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New Jersey Office of the Attorney General

Division of Consumer Affairs
Legalized Games of Chance Control Commission
124 Halsey Street, 6th Floor, Newark, NJ 07102



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PUBLIC SESSION MINUTES **July 14, 2010**

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The Legalized Games of Chance Control Commission met on July 14, 2010, at the Division of Consumer of Affairs, located at 124 Halsey Street, 6th Floor Somerset Room, Newark New Jersey. Present were Commissioners Marilou Halvorsen, Chairperson, Christine Vanek and Edward Barrett. Commissioner Timothy E Ryan on teleconference. Also in attendance: Deputy Attorney General Nancy Miller, Scott Jenkins, Chief Investigator/Manager, and Investigator Martin Silva, Investigator Joseph Chessere and supporting staff Ewar Solis

The meeting was opened at 10:30 a.m. by Commissioner Halvorsen pursuant to provisions of the Open Public Meetings Act. N.J.S.A. 10:4- et seq. Adequate notice of the Legalized Games Public meeting was provided by mailing a list of all regularly scheduled Commission meetings to be held during 2010 to the Office of the Secretary of State, Star Ledger, Trenton Times, the Director of the Division of Consumer Affairs, and posted in the State Building at 124 Halsey Street, Newark, New Jersey, as well as being posted on LGCCC website: www.state.nj.gov/oag/ca/lgccc.htm.

1. Reading and Approval of the Agenda

The Commission reviewed and approved the agenda.

MOTION: Vanek

SECOND: Bennett

APPROVED: Unanimous

2. Minutes of the Public Session meeting April 22, 2010

The Commission reviewed and approved the minutes.

MOTION: Barrett

SECOND: Vanek

APPROVED: Unanimous

3. Public Comment

Edward McGlynn, Esq. Counsel for the Ne Jersey Amusement Association asked the Commissioners to comment on A-1244/S2127, which adopts many of the recommendations of the 2002 Law Revision Commission report. The Commissioners stated they would review the bill. Ron McClear, with the American Legion Department of New Jersey, asked for clarification on use of net proceeds for capital improvement and question why three bids would be needed before the Commission consider a request for use of proceeds. The Commission noted that use of facility for authorized purposes for at least three hours in a single day would be considered one day for calculating proceeds. Use of the facility for less than three hours in a single day dose not.

4. Statistics report and comparison figures from LGCCC to DCA for the months of **April and May 2010**
Move to accept as presented.

MOTION:: Ryan Second: Vanek Approved: Unanimous

5. **List of organizations approved or denied requests for registration for the months April, May, and June of 2010.**

The Commission approved the approved and denied list for registration applications for April , May and June 2010

6. Recommended approval for the approved and denied list of Casino Operators, Casino Operators Pending Additional Correspondence, Manufacturers, Distributors, and Providers, Compensated Workers and Games Submissions for the Months of April, May, and June 2010

The Commission approved the recommendations of staff regarding of Casino Operators, Manufacturers, Games Submissions, Distributors, and Providers and Compensated Workers for the months of April, May and June 2010

MOTION: Vanek SECOND: Barrett APPROVED: Unanimous

- 6A) Modification to the E-max B Bingo System, an electronic bingo system.
(Certification #EBS 09-08)

The Commission accepted staff recommendation and moved to approve of bingo system.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

- 6B) Modification approval of the Blue Dog Prestige Bingo System and LD7 hand held unit,
(Certification #EBS 09-08).

The Commission accepted staff recommendation and moved to approve of bingo system and hand held unit

MOTION: Vanek SECOND: Barrett APPROVED: Unanimous

- 6C) LGI-10-59 Clarence J Venne LLC- Seeking Bingo Equipment Provider License- Bristol, PA - Inv. Silva.

The Commission accepted staff recommendation and move to approve application for bingo equipment provider.

MOTION: Vanek SECOND: Barrett APPROVED: Unanimous

7) **Executive Order #2**

Charles Manning, Regulatory Analyst. Presented his recommendations for regulatory changes based on Executive Order No.2. he noted that these were suggestion and the Commission was not voting on the changes, merely discussing revisions to the rules that would streamline them and eliminate burdens on various regulated entities. The Commission discussed possibly changing the rules requiring all bingo games be played on disposable paper (rather than hard boards) and whether elimination of the maximum number of games per occasion (35) should be changed. However the item addressing the 35 bingo game more specifically 13:47 should be omitted.

