BEFORE THE MISSOURI GAMING COMMISSION

Meeting
September 26, 2018
10:00 a.m.
3417 Knipp Drive
Jefferson City, Missouri

BEFORE: Herbert M. Kohn, Chairman
Brian Jamison, Vice Chairman
Larry D. Hale, Commissioner
Thomas Neer, Commissioner
Richard F. Lombardo, Commissioner
Daniel P. Finney, III

Reported by:
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AGENDA

I. Call to Order 3:8

II. Consideration of Minutes
   A. August 29, 2018 8:14
   B. September 10, 2018 8:14

III. Consideration of Approval of Change of Control
   C. Eldorado Resorts, Inc.
      * Presentation by Eldorado Resorts, Inc. 10:5
      * Investigative Summary 18:12
      * Staff Recommendation 19:12
   1. Resolution No. 18-049

IV. Consideration of Relicensure of Supplier
   D. BMM North America, Inc.
      1. Resolution No. 18-050 21:14

V. Consideration of Licensure for Level I/ Key Applications
   E. Resolution No. 18-051 23:12

VI. Consideration of Placement on List of Excluded Persons
   F. April L. Briscuso
      1. Resolution No. 18-052 25:25

VII. Consideration of Final Orders of Rulemaking
   B. Final Orders of Rulemaking 28:22
      1. 11 CSR 45-7.090 - Dock Site Commission Facility
      2. 11 CSR 45-10.020 - Licensee's and Applicant's Duty to Disclose Changed in Information
      3. 11 CSR 45-40.060 - Cash Reserve and Segregated Account Requirements
VIII. Motion for Closed Meeting under Sections 313.847 and 313.945, RSMo, Investigatory, Proprietary and Application Records and 610.021(1), RSMo, Legal Actions, (3) & (13) Personnel and (14) Records Protected from Disclosure by Laws: 20
PROCEDINGS
CHAIRMAN KOHN: Good morning everybody.

AUDIENCE: Good morning.

CHAIRMAN KOHN: This may set a record for the first standing-room-only crowd we've had. There are a few seats up here if you want to try and get them.

We'll call the meeting of the September 26 Missouri Gaming Commission to order.

Angie, please call the roll.

MS. FRANKS: Commissioner Finney.

COMMISSIONER FINNEY: Present.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Present.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Present.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Present.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Present.

We have a quorum. We're ready to proceed with the meeting.

Bill, what is the first order of business?

EXECUTIVE DIRECTOR SEIBERT: The first order of business, Mr. Chairman, is we have some
presentations, and Deputy Director Tim McGrail will make
the first presentation.

CHAIRMAN KOHN: Tim, there you are.

DEPUTY DIRECTOR MCGRAIL: Good morning.

We have five employees that we're going to
recognize today for the years of service, and I'm going
to kind of break them up far as their years.

So the first one, we'd ask Pat O'Dell to come
forward. We're going to recognize Pat. He's one of our
financial investigators, and he has been with us for
five years, five good years. Right?

MR. O'DELL: Yes, sir.

DEPUTY DIRECTOR MCGRAIL: Congratulations.

(Applause.)

DEPUTY DIRECTOR MCGRAIL: The other two have
15 years here with us at MGC.

Jeanna Hagen, if you'd come forward, and
Ann Voss as well.

Jeanna is one of our auditors in the
St. Louis office, and Ann is the senior supervisor of
the auditors in the St. Louis office as well.

So congratulations to Jeanna and to Ann, and
this is for 15 years, 15 good years.

(Applause.)

DEPUTY DIRECTOR MCGRAIL: So we have the last
two, and they've been here for 20 years. So this is
where they started back in 1998.
I've got to have JoAnn Sale come forward and
Mandy Foreman as well.
So they started roughly about three years
after the existence of the Missouri Gaming Commission.
JoAnn is our -- primarily our buyer procurement officer
for us, and then Mandy is one of our information
technology. She helps keep our computers up and running
and kind of the servers as well.
So congratulations to Mandy for 20 years, as
well as JoAnn Sale. Thank you.
(Applause.)
CHAIRMAN KOHN: On behalf of the
Commissioners we also want to add our congratulations
and appreciation. That's a lot of years to be of
service to the Gaming Commission and people of Missouri.
And, JoAnn, if you're responsible for
procuring these candy bars we have here, thank you very
much.
MS. SALE: Just your gavel, Chairman.
CHAIRMAN KOHN: Mr. Seibert, any other
presentations?
EXECUTIVE DIRECTOR SEIBERT: We also have
some presentations with the Missouri State Highway
Patrol, and Captain Larry Plunkett will make those.

