

Legalized Games of Chance Control Commission
PUBLIC SESSION MINUTES
September 19, 2006

A meeting of the Legalized Games of Chance Control Commission was held on September 19, 2006, at 10:30 a.m., at the Office of the Division of Consumer Affairs, located at 124 Halsey Street, 6th Floor, Morris Room, Newark, New Jersey. Present for the meeting were Chairperson Marilou Halvorsen, Commissioners Timothy Ryan, Edward Barrett. Commissioners not present were Frank Ragazzo, and Christine Vanek. Also present were Deputy Attorneys General Ginger Provost and Nancy Costello Miller; LGCCC Supervisor to the Investigative Unit Scott Jenkins; LGCCC Supervisor to the Administrative Unit Annette Misukonis; LGCCC Investigators Martin Silva and Joseph Chessere; supporting staff Farah Rodriguez and Mary Grant.

The meeting was opened at 10:30 a.m. by Chairperson Marilou Halvorsen, pursuant to provisions of the Open Public Meetings Act. N.J.S.A. 10:4-1 et seq. Adequate notice of the meeting was provided by mailing on September 12, 2006, in accordance with Chapter 231 P.L. 1975, more commonly referred to as the Sunshine Law. A list of all regularly scheduled Commission meetings to be held during 2006 was provided 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.us/lps/ca/lgccc.htm.

1. Reading and Approval of the Agenda

The Commission reviewed and moved to approve the agenda as amended.

- a) Item 12. Old Business gArcade Tournamentsh was added
- b) Item 13. New Business Crane Prizes and Generic Certification were added.

MOTION: Barrett

SECOND: Ryan

APPROVED: Unanimous

2. Minutes of the Public Session meeting August 9, 2006.

The Commission reviewed and approved the minutes.

MOTION: Ryan

SECOND: Barrett

APPROVED: Unanimous

Item 14b was moved up on the agenda

14. E. O.fs Report

b) FYI - Effective 09/12/06 DAG Nancy Costello Miller was assigned to provide counsel to the Legalized Games of Chance Control Commission Supervisor to the Investigative Unit Scott Jenkins, introduced DAG Nancy Costello Miller. Mr Jenkins also thanked DAG Ginger Provost for her services to LGCCC.

3. Public Comment

A. Bob Smolinsky Continental St. Fair:

Wanted to know the status of Electronic Bingo regulatory proposal.

The Commission informed Mr. Smolinsky that the Electronic Bingo Regulation is currently in the comment period. Once the comment period is over, the Commission will respond to comments made, and adopt or reserve or take other action. The proposed regulation is then reviewed by the Attorney General's Office and forwarded to the Office of Administrative Law for publication.

B. Edward McGlynn, Esq., Government Affairs Rep., NJAA:

Introduced John Maurer, NJAA second Vice President, and thanked DAG Ginger Provost for

her time and service at LGCCC

4. Statistics report and comparison figures from LGCCC to DCA for August, 2006.
The Commission approved the statistics report and comparison figures for August, 2006.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

5. List of organizations approved or denied requests for registration for September, 2006.
The Commission approved the registration report and comparison figures for September.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

6. List of Approved and Denied Compensated Workers, Commercial Licenses, and Game submissions for the month of September, 2006.

- a) Compensated Workers
- b) Commercial Licenses
- c) Game submissions

The Commission approved the Compensated Workers, Commercial Licenses, and Game Submissions.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

7. FYI-Draft of 2007 Commission Meeting Schedule

The Commission approved the scheduled meetings except for July, August, and November, 2007; dates of those meeting will be determined.