MOTION: Barrett

SECOND: Vanek

APPROVED: Unanimous

8) **Games for the June 2010 Agenda
Pending Approval**

Certification (1) - throw games.

<u>Game Name</u>	<u>Certification #</u>	<u>Manufacturer</u>	<u>LGC #</u>
Pot O' Gold	1-114	Fun Industries, Inc.	10-52
Soccer Kick	1-117	MCR Concessions	10-73

Certification (2)- electronic arcade redemption games.

<u>Game Name</u>	<u>Certification #</u>	<u>Manufacturer</u>	<u>LGC #</u>
Lucky Streak	2-764	Family Fun Companies	10-29
Elvis-Coin Pusher	2-770	Coast to Coast Entertainment LLC	10-57
Stampede Reward	2-772	Atlantic Gaming	10-74

The Commission approved the games. The Commission noted that coin pushers are not to have any objects in the play field except for coins as tokens. Staff has questions for lab that tested games where other merchandise was placed in play field. Until questions are resolved, no objects exceptions or tokens are permitted in play filed.

MOTION: Barrett

SECOND: Vanek

APPROVED: Unanimous

9) **FYI-List of Signed Warning Letters, UPL Letters
& Consent Orders for the month of April, May and June 2010.
April 2010**

Warning Letters Signed

LG 09-288	Queen of Peace Church	(Signed)
LGA 09-174	Remark Industries	(Signed)

UPL Letters Signed

LGA 08-71	Payboys Arcade	(Penalty Paid)
LGA 08-278, 09-244	Eric Faranda	(Penalty Paid)
LGA 08-322,330,331		
LGA 09-176,216	Lime Rickey World	(Penalty Paid)
LGA 09-240	G.H Woods	(Penalty Paid)
LG 09-136	Darin Janis	(Penalty Paid)
ACR 10-18	Hartland Inc.	(Penalty Paid)
ACR 10-21	Jon Sheinken	(Penalty Paid)

Consent Orders/ Settlement Agreements

None

May 2010

Warning Letters Signed

None

UPL Letters Signed

LGA 08-71	Payboys Arcade	(Penalty Paid)
LGA 09-240	G.H Woods	(Penalty Paid)
LG 09-136	Darin Janis	(Penalty Paid)
ARC 10-21-	Jon Sheinken	(Penalty Paid)

Consent Orders/ Settlement Agreements

None

June 2010

Warning Letters Signed

None

UPL Letters Signed

LGA 09-171	Paladin Amusements, Inc.	(Penalty Paid)
LGA 09-247	James Brown & Paul Schneider	(Penalty Paid)
ACR 10-01/ LGA 10-01	Annie Marie Fowler	(Penalty Paid)

Consent Orders/ Settlement Agreements

None

FYI

10). HST Mixed League, Inc.- seeking registration.

The Commission reviewed the application for registration and the Commission is unable to grant registration to HST Mixed League, Inc. As it's a bowling league that does not meet statutory and regulatory, requirements as a qualified organization

MOTION: Halvorsen SECOND: Ryan APPROVED: Unanimous

11). Albroom School - requesting a refund on raffle license in the amount of \$80.00

The Commission determined to issue a credit to the organization in the amount of \$80.00.

MOTION: Barrett SECOND: Vanek APPROVED: Unanimous

12). American Legion Post #12 Stevenson-D'Alession- requesting permission to use net proceeds for updating the utilities system. The Commission approved the use of the net proceeds in an amount as permitted by regulation. Reviewing the submitted material, The Commission determined that 7.6% of proceeds from 2009 could be used. If the capital improvement costs exceed that amount. The organization may be able to use some of the net proceeds from 2010.

MOTION: Barrett SECOND: Vanek APPROVED: Unanimous

13). Uriah Hannah-is seeking direction to register a new game.
The Commission determined that Mr. Hannah should seek legal advice on his proposal.

MOTION: Barrett SECOND: Vanek APPROVED: Unanimous

14). Pajama Program NJ Chapter- Requesting refund on their registration application fee.
The Commission determined to deny the request for refund of the registration fee as it is non-refundable N.J.A.C. 13:47-2.3.

MOTION: Vanek SECOND: Ryan APPROVED: Unanimous

**15) Old Business
None**

16). New Business.

