CSI - Ohio

The Common Sense Initiative

Business Regulation Impact Analysis

Agency Name: Ohio Casino Control Commission ("Commission")

Regulation/Package Title: Five Year Review Batch Six (Definitions; Table game internal controls; Approval of table games; Prohibition on table game play by gaming-related vendors; Purchase or lease from authorized gaming-related vendors; Shipment of table games and table games mechanisms; Receipt of gaming chips from manufacturer; Compliance with law; prohibited activities; Publication of rules and payoff schedules for all permitted games; Waiver of requirements; Chip specifications; Submission of chips for review and approval; Primary, secondary, and reserve sets of gaming chips; Inventory of chips; Destruction of chips; Dice and card specifications; Dice and cards receipt, storage, and use; Inspection of dice and cards before use; Cancellation and destruction of dice and cards; Mandatory table game count procedure; Handling of cash at gaming tables; Table inventory; Opening of gaming tables; Closing of gaming tables; Payout for progressive table games; Procedures for manually filling chips from cage to table; form procedures; Table game fill and credit backup procedures; Table game pit areas and supervision; Instructional table games offered to public; Dealer and boxperson hand clearing; Poker room; general; Poker room; supervision; Poker room transactions; Security department; Security department staffing; Training; Security plan; Emergency operations plan; Incident reports; Security detention area; Communications system).

Rule Number(s): 3772-11-01 (amendment); 3772-11-02 (rescind); 3772-11-03(amendment); 3772-11-04 (amendment); 3772-11-05 (amendment); 3772-11-06 (amendment); 3772-11-07 (amendment); 3772-11-08 (amendment); 3772-11-09 (amendment); 3772-11-10 (rescind); 3772-11-11 (no change); 3772-11-12 (no change); 3772-11-13 (amendment); 3772-11-15 (amendment); 3772-11-16 (amendment); 3772-11-20 (amendment); 3772-11-21 (amendment); 3772-11-22 (amendment); 3772-11-23 (amendment); 3772-11-24 (no change); 3772-11-25 (amendment); 3772-11-26 (amendment); 3772-11-27 (amendment); 3772-11-28 (amendment); 3772-11-29 (amendment); 3772-11-30 (rescind); 3772-11-32 (amendment); 3772-11-35 (amendment); 3772-11-36 (amendment); 3772-11-38 (no change); 3772-11-40 (rescind); 3772-11-41 (rescind); 3772-11-42 (amendment); 3772-20-01 (amendment); 3772-20-02 (amendment); 3772-20-03 (amendment); 3772-20-04 (amendment); 3772-20-05 (amendment); 3772-20-06 (amendment); 3772-20-07 (amendment); 3772-20-08 (amendment).

Date: November 21, 2016; Amended December 27, 2016

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Rule Type:

New	X 5-Year Review
X Amended	X Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. **Please briefly describe the draft regulation in plain language.**
   Please include the key provisions of the regulation as well as any proposed amendments.

This package is the sixth containing rules subject to five-year review for 2016. This batch includes rules relating to table games and security. Many of the changes are small housekeeping amendments to clean up and clarify rule language. Several of the amendments remove the terms "applicant or licensee" and instead use the name of the entity in an effort to streamline and clarify Ohio Adm. Code 3772 in its entirety.

- **3772-11-01 (amendment)**, titled "Definitions." This rule defines certain table game-related terms. The purpose of this rule is to create a clear set of definitions that will apply throughout the code. The amendments to this rule are largely intended to clarify and streamline rule language. As the Commission has been doing throughout the code, we have replaced the words "this chapter" with "rules adopted by the commission" to ensure that these general terms apply throughout the entire code and not just Ohio Adm. Code Chapter 3772-11.

- **3772-11-02 (rescind)**, titled "Table game internal controls." This rule is being rescinded. Table games internal controls are already required by Ohio Adm. Code 3772-10-02, and a table games director and appropriate department staffing are already required under Ohio Adm. Code 3772-10-03. The purpose of this rescission is to streamline Ohio Adm. Code 3772. by removing a duplicate provision.

- **3772-11-03 (amendment)**, titled "Approval of table games." This rule provides that casino operators must submit the rules for any table games it wants to provide and allows the Commission to require testing of the game, rules, or equipment. The rule also provides that the casino operator may not offer a game or use any associated equipment, until approved by the Commission, including provisions for how to notify the Commission of any

proposed modifications. Finally, the rule requires that the casino operator notify the Commission of any known or suspected defect or malfunction. The purpose of this rule is to carry out the Commission's statutory mandate, contained in R.C. 3772.03(D), to identify permitted casino gaming and gaming equipment, as well the standards these must meet. The amendment to this rule states that casino operators must alert the Commission of any suspected defect or malfunction at the time of detection, rather than within four hours. The purpose of this amendment is to allow the Commission to quickly investigate the defect and determine the best course of action to ensure the integrity of casino gaming.

- **3772-11-04 (amendment)**, titled "Prohibition on table game play by gaming-related vendors." The rule, as amended, provides that no director, officer, or employee of a gaming-related vendor may play table games at a casino facility to which the vendor provides its goods or services. The purpose of this rule is to ensure the integrity of casino gaming by eliminating any appearance of impropriety, including collusion and other cheating behavior. Paragraph (A) has been removed as moot because R.C. 3772.99(D)(5) already prohibits any casino operator or casino operator employee from participating in casino gaming anywhere in the State of Ohio other than as part of operation or employment. SB 265, pending in the 131st General Assembly, would soften this statutory prohibition to only the casino facility in which the casino operator has an interest, where the employee is employed, or at an affiliated casino facility in the State of Ohio.

- **3772-11-05 (amendment)**, titled "Purchase or lease from authorized gaming-related vendors." This rule provides that casino operators may only purchase or lease table games or table game equipment from gaming-related vendors, as required by R.C. 3772.21. The first amendment to this rule clarifies that it applies to lease transactions as well, in order to comport with R.C. 3772.21. The second amendment removes an unnecessary approval requirement for each time a casino operator purchases or leases such equipment.

- **3772-11-06 (amendment)**, "Shipment of table games and table games mechanisms." This rule specifies that the shipment of all table games and table game mechanisms must be approved in advance by the Executive Director or the designee thereof. The rule requires a seven-day prior notification, unless otherwise approved, and some specifics regarding what information the notice must contain. The amendment to this rule clarifies that only a casino operator is responsible for obtaining shipment approval (rather than gaming-related vendors or any other person causing the shipment) and also removes a few requirements on these notices that the Commission has found to be unnecessary, such as an exact time of arrival and the reason for shipping.