CHAIRMAN KOHN: Mr. Plunkett.

CAPTAIN PLUNKETT: Thank you, Mr. Chairman. I appreciate it.

Once again today we have several employees that are reaching their 25-year milestone with the Highway Patrol.

Corporal Christine Benton.

If you guys would come forward as I call your name.

Corporal John Christensen, Sergeant Noel Davenport, Sergeant Phil Hoffman, Sergeant Henry Moore, Corporal Jeff Myers, Corporal Jesie Phillips and Sergeant Jason Whitt.

All these employees are classmates.

Sometimes we have a couple classes a year, but these folks all came on -- I believe it was -- it was August 1993.

So, you know, that's great that you-all have some five to ten-year people but look at 25 years.

So, you know, I say we're glad we have the opportunity and we appreciate you-all letting us do this the last couple months, and it is great to be the Division Director over such a great group of people.

You can see how dedicated our employees are.
They're long-term employees of the Patrol. They've all got outstanding careers. They've all had previous experience in different capacities. They've all been road officers, and they've all had specialties other than what they've even done here with the Gaming Commission.

I can tell you there is a lot of outstanding work done by this group right here. I'm very proud of them. They're leaders in different capacities. These are all people that are highly respected.

They make my job and my staff's job much, much easier, and I just want to thank each one of you guys for what you've done. We have a pendant for you here that I'll hand out to you. But thanks for what you do, and we're looking forward to at least a few more years of service out of there. You're not eligible to retire I don't believe.

But we are -- we truly are a family and, you know, I think we've got a family environment. We stick together through the good and the bad. And I think we've even got a couple trooper brats in the group. I think Sergeant Whitt's father was a trooper and Henry Moore. So we're second and third generations now on the Patrol and we're pretty proud of that, and we've got others here that probably have kids that are interested
in being troopers. So we're very proud of all of that. So thank you guys for what you do. And now that I don't need my glasses I'll put those away. I don't have to read anymore. And this is that fake diamond once again. I'll let you have that. Thank you. Thank you. Thank you. I appreciate it. Thank you. I appreciate you guys. Good job. I appreciate it. Thank you very much. I appreciate it so much. Thank you guys. I appreciate it.

(Applause.)

CAPTAIN PLUNKETT: Get back to work.
CHAIRMAN KOHN: Okay. The first order of business is to consider the minutes of two meetings, August 29 and September 10.

Is there a motion to approve both sets?
COMMISSIONER LOMBARDO: Motion to approve.
COMMISSIONER NEER: Second.
CHAIRMAN KOHN: Angie.
MS. FRANKS: Commissioner Finney.
COMMISSIONER FINNEY: Approve.
MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Approve.
MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approve.
MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approve.
MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approve.
MS. FRANKS: By your vote you've adopted the minutes of the August 29 and September 10, 2018 meetings.
CHAIRMAN KOHN: Mr. Seibert.
EXECUTIVE DIRECTOR SEIBERT: The next order of business is Consideration of Approval of Change of Control, and Mr. Ed Grewach, General Counsel, will present and make any introductions that are necessary.
CHAIRMAN KOHN: Ed, before you begin let me kind of run through how we're going to do this.
After Ed finishes we'll hear from the Eldorado folks for their presentation. If GLPI is here we'll see if they want to add anything to the comments. We'll then have the investigative summary. We will then have Mr. Seibert and the staff's recommendation. We'll determine whether or not the Commissioners -- any Commissioner wants to go into closed session to discuss the resolution, and after that either we'll come out of closed session, or if we don't go into closed session, we will vote on the resolution.
Ed.

MR. GREWACH: Mr. Quatmann is going to present for Eldorado.

CHAIRMAN KOHN: Okay.