- A) **Assembly Bill No. 2753**
Use of net proceeds for facility maintenance, operating expenses or capitol improvement; to be enacted only after voter approval. The Commission supports the bill.
- B). **Assembly Bill No. 1168**
Permits bars and restaurants to serve alcohol at bingo games. The Commission notes that those establishments would need to obtain commercial renter licenses before bingo could to held on those premises. The commission suggests that other organization be permitted to serve alcohol as well, provided they obtain proper licenses from the Alcohol Beverage Control Commission. Commission is neutral on the bill.
- C). **Assembly Bill No. 2414**
Permits veteran organizations to use net proceeds from games of chance for organizations support. This bill would give veterans organization same status of senior citizen organizations with regard to use of net proceeds. If NJ Constitution is amended, Commission supports the bill.
- D). **Assembly Concurrent Resolution No. 117**
Propose constitutional amendment to allow veterans organization to use net proceeds from games of chance for support of organization. The Commission supports the bill.
- E). **Senate Bill No. 1172**
Removes licensing requirement for recreational bingo games. The Commission notes the current law applies to senior citizens conducting games and this bill opens recreational bingo to any personal group. The bill would permit the game provided that player or other person furnishes anything of value for the opportunity to participate; the prizes awarded or to be awarded are nominal; and no person is paid for conducting or assisting in the conduct of the game or games. The Commission notes that if there is no charge to play or no charge to be admitted to the place where the games is played, it would not be gambling activity. The Commission requests that the bill define “nominal” and that it make clear that there can be no charge to participate. With the changes, the Commission would support the bill.

- F). **Senate Bill No. 1612- Same bill A 1168**
See B) Above

- G). **Senate Concurrent No. 1763 - Same bill - A 2414**
See C) Above

- H). **Senate Bill No.1769**
Provides that person owing or controlling premises not liable for raffles law violation occurring without person knowledge. The Commission apposed that it should have authorities to apposed penalty violations of the law.

- I) **Senate Bill No. 92 - Same as ARC No 117**

17). E'O's Report

- A) **Holiday City Organization, Inc.**
Letter sent to the organization requesting missing raffle reports of operations.
FYI

- B) Response to Minnesota Department of Public Safety Alcohol and Gambling Enforcement is seeking background information on Video King Gaming Systems.
FYI

- C) M. Virgie Cisson (St Helena's Bingo)Reponse to person
Seeking advice, following organizations decision to ban her from a bingo game.
FYI.

- D) Albert Larangeria (Franklin Twp Seniors Club)
Response to organization seeking instructions for filing Raffle Report of Operations.

- E) Joseph Munger (St Thomas The Apostle)
Response to inquiry regarding "Double Stamp and Block Nine bingo game.
FYI

- F) Imperial House, Inc.
Letter sent to the organization requesting missing Raffle Reports of Operations.
FYI

- G) Greek Orthodox Church of St. Anthony t/a Cumberland County Hellenic Community
Letter sent to the organization requesting missing raffle reports of operations.
FYI

- H) **Letters to game coordinators of agriculture fairs to be held in state advising the need for background checks.**

Barry Falk (State Fair)

Alfreda Johnson (Johnson Fun Factory Amusement)

Craig Nelson (Reithoffer Shows Inc)

Dominic Vivona (Amusement of America)

Robert & Judith Wotasek

Susan Reiss (Blue Sky Amusement)

Mike Skelly (Concession Inc.)

Wayne Inners (Majestic Midways)

Vinny Speranza (NJ Valley Amusement)

- I) Copy of letter to all 2009 Amusement Game Licensees advising the need for background checks.
FYI

- J). Letter to arcade operators concerning objects inside coin/token pushers.
FYI

- K). Stephen D'Onofrio
Was not aware of the background check for Legalized Games Of Control Commission.
FYI

L). Holiday City South Senior Citizen Community
Response to inquiry regarding complaint denial winners from a 50/50 bingo
game.

The Commission moved to Executive Session for discussion of investigative matters, deliberations, and advice of counsel. At the conclusion of the Executive Session, and the reading of the closing statement by Commissioner Halvorsen, the meeting was adjourned at 12:30 p.m.

MOTION to adjourn: Halvorsen

SECOND: Vanek

**APPROVED:
Unanimous**

Approved by:

**Marilou C. Halvorsen
Chairperson**

MCH:fr
enc. (3)

1. Statistics report and comparison figures from LGCCC to DCA for April and May 2010 (Refer to item 4)
2. List of organizations approved or denied requests for registration for April, May and June 2010
(Refer to item5)
3. List of approved and denied Compensated Workers, Commercial Licenses April, May and June 2010
(Refer to item 6)