- **3772-11-07 (amendment)**, titled "Receipt of gaming chips from manufacturer." This rule specifies how casino operators must handle the receipt of gaming chips. This procedure requires notification to the Commission, the presence of casino employees from separate departments, and entry of the chips in the chip inventory ledger, as well as specifying how reserve chips are to be stored. The purpose of this rule is to ensure that the chips, which are a cash equivalent, as mandated under R.C. 3772.22's cashless wagering system, and are

rarely delivered to the casino, are properly accounted for and handled in a manner similar to cash. The amendments to this rule are largely meant to clarify and streamline rule language, and also specify that a member from the cage department must be present when the chips are received. This reflects current practice at the casinos.

- **3772-11-08 (amendment)**, titled "Compliance with law; prohibited activities." This rule provides that casino operators shall not cheat or permit any cheating. The rule largely echoes provisions in R.C. 3772.01 and R.C. 3772.99. The amendment to this rule is a minor grammatical fix.

- **3772-11-09 (amendment)**, titled "Publication of rules and payoff schedules for all permitted games." This rule provides that casino operators must post and provide accurate and non-misleading copies of rules and payoff schedules for all permitted games. The amendment is a minor reorganization and clarifies that the casino operator must post the rules on their website.

- **3772-11-10 (rescind)**, titled "Waiver of requirements." This rule is being rescinded. This rule provides a waiver process for variances from the requirements in this chapter. The purpose of the rescission is to remove a duplicate provision from Ohio Adm. Code 3772, as Ohio Adm. Code 3772-1-04 functions as the general waiver provision for all rules adopted by the Commission.

- **3772-11-11 (no change)**, titled "Chip specifications." This rule is not being amended. This rule outlines the requirements that casino operator's chips must meet, including what denominations a casino operator may utilize and how non-value chips may be used. The purpose of this rule is to ensure the integrity of the cashless wagering system, as required by R.C. 3772.22, and to allow both the Commission and the casino operator to quickly and confidently monitor all transactions at the casinos through surveillance.

- **3772-11-12 (no change)**, titled "Submission of chips for review and approval." This rule is not being amended. This rule requires casino operators to obtain approval of a schematic and a sample of a chip from the Executive Director before utilizing that chip design in casino gaming. The purpose of this rule is to ensure that all chip types used in casino gaming comport with the requirements in Ohio Adm. Code 3772-11-11, thereby ensuring the integrity of the casino's cashless wagering system, as required by R.C. 3772.22. This approval only need occur if the casino operator makes a change from the currently approved chips.

- **3772-11-13 (amendment)**, titled "Primary, secondary, and reserve sets of gaming chips." This rule requires that the casino keep a secondary set of value chips and a reserve set of nonvalue chips. The rule requires that these sets be placed in play if something calls into question the security or integrity of the primary sets, for example, the presence of a significant number of counterfeits. The purpose of this rule is to ensure the integrity of the

casino's cashless wagering system, as required by R.C. 3772.22. The amendment to this rule changes the person the casino operator should notify that the primary sets have been compromised and need to be removed from play from a gaming agent to the Executive Director or the designee thereof. This should provide a consistent, coordinated response, in the event of such a major incident.

- **3772-11-15 (amendment)**, titled "Inventory of chips." This rule specifies that casino operators must conduct a monthly inventory of chips and that all movements of chips must be recorded on the chip inventory ledger. Further, the rule requires the casino operator to compute unredeemed liability, to keep chips securely stored, and to ensure the proper handling and destruction of damaged chips. Finally, the rule also provides an exception to monthly inventories for secondary and reserve chips if such chips are properly secured. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, as required by R.C. 3772.22. The amendment to this rule clarifies exactly when chip movements shall be included on the inventory ledger and provides for several other streamlining and clarifying changes.

- **3772-11-16 (amendment)**, titled "Destruction of chips." This rule specifies when and how a casino operator may destroy chips, including submission of written notification to and receipt of approval from the Commission. The rule also specifies that the destruction must take place in a monitored room in the presence of licensed employees, who shall record the destruction in the chip inventory ledger. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, as required by R.C. 3772.22, by providing proper procedures for destruction. The amendment to this rule clarifies that the Commission must approve the destruction, requires an employee of a cage department to be present at destruction, and shortens the notification period for destruction from ten to seven days. These amendments reflect current practice.

- **3772-11-20 (amendment)**, titled "Dice and card specifications." This rule sets the standards that dice and cards used for casino gaming must meet. These dice and cards must be submitted to and approved by the Executive Director before being used. These specifications are industry standard, and the rule allows casino operators to vary from these requirements if approved by the Executive Director or if stated in the casino operator's internal controls. The purpose of this rule is to implement the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices. The amendment to this rule is largely streamlining and clarifying, including reorganization. Specifically, card specifications have been moved from Ohio Adm. Code 3772-11-22 to this rule but have not changed otherwise.

- **3772-11-21 (amendment)**, titled "Dice and cards receipt, storage, and use." This rule specifies how dice and cards must be received, stored, and used. The rule requires dice to be received by at two licensed employees and then placed into storage. Further, all dice and cards must be recorded in inventory. The purpose of this rule is to implement the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only

permitted gaming supplies and devices, by ensuring uniformity in the receipt, storage, and use of such equipment. The amendment to this rule is largely streamlining and clarifying, including reorganization. Specifically, card receipt and storage requirements have been moved from Ohio Adm. Code 3772-11-23 to this rule. This includes rules relating to the movement of cards and dice, how cards and dice will be replaced, and how they will be destroyed.

- **3772-11-22 (amendment)**, titled "Inspection of dice and cards before use." This rule specifies how dice and cards will be inspected before use to ensure that these dice meet the requirements in R.C. Chapter 3772. and the rules adopted thereunder. The purpose of this rule is to implement the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices. The amendment to this rule is just a reorganization from inspections previously being contained in Ohio Adm. Code 3772-11-21 to being contained in this rule and card specifications being moved to Ohio Adm. Code 3772-11-20 in an effort to clarify and streamline the code.

- **3772-11-23 (amendment)**, titled "Cancellation and destruction of dice and cards." Currently, this rule contains specifics as to card receipt, storage, and inspection. However, these specifics have been moved to and reorganized in Ohio Adm. Code 3772-11-21, in an effort to clarify and streamline the code. The amended rule relates solely to the cancellation and destruction of dice and cards, which had previously been contained in this rule and Ohio Adm. Code 3772-11-21. This rule requires the casino operators to have internal controls relating to cancellation and destruction, and requires such cancellation to take place in a secure location. Further, the rule specifies what mark is sufficient for cancellation and that shredding shall be the method of destruction. The purpose of this rule is to implement the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices.