MR. QUATMANN: Good morning, Chairman Kohn, Commissioners, Executive Director Seibert. I appreciate the opportunity to be here.

My name is Ed Quatmann. I am the Executive Vice President and Chief Legal Officer for Eldorado Resorts. I am pleased to have the opportunity to begin our presentation today in support of our amended petition for change of control regarding Lumiere Place.

I have been traveling quite a bit for the past month and a half making presentations to different regulatory bodies in support of this transaction. I can say I'm probably most pleased to be here today, not only because this is the last one but also because I'm a Missourian born in Fort Leonard Wood, not far from here, and a St. Louisan.

So I stayed with my parents last night in St. Louis, which is always a treat, and I did explain to them that pending regulatory approval in closing of this transaction I might need to stay down in Four Seasons at Lumiere Place next time I come to town. I enjoy spending time with them but, you know, a little space
might be good. So I'm pleased to be here today in support.

I'd like to introduce who is here with me as well. Tom Reeg, our President and CFO; Barron Fuller, our Senior Vice President of Regional Operations; and Jeff Hendricks, our Vice President of Compliance.

So very quickly, we're happy to answer any questions as we move forward. I'll hand it over to Tom in a moment. I'd also just like to real quickly thank the Commission and thank Executive Director Seibert, Deputy Director McGrail and General Counsel Grewach for all of their work, all of the staff on this transaction.

Obviously we had a wrinkle as we moved forward with things. It took a fair amount of time and consideration from the Commission, as well as from the team here and the staff, and we really appreciate working together to come up with something that brings us here before you today.

So thank you for that. We really appreciate it.

So with that I'll turn it over to Tom Reeg, our President and CFO.

MR. REEG: Good morning. I'm Tom Reeg, President and CFO and a board member of Eldorado, Mr. Chairman, members of the Commission.
We're pleased to be in front of you today to discuss the transaction with Tropicana Entertainment, whereby we buy the assets of Tropicana, including Lumiere Place.

The transaction brings us Atlantic City, Evansville, Laughlin, Greenville, Baton Rouge and Tahoe, in addition to St. Louis.

Ownership structure of the transaction.

We're buying TEI for a billion 850. We're entering into a master lease with GLPI on all of the properties except for Lumiere and Tahoe. The master lease agreement for GLPI contains what is governed by 1.8 times rent coverage ratio and includes a corporate guarantee.

We issued 600 million of senior unsecured bonds. Those bonds closed last week, and the funds from that issuance are in escrow pending closing of the transaction.

We are entering into a $246,000,000 secured loan with GLPI to fund the Lumiere Place portion of the purchase. That's outside of the lease. That's a mortgage that will be unsecured after the first anniversary and will be fully satisfied prior to the second anniversary. The intention is we will swap a property or likely more than one property into the master lease that would replicate the economics had
Lumiere Place been in. Lumiere place remains out. The loan will be satisfied and Lumiere would sit as the rest of our Missouri properties do now subject to the debt on the entire company.

We have -- we've received all of our regulatory approvals except for Missouri at this point, and we would expect to close early in the fourth quarter subject to your approval.

On a pro forma basis, our map, we're in a dozen states. We'll have 26 properties. We'll have almost 30,000 slot machines. Most importantly for us we'll have almost 20,000 team members.

We started this process of acquiring regional assets about four years ago with the acquisition of MTR Gaming. At that time we went from two to seven, and four years later we would be 26 in twelve states. So it's been a pretty quick pace for us.

Missouri is an important state for us with Lumiere, almost 20 percent of the company. In keeping with its importance we have two regional senior vice presidents that are assigned to Missouri. There is only five regional SVPs in the company.

Barron Fuller, who you're familiar with, is responsible for Kansas City, Boonville, Cape Girardeau and Caruthersville. We're creating a northern region
that will include St. Louis, and Glenn Carano, one of the Carano family members, will be the senior vice president in charge of that division, which will also include Evansville, Indiana and Elgin, Illinois, which we closed on in August.

With those brief remarks, you know, I'd say again thank you. And I would echo Ed's comments. I know that we've had to work through a particular financing issue in this transaction. As a Commission and your staff, you were incredibly responsive. I know that all of us who come before you tell you we need to get this done very quickly because we're incredibly responsive, and we really appreciate you working with us to get us to this point today.

