues – Director Fleming stated we have a couple of employee license issues to discuss today. He wanted to let the board know that there is another employee issue that will result in an administrative hearing at the February meeting. Based on how things go today that could mean two administrative hearings at the next meeting. He wanted the board to know so they can plan for it.

Holiday Family – Once again the staff of the Board and members of the Board contributed funds and presents for a local family for Christmas. The family included three children. The lists that were submitted by the children were not extensive and due to the good will of the Board and staff they got everything on their list as well as many other gifts. The family was also given a gift card to a local grocery store to help around the holidays. Director Fleming stated how impressed he is every year with the Board and staff's willingness to step up and help a family in need and he expects that this will continue into the future.

**Auditors Report: Auditor Donald Berrie** – December 2015 tax revenue was \$3,842,000, an increase of \$84,000, or 2% above the same period in 2014, making calendar year-to-date revenue \$52,209,000, an increase of \$858,000 or 2% over the same period in 2014. For calendar quarter #4, revenue from October 1 through December 31, 2015 was \$12,549,000, an increase of \$431,000 or 4% higher than the same period in 2014. Quarter 4 revenue reflects a strong revenue increase in November.

The revenue trend chart illustrates that the overall revenue pattern is consistent with prior years with monthly revenue in the third quarter higher than in the prior two years.

The Board also received reports for Hollywood and Oxford Casinos showing monthly, quarterly and year-to-date allocations of these revenues for the entire calendar year 2015.

Slot machine hold must be in compliance on a quarterly basis. The calendar quarter ended December 31<sup>st</sup> was in compliance. The auditors are also monitoring holds on a daily and weekly basis.

### **Audit program**

The slot machine component at Oxford casino has commenced with a review of procedural documentation and an initial interview visit. Auditor Tobey will return to Oxford later in the week to perform the testing phase of this component.

### **Unfinished Business:**

**Annual Report** – It was discussed at previous meetings whether the annual report format should be expanded or clarified. Board member Harmon was assigned as the committee of one to review the annual report, along with Auditor Berry and Director Fleming. The new format would make the report a little more informative and readable.

**Motion to accept report with the changes: Joe Laliberte**

**Second: Barbara Dresser**

**Vote: waiting until after Director Fleming produces a more cleaned up version of the format.**

### **Unfinished Business:**

**Erin Dulac Matter:** At the last board meeting there was an adjudicatory hearing that was held and the decision and order was sent out for board comment. No changes were suggested by the board.

**Motion to accept the written form: Barbara Dresser**

**Second: Robert Harmon**

**Vote: 3 For: 1 abstained Joe Laliberte**

### **New Business:**

**Emergency License Suspension of a Casino employee:** It was brought to the staff's attention in the last month that a dealer from one of the casinos had been playing at a casino out of state and that dealer had been caught pinching a bet. There was an interaction with law enforcement of that jurisdiction and the dealer was then banned from that casino. There will be a public hearing on this matter at the next board meeting in February.

**Motion for an emergency temporary suspension of license for 30 days: Joe Laliberte**

**Second: Robert Harmon**

**Vote: Unanimous**

**Suspension will start at 12:01am ending at 11:59pm February 20<sup>th</sup>**

**An adjudicatory hearing will be held at the next meeting February 16<sup>th</sup> at which time the licensee can present their evidence.**

**Employee License Review:** A new employee who's license has not been issued as of yet had been charged and convicted of theft back in April of 2002, the incident was never disclosed to staff and was found through the SBI report. Detective Armstrong was asked to go back and re-interview the employee. The employee advised Detective Armstrong that it was a dark period in their life and the employee had been dealing with some addiction issues. The employee claimed they didn't have a good memory of the particular incident. The employee had no dealings with the law since that time and was asked to submit letters of recommendation showing that they had moved on and tried to better themselves. Tim Doyle, Board Chair, was not as concerned with the conviction itself as he was more concerned

about the integrity of the individual due to their failure to disclose the incident. The board struggled to come to a decision on the matter and wanted to hear from Detective Armstrong on how he felt while speaking to the individual.

**Motion to table this discussion until the next meeting: Joe Laliberte**

**Second: Barbara Dresser**

**Vote: Unanimous**

**Public Comment: Nothing**

**Motion to adjourn: Joe Laliberte**

**Second: Barbara Dresser**

**Vote: Unanimous**

**Meeting Adjourned: 10:50**

**Next meeting is February 16 @ 9am @ 45 Commerce Drive Suite 3 Augusta, Maine 04330**

Respectfully submitted Mallory Reilly, Office Assistant II