- **3772-11-24 (no change)**, titled "Mandatory table game count procedure." This rule is not being amended. The rule specifies that each casino operator shall have internal controls related to table game count procedures, including the times at which counts may take place. Further, the rule allows a casino operator to vary from these times if the casino operator notifies a Commission gaming agent. The purpose of this rule is to ensure the proper handling and accounting of all cash and cash equivalents.

- **3772-11-25 (amendment)**, titled "Handling of cash at gaming tables." This rule specifies how cash will be handled at gaming tables. Specifically, the rule implements R.C. 3772.22, which mandates a cashless wagering system, and specifies protections for how cash will be converted into chips. The purpose of this rule is to ensure the cashless wagering system is implemented with appropriate consumer protections, allowing patrons and the Commission to monitor cash conversions. The amendment to this rule refers to the rule that specifies the manner in which the boxperson or dealer must count chips when exchanging them with cash.

- **3772-11-26 (amendment)**, titled "Table inventory." This rule specifies how casino operators are to handle the inventory of chips at each table, including when chips are allowed to be disbursed or added and that the inventory must be kept locked with an inventory slip. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, mandated by R.C. 3772.22. The amendment incorporates two existing requirements from Ohio Adm. Code 3772-11-32 and Ohio Adm. Code 3772-11-42, respectively: (1) that chips may only be bought from the casino; and (2) that foreign currency should be exchanged at a cage, not the pit. The amendment also removes a never-used circumstance under which chips can be moved to or from the inventory and removes a requirement for casino operators to provide a daily list of table games not open for play.

- **3772-11-27 (amendment)**, titled "Opening of gaming tables." This rule specifies how a gaming table must be opened for play, including that the openers must verify that the count is correct and how to handle variances in the inventory. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, mandated by R.C. 3772.22. The amendment to this rule refers to the rule that specifies the manner in which the dealer or boxperson shall count the chips and verify the table inventory upon opening.

- **3772-11-28 (amendment)**, titled "Closing of gaming tables." This specifies how gaming tables must be closed for play, including that all chips must be counted, proved, and locked away, and that an inventory slip must be prepared attesting to the amount. The rule also includes some specifics as to how multiple closings and openings within a gaming day should be handled. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, mandated by R.C. 3772.22. The amendment to this rule provides some flexibility to the casinos in what paperwork to provide to the Commission in the event of twenty-four hour gaming, as well as a reference to the rule that specifies the manner in which table inventories should be counted and verified when closing a table.

- **3772-11-29 (amendment)**, titled "Payout for progressive table games." This rule specifies how casino operators are to handle payouts for progressive table games. Specifically, it requires notice to the patrons of the progressive amount and how that amount will be disbursed, and requires progressives to be laid out in the casino operator's internal controls. The purpose of this rule is to ensure that all progressive funds are properly accounted for and that patrons understand the rules and amounts of the progressive. The amendment to this rule replaces the term "jackpot" with "manual payout." A term which was recently defined in an amendment to Ohio Adm. Code 3772-10-21. The amendment also removes specifics as to how progressives are canceled. This is consistent with how the Commission handles slot machine progressives.

- **3772-11-30 (rescind)**, titled "Procedures for manually filling chips from cage to table; form procedures." This rule is being rescinded. The rule currently specifies how manual fills of tables must occur. These requirements are being largely removed from the Administrative Code and will instead be required to be placed in a casino operator's internal controls pursuant to Ohio Adm. Code 3772-11-32. The purpose of this amendment

is to give the Commission and the casino operators more discretion in adapting to changing industry practices.

- **3772-11-32 (amendment)**, titled "Table game fill and credit backup procedures." The rule currently specifies how casino operators are to record manual fills of tables. These requirements are being largely removed from the Administrative Code and will instead be required to be placed in a casino operator's internal controls. The purpose of this amendment is to give the Commission and the casino operators more discretion in adapting to changing industry practices.

- **3772-11-35 (amendment)**, titled "Table game pit areas and supervision." This rule currently specifies how table game pit areas are to be operated and the staffing in those areas, including when a separate area for games is necessary. The purpose of this rule is to ensure that all table game pit areas are appropriately secured, staffed, and supervised, so as to ensure the integrity of the games offered. The amendment to this rule is intended to streamline and clarify. The amendment also includes the already-existing requirement that a supervisor should be in direct management of the room at all times, removed from Ohio Adm. Code 3772-11-41.

- **3772-11-36 (amendment)**, titled "Instructional table games offered to public." This rule specifies how instructional table games may be offered to the public, that the game must use only cancelled dice or cards and non-value chips, and that the casino operator must not allow any wagers or participation by those under 21. The casino operator must also provide prior notice before providing the instructional game. The purpose of this rule is to ensure the integrity of table game equipment and chips, by ensuring that they are only used in casino gaming, and to ensure that of-age patrons are provided an appropriate learning environment. The only amendment clarifies that the restrictions placed on gaming chips under this rule only apply to those used in instructional table games.

- **3772-11-38 (no change)**, titled "Dealer and boxperson hand clearing." This rule is not being amended. This rule requires each dealer and boxperson to clear their hands in view of surveillance and all persons in the immediate area when entering and exiting the game. The purpose of this rule is to ensure that dealers and boxpersons are not palming chips or other table game equipment as they enter or leave a game in an attempt to either steal such items or introduce unapproved items into play.

- **3772-11-40 (rescind)**, titled "Poker room; general." This rule is being rescinded. The current rule requires that non-dealer-played games must occur in the approved poker room—a requirement that has been moved to Ohio Adm. Code 3772-11-35—and that the casino operator have written house rules—a requirement that has been removed, as duplicative.

- **3772-11-41 (rescind)**, titled "Poker room; supervision." This rule is being rescinded. The rule currently requires supervision of the poker room by a supervisor. This requirement has been moved to Ohio Adm. Code 3772-11-35 in order to streamline and better organize poker room requirements. The rule also specifies that the title of the supervisor is not determinative, but who the supervisor is must be clearly specified in the internal controls—this requirement is duplicative given Ohio Adm. Code 3772-10-03.

- **3772-11-42 (amendment)**, "Poker room transactions." This rule currently specifies how poker room banks and poker room transactions will occur, including that all transactions must be properly authorized and must be an even exchange. The amendment to this rule further clarifies that the general table game requirements apply to the poker room, but provides some exceptions. By doing so, the rule is also able to eliminate some specifics as to how poker room tables should be opened, closed, and inventoried. The amendment also requires all transactions to go through a cashier's cage. The purpose of this rule is to ensure that poker rooms are held to similar regulatory requirements as other table games, as appropriate, providing for greater consistency for both the casino operators and the Commission.