And with that I'd open it to any questions from Commissioners.

CHAIRMAN KOHN: Does that conclude the Eldorado portion?

MR. REEG: That does.

CHAIRMAN KOHN: Any questions?

COMMISSIONER LOMBARDO: I have one, unless you want to go first.

CHAIRMAN KOHN: No. You go ahead.

COMMISSIONER LOMBARDO: So GLPI is going to provide the financing for the acquisition of the Lumiere
property. Correct?

MR. REEG: Correct.

COMMISSIONER LOMBARDO: It's going to be outside the lease but GLPI is going to hold the mortgage on it?

MR. REEG: That's correct.

COMMISSIONER LOMBARDO: I know we've gone over this in detail with the special meetings we've had, but could you kind of review the general terms of that financing?

MR. REEG: Sure.

The terms, in terms of the interest, they mirror the payments that would have happened under the master lease. So it's a 9.09 percent interest rate.

The loan is a 24-month loan. It's secured for the first twelve months and then it goes unsecured. It can be satisfied. It's expected to be satisfied by swapping properties into the master lease that would be outside of Missouri that would replace the economics of the Lumiere loan.

In the event that we've put forth -- we've put forth properties that would replace Lumiere economics and for whatever reason GLPI has not accepted those as substitutes, we can pay off the loan in cash in 24 months.
COMMISSIONER LOMBARDI: Okay.
And as I recall -- and, Ed Grewach, jump in here -- there is an event that needs to happen by the end of the first twelve months. Is that correct?
MR. GREWAH: That's correct. The deed of trust itself says it's going to automatically terminate at the end of one year. In addition, there's a provision and GLPI is going to deliver to us to hold -- to the Commission to hold in escrow a deed of release, with authority for us to record that at the end of the first calendar year if it hasn't been satisfied by the replacement property transactions by then.
In addition, the deed of trust has a specific provision that GLPI cannot directly or indirectly through any foreclosure proceedings take possession or ownership of the Lumiere Place property.
COMMISSIONER LOMBARDI: So after one year GLPI will no longer have a security interest in the property. Is that --
MR. REEG: That's correct.
COMMISSIONER LOMBARDI: Okay.
But they're still going to be an unsecured obligation that Eldorado has to GLPI for another twelve months?
MR. REEG: Presuming that it hasn't been
satisfied before then, yes.

COMMISSIONER LOMBARDO: All right. And you plan -- if everything goes as planned, it should be satisfied well before then?

MR. REEG: Yeah. We're planning to work quickly. As the Commission is aware, we'll have various approvals that we'll have to go through to swap new property, and so there is some time that will be required, but we're ready to start moving as quickly as we can.

COMMISSIONER LOMBARDO: Thank you.

COMMISSIONER NEER: Do you have properties targeted at this point to satisfy this transaction or are you starting from scratch?

MR. REEG: No. We have a group of properties that we're in discussions with GLPI. These are -- there's a group -- there's a group of properties identified. It's a short list. It's really tax considerations that become the biggest issue as you move into a lease, but we're not starting from scratch.

COMMISSIONER NEER: Thank you.

CHAIRMAN KOHN: Anybody else?

COMMISSIONER JAMISON: No, sir.

CHAIRMAN KOHN: Thank you very much.

Is there anyone here from GLPI?
MR. MOORE: Yes, Brandon Moore, General Counsel.

CHAIRMAN KOHN: Okay. Do you have anything to add to the presentation?

MR. MOORE: I do not.

CHAIRMAN KOHN: Thank you for being here. I think we're ready for the investigative report. Maggie White will present that.

MS. WHITE: Good morning, Mr. Chairman and Commissioners.

CHAIRMAN/COMMISSIONERS: Good morning.

MS. WHITE: Missouri Gaming Commission's financial investigative staff reviewed the transaction related to Eldorado Resort, Inc.'s acquisition of Tropicana Entertainment.

Staff were tasked with examining the financial details associated with the transaction and assessing the company's continued financial suitability.

The financial analysis was based on examination of Eldorado's SEC filings and financial statements, as well as additional information from the company and discussion with company staff.