MOTION: Ryan SECOND: Barrett APPROVED: Unanimous

8. Amended Amusement Games Certifications for the September, 2006 Agenda Pending Approval

Game Name

Rebound (non-arcade model)
Gun Ball Game*
a.k.a. Pop-A-Ball**
a.k.a. Pop Gun ***

Certification #
1-083
1-030

Manufacturer
Skee - Ball
*Bobfs Space Racers

The Commission determined to table Rebound in order for Investigator Chessere to have time to contact the Manufacturer, Skee- Ball, to determine the purpose and intent of the skill sticks. The Commission determined to accept the Gun Ball Game.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

9. FYI-List of Signed Warning Letters and UPL Letters

to be an element of second chance and that the Commission may want to consider each capsule should be marked indicating what prize was contained within. Mr. Jenkins also mentioned to the Commission that this can be very time consuming and costly for the Investigators to open each capsule to verify that the prizes advertised are indeed in the capsules. DAG Costello Miller will check the regulations on this type of double chance game. This item was tabled until the next meeting.

The Commission determined to have the Regulation Committee discuss crane prizes.

b) Generic Certification

Commissioner Barrett proposed a generic certification for all ball toss, throw games. Mr. Jenkins noted certification #1 applies to throw games. Commissioner Barrett suggested that the Commission was potentially interfering with the 1st Amendment privileges by restricting or concerning itself with the names of the throw games. He used the example of Mr. Yorkefs prior request and submission for approval of a beer stein. Commissioners Halvorsen and Ryan offered their opinions on this issue. Mr. Jenkins suggested dealing with names of throw games on an individual basis and cautioned that in the absence of review, advertised names, etc., could allow improper things such as sexually explicit material, illegal substances, etc. This item was tabled until the next meeting.

MOTION: Halvorsen

SECOND: Ryan

APPROVED: Unanimous

14. E. O.fs Report

a) FYI -PRN 2006-260 Bingo & Raffles

Compensated Workers Comment period ends 10/6/2006

We have received several comments

1. The Commission asked if the LGCCC staff is prepared to review material related to compensated workers when the Compensated Workers regulation is adopted. The Commission requested that Acting Executive Officer Mr. Carter prepare an application and license, etc., to be used. Mr. Jenkins and Ms. Misukonis will assist Mr. Carter.

2. Mr. Jenkins suggested training for the caller and the manager in connection with electronic bingo. He stated most other states with electronic bingo, for example Virginia, require training for both the caller and manager. He further indicated that training may be necessary for potential compensated workers. The Commission tabled this until the next meeting.

3. The suggestion of a salary schedule pertaining to bingo and compensated workers to the Commission was made by Mr. Jenkins. His concern was that in the absence of a specific schedule, the intended recipients of net proceeds could suffer. Organizations and commercial bingo halls would potentially be free to pay any amount of money to anyone at a minimum of the current minimum wage. Casino nights currently have such a schedule, Mr. Silva offered his opinion that there should be a cap and a schedule that is reasonable.

Commissioner Barrett was opposed to the suggestion and indicated that organizations and commercial halls should govern themselves and that there are already too many regulations. He suggested when and if organizations were found to have used games proceeds for excessive pay, they can be dealt with by the Commission. This item will be tabled until the next meeting.

b) FYI - Effective 09/12/06 DAG Nancy Costello Miller, assigned to provide counsel to the Legalized Games of Chance Control Commission

This item was moved between Item 2 and 3.

There was a motion made and duly seconded to go into Executive Session to consider

disciplinary matters.

MOTION: Barrett

SECOND: Ryan

APPROVED: Unanimous

Upon re-entering public session the Commission moved to adjourn the meeting. After approving the reading of the closing statement by Chairperson Marilou Halvorsen, the meeting was adjourned at 2:50 PM.

MOTION: Barrett

SECOND: Ryan

APPROVED: Unanimous

Approved by:

Marilou Halvorsen
Chairperson

MG:mg

enc. (3)

1. [Statistics report and comparison figures from LGCCC to DCA for August, 2006](#) (Refer back to Item #4)
2. [List of organizations approved or denied requests for registration for September, 2006](#) (Refer back to Item #5)
3. [List of approved and denied Compensated Workers, Commercial Licenses, and Game submissions for the month of September, 2006.](#) (Refer back to Item #6)