- **3772-20-01 (amendment)**, titled "Security department." This rule specifies that casino operators must have a security department to provide unarmed security at the casino and that those employed in the security department must hold a casino gaming employee license. The rule elaborates on the duties of the security department and specifies the limited situations in which a casino operator may permit a firearm at the facility. One amendment now requires the security department to notify the Commission, at the time of detection, of any suspected or known illegal activity, so that the Commission may commence an investigation as soon as practical. The rule previously required notice within twenty-four hours of detection. The purpose of this rule is to prescribe security requirements, as required by R.C. 3772.03, ensuring the casino operator has sufficient security to keep both those at the casino and the facility itself safe, as well as to assist the Commission as requested.

- **3772-20-02 (amendment)**, titled "Security department staffing." This rule specifies that the security department shall be supervised by a director, who reports to the general manager, and that the casino operator shall maintain sufficient security staffing to ensure safety and to meet the requirements of R.C. Chapter 3772. The purpose of this rule is to prescribe security requirements, as required by R.C. 3772.03, ensuring the casino operator has sufficient security to maintain safety and meet the requirements of R.C. 3772.03. The amendment to this rule is solely streamlining.

- **3772-20-03 (amendment)**, titled "Training." This rule specifies that each casino operator must provide training to all members of its security department, as required by R.C. 3772.03. The rule requires Commission approval of this training program and some specifics in what procedures should be included in the program. The purpose of this rule is to ensure the proper training of security personnel, so as to ensure safety and to ensure that

the requirements of R.C. Chapter 3772 and the rules adopted thereunder are met. The amendment to this rule is largely for streamlining purposes, but also provides greater flexibility to casino operators and the Commission by allowing for the training plan to be submitted on a schedule approved by the Commission, instead of on a rigid timeframe.

- **3772-20-04 (amendment)**, titled "Security plan." This rule specifies that each casino operator must have a security plan, approved by the Commission and containing certain information, before the commencement of casino gaming. The purpose of this rule is to ensure the casino has proper plans in place for the safety of all involved. The amendments to this rule provide greater flexibility to casino operators and the Commission by allowing for the security plan to be submitted on a scheduled approved by the Commission, instead of a rigid timeframe, and removes duplicative requirements regarding the submission and approval of the plan.

- **3772-20-05 (amendment)**, titled "Emergency operations plan." This rule specifies that the casino operators must have an emergency operations plan to deal with certain emergency situations, including severe storms, fires, and active shooter scenarios. Further, the rule specifies that the Commission should be notified at the time that an emergency arises. The purpose of this rule is to ensure the safety of those at the casino in case of emergency. The amendment to this rule is largely streamlining, but it also specifies that casino operators should also have a plan to deal with major civil disturbances – which at least two casinos already do – and removes duplicative requirements regarding the submission and approval of the plan.

- **3772-20-06 (amendment)**, titled "Incident reports." This rule requires casino operators to prepare reports regarding specific kinds of incidents at the casino, including injuries, underage gambling, removal of patrons, and several different types of illegal activity. The rule further specifies what information the report must contain and that each report must be provided to the Commission. The purpose of this rule is to ensure the safety of those at the facility, as well as to ensure proper documentation of activity at the facility in contravention of the law, including R.C. Chapter 3772. and the rules adopted thereunder. The amendment to this rule is largely streamlining, but also clarifies that the casino need only make available incident reports to the Commission instead of physically provide a copy to the Commission. Finally, the amendment removes a records-retention provision that conflicts with the Commission's general five-year records-retention requirement.

- **3772-20-07 (amendment)**, titled "Security detention area." This rule specifies that the security department must have at least one designated security detention area and that if a person is being detained, then a member of the security department must be present. The rule further specifies that the area be safe, secure, and monitored by surveillance. The purpose of this rule is to ensure the safety of those at the casino and that proper detention procedures are followed. The amendment to this rule clarifies that a Commission agent may ask a security department employee to leave the room.

- **3772-20-08 (amendment)**, titled "Communications system." This rule specifies that each casino operator must have a communications system that allows all members of the department to communicate and that is useable by the Commission upon request. The purpose of this rule is to ensure that security personnel have the technical requirements necessary to perform their duties, as required by R.C. 3772.03. The amendment to this rule is solely streamlining.

2. **Please list the Ohio statute authorizing the Agency to adopt this regulation.**

   R.C. 3772.03 and 3772.033.

3. **Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?**
   If yes, please briefly explain the source and substance of the federal requirement.

   Not applicable.

4. **If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

   This question does not apply to these amendments because the federal government does not regulate casino gaming in this state. Rather, casino gaming is permitted pursuant to Article XV, Section 6(C) of the Ohio Constitution and is controlled by Ohio's Casino Control Act (i.e., R.C. Chapter 3772).

5. **What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

   Article XV, Section 6(C) of the Ohio Constitution and R.C. Chapter 3772 require the Commission to ensure the integrity of casino gaming and to prescribe rules for how casino gaming should be conducted, including establishing minimum table games standards and safety protocols. To ensure the integrity of casino gaming, it is imperative to protect casino patrons and to ensure that all table games operations and security protocols meet the requirements established by the Commission in order to conduct casino gaming in the state of Ohio. These rules and the amendments made thereto are designed to continue to effectuate this constitutional and statutory mandate.

6. **How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

   Overall, the Commission will measure the success of these amended rules in terms of whether they help to ensure the integrity of casino gaming. This can be done in two ways: First, through evaluating whether the administrative cost of implementing and enforcing the

proposed rules outweighs their public benefit. Second, through analyzing the regulated community's comments about requests for waivers or variances from these rules once they are implemented.

Development of the Regulation

7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.
If applicable, please include the date and medium by which the stakeholders were initially contacted.

Casino Operators

- Penn National Gaming, Inc. (Hollywood Casinos Columbus and Toledo)
- JACK Entertainment, LLC (JACK Cincinnati and Cleveland Casinos)

Stakeholders were provided an opportunity to comment on the amendments via e-mail on September 28, 2016. A copy of the email is attached as Attachment A. Comments were requested to be submitted by 5:00 PM on October 3. Additionally, stakeholders had the opportunity to comment during the Commission's public meeting on October 12, 2016.