A detailed, comprehensive report was created that outlines the summary of the transaction, the mechanics for how it will be accomplished and the fiscal
impacts of the proposed acquisition.
The results of this financial analysis were provided to the Missouri Gaming Commission staff for their review, and you have the related financial summary report before you.

Thank you.
CHAIRMAN KOHN: Any questions of Ms. White?
COMMISSIONER JAMISON: No, sir.
COMMISSIONER NEER: No.
CHAIRMAN KOHN: Okay. We're ready for the staff recommendation, Mr. Seibert.
EXECUTIVE DIRECTOR SEIBERT: The staff recommends approval.
CHAIRMAN KOHN: Okay. We're going to have a motion now to approve Resolution 18-049, and immediately after that motion is made and seconded I will ask the Commissioners whether or not anyone would like to go into closed session before voting on that motion.

So one, can we have a motion to approve Resolution 18-049?
COMMISSIONER JAMISON: I move for approval.
CHAIRMAN KOHN: Is there a second?
COMMISSIONER LOMBARDO: Second.
CHAIRMAN KOHN: Would any Commissioner like to go into closed session for a discussion?
If not, Angie, please call the roll.

MS. FRANKS: Commissioner Finney.

COMMISSIONER FINNEY: Approved.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted Resolution No. 18-049.

CHAIRMAN KOHN: So I want to make a statement, and I wanted to make this right so I wrote it down and I'm going to read it.

We've all been through a lengthy and difficult process. We, the Commission, are satisfied with the result and hope that the parties are as well. Negotiations on both sides have been conducted in good faith. Each party has represented its constituency well. You all have acted on behalf of your shareholders. We have acted on behalf of our constituents, the people of Missouri.

I think all involved acted honorably and
nothing ever got personal. You were ably represented by your counsel and we are indebted to our staff, and especially to our counsel, Ed Grewach, for the outstanding job that they all did.

So we go forward as we should. We wish Eldorado and GLPI the greatest success in the operation of your business, which, of course, also enures to the benefit of Missouri residents.

So thank you all.

Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: The next order of business is Consideration of Relicensure of Supplier.

Gary Davidson will present.

SERGEANT DAVIDSON: Mr. Chairman, Commissioners, Missouri State Highway Patrol investigators conducted the relicensing investigation of one supplier company currently licensed in the state of Missouri.

The investigation consisted of jurisdictional inquiries, feedback from affected gaming companies and review of disciplinary actions, litigation and business credit profiles, as well as a review of the key persons associated with the company.

The result of this investigation was provided to the Missouri Gaming Commission staff for their
review, and you possess a comprehensive summary report before you which outlines the investigative summaries of the company.

The following company is being presented for your consideration: BMM North America, Incorporated, doing business as BMM Testlabs.

CHAIRMAN KOHN: Any questions of Sergeant Davidson?

COMMISSIONER JAMISON: No, sir.
COMMISSIONER NEER: No, sir.

CHAIRMAN KOHN: Is there a motion to approve Resolution 18-050?

COMMISSIONER FINNEY: Motion to approve.
COMMISSIONER NEER: Second.

CHAIRMAN KOHN: Discussion on the motion? Angie.

MS. FRANKS: Commissioner Finney.
COMMISSIONER FINNEY: Approved.

MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted Resolution No. 18-050.

CHAIRMAN KOHN: Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: The next order of business is Consideration of Licensure for Level I and Key Applicants.

Sergeant Samuel Seaton will present.

SERGEANT SEATON: Mr. Chairman, Commissioners good morning.

CHAIRMAN/COMMISSIONERS: Good morning.

SERGEANT SEATON: Missouri State Highway Patrol investigators, along with Missouri Gaming Commission financial investigators, conducted comprehensive background investigations on multiple key and Level I applicants.

These investigations included, but were not limited to, criminal, financial and general character inquiries which were made in the jurisdictions where the applicants lived, worked and frequented.

The following individuals are being presented for your consideration: Ryan P. Comstock, Ainsworth Game Technology, Incorporated, Director and Chief Operating Officer; Miguel A. Cuadros, Ainsworth Game Technology, Incorporated, Officer/Director/President -
Latin America; Kieran Power, Ainsworth Game Technology, Limited, Chief Technology Officer; Adam Douglas Hohl, Ameristar Casino, Kansas City, Incorporated, Director of Security and Environmental Services; Keith A. Causey, Caesars Entertainment Corporation, Senior Vice President and Chief Accounting Officer; John D. Dionne, Caesars Entertainment Corporation, Director; Christian D. Stuart, Caesars Entertainment Corporation, Executive Vice President, Gaming and Interactive Entertainment; Harper Hwei Fin Ko, Everi Holdings, Incorporated, Executive Vice President, General Counsel, Chief Legal Officer, Corporate Secretary and Chief Compliance Officer; Earl Clinton Shanks, Gaming & Leisure Properties, Incorporated, Director; Fredric J. David, Pinnacle Entertainment, Incorporated, Vice President of Electronic Gaming; Mark A. Yingling, Pinnacle Entertainment, Incorporated, Director of Internal Audit.

The results of these investigations were provided to the Gaming Commission staff, and the investigating officers are present to answer any questions you might have.

Thank you.

CHAIRMAN KOHN: Thank you.

Any questions?

Are we doing all of these at once, Ed?
MR. GREWACH: Yes.

CHAIRMAN KOHN: Is there a motion to approve Resolution 18-051?

COMMISSIONER JAMISON: Move for approval.

COMMISSIONER FINNEY: Second.

CHAIRMAN KOHN: Discussion on the motion. Angie.

MS. FRANKS: Commissioner Finney.

COMMISSIONER FINNEY: Approved.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted Resolution No. 18-051.

CHAIRMAN KOHN: Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: The next order of business is Consideration of Placement on the List of Excluded Persons.

Mr. Ed Grewach will present.

MR. GREWACH: Thank you, Director Seibert,
Mr. Chairman, Commissioners.

Under Tab F we have a resolution to place April Briscuso on the involuntary exclusion list.

Ms. Briscuso was a dispatcher at the Hazelwood Police Department. In August of 2016 a Hazelwood officer was injured in the line of duty in a car crash. He was paralyzed from the chest down.

Ms. Briscuso led some fundraising activity on behalf of the injured officer. It was later discovered that she kept a large amount of cash donations and even asked some of the donors to make checks payable directly to her.

She pled guilty on May 21st, 2018 in St. Louis County to felony stealing. She received a five-year sentence with a suspended execution of sentence, was sentenced to serve 60 days shock jail time, pay $9,500 in restitution, and as part of her probation she's prohibited from entering any gambling establishment.

This was due to the fact that in a statement she made after the theft was uncovered she indicated that she used the majority of the funds that she stole for gambling purposes.

She signed up for the voluntary disassociated person list but she's eligible for rescission from that
in December of 2022. This resolution would place her on the permanent involuntary exclusion list.

CHAIRMAN KOHN: If you're on the permanent list, are there any circumstances under which you can get off?

MR. GREWACH: Actually there are. There is not a specific set of circumstances. We've actually had one in the not too recent past.

CHAIRMAN KOHN: I thought so.

MR. GREWACH: The rule simply indicates that a person on the list can come and petition the Commission to be removed from that list. And I think the person that presented was a person that had been on basically at the inception of gaming here and indicated the changes in his life that he had experienced. And so, yes, there is an opportunity to petition the Commission to come off.

The difference between that and the voluntary exclusion list is after five years all you have to do to get off the voluntary list is send in a request to be rescinded and then that's automatic at that point, as opposed to involuntary where it's discretionary with the Commission whether or not they get off the list.

CHAIRMAN KOHN: Okay. Any other questions?

Is there a motion to approve
Resolution 18-052?

COMMISSIONER NEER: Motion to approve.

COMMISSIONER JAMISON: Second.

CHAIRMAN KOHN: Discussion on the motion. Angie.

MS. FRANKS: Commissioner Finney.

COMMISSIONER FINNEY: Approved.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted Resolution No. 18-052.

CHAIRMAN KOHN: Mr. Seibert.

EXECUTIVE DIRECTOR: The next order of business is Consideration of Final Orders of Rulemaking.

Mr. Ed Grewach will present.

MR. GREWACH: Thank you.