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

After sending the amendments to the RCOs on September 28, 2016, the Commission received some feedback via email. (Attachments B and C). The Commission considered each comment, working with the applicable RCO to resolve any issues. (Attachments D through H). Specifically, the Commission made a change to Ohio Adm. Code 3772-11-22(B) to allow casinos to use automatic shufflers to verify the contents of decks. Beyond that, the Commission staff met with the applicable RCOs to address all other input before the Commission's public meeting on October 12, 2016. At this meeting, stakeholders made no comments on the rules.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

This question does not apply to these amendments because no scientific data was necessary to develop or measure their outcomes. Instead, Commission staff reviewed how other jurisdictions approached table game operations and play, and security. Further, Commission staff considered whether existing rules were the most efficient means by which to maintain the integrity of casino gaming and whether any waivers or variances had been requested and granted to the regulated community. In so doing, the Commission was able to use, as much as possible, rules the regulated community is accustomed to, with minor adaptations to remain in compliance with Ohio law.

10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

The Commission staff reviewed the rules adopted in other jurisdictions, including Kansas and New Jersey. Further, Commission staff considered any waivers or variances to existing rules that had been requested and granted. The amendments are a conglomeration of the rules used in other jurisdictions with adaptations made for Ohio and are, in some cases, the result of discussions between Commission staff and the regulated community, including reflections of existing waivers or present practice.

11. Did the Agency specifically consider a performance-based regulation? Please explain. ***Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.***

The rules include a performance-based component wherein they set the floor for compliance but do not completely dictate how the casino operators and gaming-related vendors are supposed to achieve compliance. Additionally, Ohio Adm. Code 3772-1-04 allows the casino operators and gaming-related vendors to seek waivers and variances from these rules, which the Commission will evaluate on a case-by-case basis and may grant as long as it determines that doing so is in the public's best interest. The rules, however, are not entirely performance-based in that they establish a protocol whereby the casino operators must submit their internal control standards to the Commission for approval before implementation.

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

This question does not apply to the majority of these amendments because no other regulations, in these areas, currently exist with respect to casino gaming in this state, over which the Commission has sole authority. However, as this package amends existing administrative rules, several within the package bring clarity to requirements in R.C. Chapter 3772. and Ohio Adm. Code 3772 to avoid duplication or conflict.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

At each casino facility, there are gaming agents and financial auditors observing, evaluating, and investigating the operations. In addition, the Commission's Regulatory Compliance personnel consistently perform various operational audits, including table game and electronic gaming equipment audits. Any issues that arise in the gaming process (i.e., from manufacturing to the actual conducting of casino games) or with the casino's security will be funneled to the Commission's central office in Columbus, Ohio, where the Executive

Director and his division directors can coordinate a consistent response and conduct outreach to the regulated community.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

a. Identify the scope of the impacted business community;

The casino operators, management companies, and gaming-related vendors are the impacted business community with respect to these amendments.

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

The nature of the potential adverse impact from the amendments includes fines for noncompliance, costs for employer time and payroll for, among other things, training and sending notifications and reports to the Commission, and the potential for other monetary costs to the casino operators, as described more fully below.

c. Quantify the expected adverse impact from the regulation.
The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a "representative business." Please include the source for your information/estimated impact.

- **3772-11-01 (amendment)**, titled "Definitions." This rule defines certain table game-related terms.
  The Commission does not anticipate an adverse impact on business from the rule. This rule creates a clear set of necessary definitions that apply throughout the code. The amendments to this rule simply clarify and streamline these definitions and ensure that they apply to the entirety of Ohio Adm. Code 3772 creating a more efficient and easy to read Code for both the Commission and stakeholders.

- **3772-11-02 (rescind)**, titled "Table game internal controls." Currently, this rule mandates Commission approval of table game internal controls before the opening of a new casino facility and outlines the necessary requirements needed to receive such approval. This rule is being rescinded in order to avoid redundancy and streamline Ohio Adm. Code 3772 in its entirety. Table games internal controls are already required by Ohio Adm. Code 3772-10-02, and a table games director and appropriate department staffing are already required under Ohio Adm. Code 3772-10-03. Because the obligations within this rule will continue to exist in different sections of the Ohio Adm. Code, casino operators will continue to operate as they have been since the inception of casino gaming in the state of Ohio. Therefore, the Commission anticipates no adverse impact to business due to this rule change.

- **3772-11-03 (amendment)**, titled "Approval of table games." This rule provides that casino operators must submit the rules for any table games it wants to provide. The rule also provides that the casino operator may not offer a game or use any associated equipment until approved by the Commission. This rule ensures the integrity of casino gaming by ensuring that table games are operated objectively, protecting Ohio patrons. The amendment to this rule states that casino operators must alert the Commission of any suspected defect or malfunction in a table game at the time of detection, rather than within four hours.

  The Commission does not anticipate a significant impact on business from this rule. Ensuring the quality of table games and their operations is imperative to the functioning of casino gaming in the state. This rule simply implements the Commission's duty under R.C. 3772.03(D), to identify permitted casino gaming and gaming equipment, as well as the standards they must meet. Administrative costs related to the submission of rules or equipment for approval will vary depending on how often a casino operator chooses to change the casino games it offers. Further, casino operators are already required to report any defects to the Commission in a timely manner. The amendment simply moves this notification forward to allow the Commission to quickly investigate the defect. However, because Commission staff are present twenty-four hours per day, casino operators will still be able to use the same process for notification, otherwise. This allows the Commission and casino operator to resolve any issues quickly and effectively, therefore ensuring the integrity of casino gaming.

- **3772-11-04 (amendment)**, titled "Prohibition on table game play by gaming-related vendors." The rule currently provides that no director, officer, or employee of a gaming-related vendor or casino operator may play table games at a casino facility that they provide goods or services to or are licensed or employed by. The amendment to this rule removes unnecessary language pertaining to casino operator directors, officers, and employees already found in R.C. 3772.99(D)(5) in order to streamline Ohio Adm. Code 3772 in its entirety.

  The Commission does not anticipate an adverse impact on business from this rule. The prohibition of casino operator and gaming-related vendor employees from playing casino games of those they provide services or are employed by is a common standard in the casino industry. Those impacted by this rule are the vendor and casino operator employees, not the entities themselves. Such a rule is beneficial to these entities by eliminating any appearance of impropriety, including collusion and other cheating behavior, and assuring the appropriate use of trade secrets and business information. Although the amendment removes the restriction on casino gaming employees, these individuals are already held to stricter standards under R.C. 3772.99.

- **3772-11-05 (amendment)**, titled "Purchase or lease from authorized gaming-related vendors." This rule provides that casino operators may only purchase or lease table games

or table game equipment from gaming-related vendors. The first substantive amendment to this rule clarifies that it applies not only to purchases but to lease transactions as well. The second substantive amendment removes an unnecessary approval requirement for each time a casino operator purchases or leases such equipment.