We have three Final Orders of Rulemaking under Tab G. The proposed Orders of Rulemaking were approved by the Commission at the May 30th, 2018
meeting. There was a public comment period and a public
hearing on August the 1st, 2018. There were no comments
received at either of those two events and, therefore,
the rules are presented for approval of Final Order
without any changes. If approved by the Commission,
they would have an effective date of January the 30th,
2019.

I might point out that Item 3 is the change
to the cash reserve process for fantasy sports
operators, in which we would require them to have a
reserve account set up with an amount equal to monies
owed to Missouri players in an account that was in their
name in a special purpose entity that was set up with
specific requirements and that account would be in a
special purpose entity's name for the benefit of the
Missouri Gaming Commission and the funds cannot be
withdrawn without the Commission's approval.

CHAIRMAN KOHN: Okay. So we have two of
these. Right?

MR. GREWACH: We have three.

COMMISSIONER JAMISON: There is one
rescission and two amendments.

CHAIRMAN KOHN: Why don't we vote on the
rescission one first and then do the other two
separately.
So is there a motion to approve 11 CSR 45-7.090?

COMMISSIONER JAMISON: As a rescission?

CHAIRMAN KOHN: As a rescission.

COMMISSIONER JAMISON: I so move.

COMMISSIONER NEER: Second.

CHAIRMAN KOHN: Discussion on the motion. Angie.

MS. FRANKS: Commissioner Finney.

COMMISSIONER FINNEY: Approved.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted the Final Order of Rulemaking 11 CSR 45-7.090.

CHAIRMAN KOHN: Okay. Now a motion to approve CSR 10.020 and 40.060.

COMMISSIONER LOMBARDO: Motion to approve.

COMMISSIONER JAMISON: Second.

CHAIRMAN KOHN: Discussion on the motion?
Angie.

MS. FRANKS: Commissioner Finney.

COMMISSIONER FINNEY: Approved.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted the Final Order of Rulemaking 11 CSR 45-10.020 and 40.060.

CHAIRMAN KOHN: That concludes the items of business listed on the agenda. Is there anyone here who would like to make a statement of any kind? Okay. Is there a motion to go into closed session?

COMMISSIONER JAMISON: I move for a closed meeting under Sections 313.847 and 313.945, Revised Missouri Statutes, investigatory, proprietary and application records, and 610.021, Subparagraph 1, Revised Missouri Statutes, legal actions, Subparagraph 3 and Subparagraph 13, personnel, and Subparagraph 14,
0033
1  records protected from disclosure by law.
2  
3  CHAIRMAN KOHN: Is there a second?
4  
5  COMMISSIONER LOMBardo: Second.
6  
7  CHAIRMAN KOHN: Angie.
8  
9  MS. FRANKS: Commissioner Finney.
10  
11  COMMISSIONER FINNEY: Approved.
12  
13  MS. FRANKS: Commissioner Lombardo.
14  
15  COMMISSIONER LOMBardo: Approved.
16  
17  MS. FRANKS: Commissioner Neer.
18  
19  COMMISSIONER NEER: Approved.
20  
21  MS. FRANKS: Commissioner Jamison.
22  
23  COMMISSIONER JAMISON: Approved.
24  
25  MS. FRANKS: Chairman Kohn.
26  
27  CHAIRMAN KOHN: Approved.
28  
29  So we're going into closed session now, and
30  we will come back out into open session upon the
31  conclusion of our closed session.
32  
33  Thank you all for being here and we'll see
34  you in October.
35  
36  WHEREIN, the meeting concluded at 10:36 a.m.
CERTIFICATE OF REPORTER

I, Patricia A. Stewart, CCR, a Certified Court Reporter in the State of Missouri, do hereby certify that the testimony taken in the foregoing transcript was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this transcript was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Patricia A. Stewart
CCR 401
The Missouri Gaming Commission (the “Commission”) went into open session at approximately 11:10 a.m. on September 26, 2018, at the Jefferson City office of the Missouri Gaming Commission.

Commissioner Jamison moved to adjourn the open session meeting. Commissioner Finney seconded the motion. After a roll call vote was taken, Lombardo – yes, Neer – yes, Jamison – yes, and Kohn – yes, the motion was unanimously approved.

The meeting ended at 11:11 a.m.