The Commission does not anticipate an adverse impact from this rule. The rule merely echoes R.C. 3772.21(A), which mandates that casino gaming equipment and supplies used in conducting casino gaming may only be purchased or leased from gaming-related vendors licensed by the Commission. The amendment to the rule is therefore statutorily mandated and clarifies the present practice of requiring both types of transactions to occur only with licensed gaming-related vendors. Further, the removal of the approval requirement eliminates an unnecessary reporting requirement, which will positively impact the business community.

- **3772-11-06 (amendment)**, "Shipment of table games and table games mechanisms." This rule specifies that the shipment of all table games and table game mechanisms must be approved in advance by the Executive Director or the designee thereof. The amendment to this rule clarifies that only a casino operator is responsible for obtaining shipment approval (rather than gaming-related vendors or any other person causing the shipment) and also removes a few requirements on these notices that the Commission has found to be unnecessary.

  The Commission anticipates minimal costs for compliance with this rule as amended, at most. Although the rule contains a notification requirement, this ensures that only proper casino table games are used when conducting casino gaming. Casino operators have been responsible to provide notice to the Commission for game shipments since the start of casino gaming in Ohio. This amendment removes a redundant requirement for gaming-related vendors, lightening their regulatory burden. In other words, although a notice requirement exists, the information necessary and the people required to provide it have each been reduced, ultimately lessening the overall regulatory burden.

- **3772-11-07 (amendment)**, titled "Receipt of gaming chips from manufacturer." This rule specifies how casino operators must handle the receipt of gaming chips and specifies how reserve chips are to be stored. The amendments to this rule are largely meant to clarify and streamline rule language, and also specify that a member from the cage department must be present when the chips are received.

  The Commission anticipates minimal administrative costs for compliance with this rule, mostly to ensure all necessary records are kept, including signed invoices. However, the rule ensures that the chips, which are a cash equivalent, as mandated under R.C. 3772.22's cashless wagering system, and are rarely delivered to the casino, are properly accounted for and handled in a manner similar to cash. While the language requiring a cage department employee to inspect deliveries is new to the rule, casinos have used this

inspection method since the inception of casino gaming in the state, along with every other provision except that requiring signatures on the invoice.

- **3772-11-08 (amendment)**, titled "Compliance with law; prohibited activities." This rule provides that casino operators shall not cheat or permit any cheating. The amendment to this rule is a minor grammatical fix. The Commission does not anticipate an adverse impact from this rule. The rule largely echoes provisions in R.C. 3772.01 and R.C. 3772.99 and ensures casino operators and patrons are utilizing gaming methods that uphold the integrity of casino gaming. The rule aids in safeguarding casino gaming and protects both casino operators and patrons from deceptive, unethical practices.

- **3772-11-09 (amendment)**, titled "Publication of rules and payoff schedules for all permitted games." This rule provides that casino operators must post and provide accurate and non-misleading copies of rules and payoff schedules for all permitted games. The amendment is a minor reorganization and clarifies that the casino operator must post the rules on their website.

  The Commission does not anticipate a significant impact from this rule. This rule ensures the integrity of casino gaming by guaranteeing that all rule and payoff information needed for knowledgeable game play is clear and easily accessible to all casino patrons. While the language requiring casino operators to post rules to their website is new, the Commission has already interpreted the rule to include this platform, so it merely codifies present practice. Future costs of compliance include those administrative costs related to any changes a casino operator chooses to make to the material it publishes under this rule.

- **3772-11-10 (rescind)**, titled "Waiver of requirements." Currently, this rule provides a waiver process for variances from the requirements in this chapter. This rule is being rescinded in order to avoid redundancy and streamline Ohio Adm. Code 3772 in its entirety. Ohio Adm. Code 3772-1-04 functions as the general waiver provision for all rules adopted by the Commission. Because this waiver process will still exist in a different section of the Ohio Adm. Code, casino operators can continue to apply for, receive, and benefit from these waivers just as they have since the inception of casino gaming in the state of Ohio. The Commission therefore anticipates no adverse impact to business due to this rule change.

- **3772-11-11 (no change)**, titled "Chip specifications." This rule outlines the requirements that a casino operator's chips must meet, including what denominations a casino operator may utilize and how non-value chips may be used. The rule is not being amended. The Commission does not anticipate an adverse impact from this rule, as the use of a cashless wagering system is required under R.C. 3772.22 and R.C. 3772.03(D) requires the Commission to create a rule outlining the design of gaming supplies, devices, and equipment to be distributed by gaming-related vendors. Requiring uniform chip specifications is common in the casino industry. These standards are essential to impeding counterfeiting and other fraudulent cashless wagering practices. The rule allows both the

Commission and the casino operator to quickly and confidently monitor all chip transactions at the casinos through surveillance. Further, these specifications benefit a casino operator's financial security by ensuring that their wagering system is especially challenging to counterfeit. Finally, each casino operator already has primary and secondary chip sets that comply with this rule so no additional cost for compliance exists unless a casino operator chooses to change its chips or purchase additional chips.

- **3772-11-12 (no change)**, titled "Submission of chips for review and approval." This rule requires casino operators to obtain approval of a schematic and a sample of a chip from the Executive Director before utilizing that chip design in casino gaming. The rule is not being amended. This rule is common in the casino gaming industry and ensures that all chip types used in casino gaming comport with the requirements in Ohio Adm. Code 3772-11-11, thereby ensuring the integrity of the casino's cashless wagering system, required by R.C. 3772.22. Further, R.C. 3772.03(D) requires the Commission to adopt rules that require gaming devices and equipment to meet the standards of this state. The duty to inspect all such chips is explicitly given to the Commission in order to ensure the integrity of casino gaming under R.C. 3772.033(B). Because this rule has been in place since the commencement of casino gaming in the state, all current chips have already been submitted and approved by the Commission. This approval outlined above must only occur now if the casino operator makes a change from the currently approved chips. Therefore, the Commission does not anticipate an impact on business unless a casino operator chooses to do so.

- **3772-11-13 (amendment)**, titled "Primary, secondary, and reserve sets of gaming chips." This rule requires that the casino keep a secondary set of value chips and a reserve set of nonvalue chips. The rule requires that these sets be placed in play if something calls into question the security or integrity of the primary sets, for example, the presence of a significant number of counterfeits.

  Although this rule requires expenditures by casino operators, doing so is common in the casino industry and built into each casino operator's business model. Further, each casino operator already has each of the required sets of chips so these requirements would likely only impact a new casino operator, should any of the present ones cease doing business... This rule combats fraudulent cashless wagering transactions and counterfeiting and ensures that casino gaming can continue if the secondary set must be introduced due to a breach of security or integrity. The rule benefits casino operators by allowing them to timely change their chips if a breach occurs, limiting their risk and potential losses from the occurrence. This rule therefore ensures the integrity of the casino's cashless wagering system, as required by R.C. 3772.22. The amendment to this rule merely changes who the casino operator should notify if the primary sets have been compromised. This should provide a consistent, coordinated response in the event of such an incident, and so the Commission anticipates no impact on business from this amendment.

- **3772-11-15 (amendment)**, titled "Inventory of chips." This rule specifies that casino operators must conduct a monthly inventory of chips and that movements of chips must be recorded on the chip inventory ledger. Further, the rule requires the casino operator to compute unredeemed liability, to keep chips securely stored, and to ensure the proper handling and destruction of damaged chips. The amendment to this rule clarifies exactly when chip movements shall be included on the inventory ledger and provides for several other streamlining and clarifying changes.

  Minimal administrative costs may arise as a result of the logging requirement, but all four casinos already comply with this provision. Therefore, because the amendment reflects present practice, the Commission does not expect a significant impact on business. The purpose of this rule is to ensure the integrity of the casino's cashless wagering system, as required by R.C. 3772.22. These standards are essential in combating fraudulent cashless wagering transactions in the state by ensuring that all chips are properly accounted for and maintained, allowing both the Commission and casino operators to timely identify cashless wagering misconduct or chip defects and resolve such issues effectively.

- **3772-11-16 (amendment)**, titled "Destruction of chips." This rule specifies when and how a casino operator may destroy chips, including submission of written notification to and receipt of approval from the Commission. The amendment to this rule clarifies that the Commission must approve the destruction, requires an employee of a cage department to be present at destruction, and shortens the notification period for destruction from ten to seven days.

  While the Commission acknowledges the cost of following these requirements, the value, with respect to security, significantly outweighs any burden the regulated community may feel. This rule ensures the integrity of the casino's cashless wagering system, as required by R.C. 3772.22, by providing proper procedures for destruction in order to avoid theft or the misuse of chips. Notably, this rule only applies if a casino operator chooses to destroy chips and, the procedures, including the presence of a cage employee, represent present practice. Further, the shorter notice period will make it easier for casino operators to plan chip destruction. Therefore, the Commission does not anticipate a negative impact on business.

  3772-11-20 (amendment), titled "Dice and card specifications." This rule sets the standards that dice and cards used for casino gaming must meet. These dice and cards must be submitted to and approved by the Executive Director before being used. These specifications are industry standard, and the rule allows casino operators to vary from these requirements if approved by the Executive Director or if stated in the casino operator's internal controls. The amendment to this rule is largely streamlining and clarifying, including reorganization. Specifically, card specifications have been moved from Ohio Adm. Code 3772-11-22 to this rule.

The Commission does not anticipate an adverse impact from this rule, as this rule merely implements the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices. Requiring particular dice and card specifications is common in the casino industry in every individual jurisdiction in which they operate. These standards are essential in combating fraudulent and deceptive casino gaming in the state. The rule allows both the Commission and the casino operator to quickly and confidently identify counterfeit or defective gaming supplies and resolve any such matters in a timely manner, ensuring the integrity of gameplay. Casinos would purchase cards and dice in order to operate their business whether this rule existed or not. Any additional cost that may exist related with these specifications (unlikely, as they are industry-standard and regularly manufactured this way) is significantly outweighed by the security benefits. As such, the Commission does not anticipate significant negative economic impact to the regulated community from the amendment.

- **3772-11-21 (amendment)**, titled "Dice and cards receipt, storage, and use." This rule specifies how dice and cards must be received, stored, and used. The amendment to this rule is largely streamlining and clarifying, including reorganization. Specifically, card receipt and storage requirements have been moved from Ohio Adm. Code 3772-11-23 to this rule.

  The Commission does not anticipate a significant impact from this rule. First, certain costs related to the destruction of entire decks of cards for single-card games are justified by the elimination of the risk of tampering or cheating. At one casino, the cost of a single deck of table games cards costs $0.71 and a deck of poker cards costs $8.00. (Attachment I). Based on conversations with Commission staff, that same casino replaces damaged poker cards approximately 10 times per month, resulting in a yearly cost of approximately $960.00. Nonetheless, the Commission strongly believes that this cost is outweighed by the benefits of this rule. These standards are essential in combating fraudulent and deceptive game play by ensuring that all dice and cards are properly accounted for and maintained, allowing both the Commission and casino operators to timely identify any misconduct or defects and to resolve such issues effectively. Further, this rule merely implements the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices, by ensuring uniformity in the receipt, storage, and use of such equipment. In fact, this practice has been thoroughly discussed and the costs and benefits have been considered at several public Commission meetings. To be clear, if a damaged card appears in a multiple-deck game, only the damaged card need be replaced; conversely, only in games where a single-deck is used must that whole deck be replaced if a damaged card appears. Notably, the Commission previously amended this rule to allow casino operators to only replace damaged cards in multiple-deck games, which significantly reduced the costs related to this rule and balances the Commission's interest with the expenses borne by each casino operator.

Second, certain administrative costs may arise in order to develop internal controls. However, all four casinos already have the necessary controls today and, again, the security benefits of these procedures outweigh the costs related thereto. Overall, however, the Commission does not anticipate significant economic impact to the regulated community because the amendment does not impose any new restrictions.

- **3772-11-22 (amendment)**, titled "Inspection of dice and cards before use." This rule specifies how dice and cards will be inspected before use to ensure that they meet the requirements in R.C. Chapter 3772. and the rules adopted thereunder. The amendment to this rule is just a reorganization from inspections previously being contained in Ohio Adm. Code 3772-11-21 to being contained in this rule and card specifications being moved to Ohio Adm. Code 3772-11-20 in an effort to clarify and streamline the code.

  The Commission does not anticipate an adverse impact on business from this rule, as the rule simply implements the Commission's statutory mandate to ensure the use of only approved gaming equipment. The changes made to this rule are largely for streamlining purposes, to clarify and simplify the code. The amendment does not make any substantive changes or additions, but simply reorganizes provisions that were already in effect. Notably, this rule was amended in 2015 in response to waiver requests received from all four casinos. Therefore, since the casinos have been operating under provisions they specifically requested, the Commission does not anticipate additional costs for compliance with this rule.

- **3772-11-23 (amendment)**, titled "Cancellation and destruction of dice and cards." All provisions related to card receipt, storage, and inspection have been moved to and reorganized in Ohio Adm. Code 3772-11-21, in an effort to clarify and streamline the code. The amended rule requires the casino operators to have internal controls relating to cancellation and destruction of dice and cards, and requires such cancellation to take place in a secure location.

  The Commission does not anticipate an adverse impact from this rule. This rule implements the Commission's R.C. 3772.03(D) statutory mandate to identify and ensure the use of only permitted gaming supplies and devices. These standards are essential in combating fraudulent and deceptive game play in the state by ensuring that all dice and cards are properly cancelled and destroyed. Such procedures assure both the Commission and casino operators that destruction is handled in an appropriate manner, avoiding theft or the misuse of such dice and cards. This lowers to potential for risk and loss to the casino operator. Nearly all specific procedures have been removed and replaced with a provision that requires casino operators to have internal controls governing card and dice cancellation and destruction. This creates greater flexibility for the regulated community by allowing them to implement the most reasonable procedures for each unique casino facility. Therefore, the Commission does not anticipate a significant cost for compliance beyond any administrative costs related to the preparation of and adherence to Commission-approved internal controls.

- **3772-11-24 (no change)**, titled "Mandatory table game count procedure." This rule specifies that each casino operator shall have internal controls related to table game count procedures, including the times at which counts may take place. Further, the rule allows a casino operator to vary from these times if the casino operator notifies a Commission gaming agent. This rule is not being amended.

  While the Commission acknowledges the cost in submitting and following these procedures, it does not anticipate an overall adverse impact from this rule. The rule allows each casino operator to set its own procedure for counts and allows casino operators to vary from these procedures, so long as they notify the Commission. Further, the rule benefits casino operators by ensuring all employees follow the casino operator's procedure, allowing the casino operator to quickly identify any theft or misconduct of these resources, securing game profits and minimizing loss.

- **3772-11-25 (amendment)**, titled "Handling of cash at gaming tables." This rule specifies how cash will be handled at gaming tables. The purpose of this rule is to ensure the cashless wagering system is implemented with appropriate consumer protections, allowing the Commission to monitor cash conversions.

  While the Commission acknowledges the cost in submitting and following these procedures, the Commission does not anticipate an overall adverse impact from this rule. This rule protects both casino operators and patrons from fraud and deceptive handling of cash and chips. The rule also safeguards table game proceeds. The rule requires clear surveillance and efficient monitoring of all table game transactions in order to easily identify any deception or fraud and therefore protect casino patrons and assets and the integrity of casino gaming. Such transparency in handling cash at table games is common in casino gaming for consumer protection purposes. This rule requires no additional fund expenditures, as the casino must staff tables with dealers and boxpersons to comply with other sections of the Code. The rule merely outlines the actions and manner in which such gaming employees are to conduct cash exchanges in order to safeguard gaming integrity and patron funds, so nominal costs related to employee training may arise.

- **3772-11-26 (amendment)**, titled "Table inventory." This rule specifies how casino operators are to handle the inventory of chips at each table, including when chips are allowed to be disbursed or added and that the inventory must be kept locked with an inventory slip. The amendment incorporates two existing requirements from Ohio Adm. Code 3772-11-32 and Ohio Adm. Code 3772-11-42. The amendment also removes a never-used circumstance under which chips can be moved to or from the inventory and removes a requirement for casino operators to provide a daily list of table games not open for play.

  While the Commission acknowledges the cost in submitting and following these procedures, the Commission does not anticipate an overall adverse impact from this rule. The rule ensures the proper movement and handling of casino chips at table games and aids

in protecting casino operators from the theft or the mishandling of assets. The rule also benefits casino operators by allowing them to easily monitor and quickly identify any security breach, allowing for efficient resolution and minimizing loss. From this rule, casino operators gain the assurance that their chips are being appropriately handled and accounted for, safeguarding their financial integrity. One positive impact from this amendment is the elimination of a daily submission requirement. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved controls in place so no changes are necessary unless they choose to make them.

- **3772-11-27 (amendment)**, titled "Opening of gaming tables." This rule specifies how a gaming table must be opened for play, including that the openers must verify that the count is correct and how to handle variances in the inventory.

  The Commission does not anticipate an overall adverse impact from this rule. This rule is necessary to ensure the integrity of the casino's cashless wagering system, as mandated by R.C. 3772.22. The rule allows the casino and Commission to efficiently monitor and identify any discrepancies or security breaches, providing for timely resolution and minimal losses for the casino operator. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved controls in place so no changes are necessary unless they choose to make them.

- **3772-11-28 (amendment)**, titled "Closing of gaming tables." This specifies how gaming tables must be closed for play, including that all chips must be counted, proved, and locked away, and that an inventory slip must be prepared attesting to the amount. The amendment to this rule provides some flexibility to the casinos in what paperwork to provide to the Commission in the event of twenty-four hour gaming.

  The Commission does not anticipate an overall adverse impact from this rule. The purpose of this rule is to ensure that the integrity of the casino's cashless wagering system, mandated by R.C. 3772.22. This rule impedes theft or misappropriation of chips by allowing the casino and Commission to efficiently monitor and identify any discrepancies or security breaches, providing for timely resolution and minimal losses for the casino operator. Further, the amendment, which permits an alternative method of preparing paperwork, affords the casino operators flexibility in completing the task. Negligible costs related to the preparation of table inventory slips are outweighed by the security benefits of this rule.

- **3772-11-29 (amendment)**, titled "Payout for progressive table games." This rule specifies how casino operators are to handle payouts for progressive table games. Specifically, it requires notice to the patrons of the progressive amount and how that amount will be disbursed, and requires progressives to be laid out in the casino operator's internal controls.

The amendment removes specifics as to how progressives are canceled. This is consistent with how the Commission handles slot machine progressives.

The Commission does not anticipate an overall adverse impact from this rule. The rule ensures that all progressive funds are properly accounted for and that patrons understand the rules and amounts of the progressive. The rule benefits casino operators by aiding in lowering any discrepancies or complaints in regards to the progressive payouts and allows for efficient operation and functioning of the games. The only substantive amendment to this rule removes a requirement on casino operators to submit plans to the Commission for payout disbursement. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved controls in place so no changes are necessary unless they choose to make them.

- **3772-11-30 (rescind)**, titled "Procedures for manually filling chips from cage to table; form procedures." This rule currently specifies how manual fills of tables must occur. This rule is being rescinded. These requirements are being largely removed from the Administrative Code and will instead be required to be placed in a casino operator's internal controls pursuant to Ohio Adm. Code 3772-11-32. The Commission does not anticipate an adverse impact from this rescission. The amendment actually allows the casino operators more discretion in adapting to changing industry practices and creating appropriate procedures unique to each casino facility.

- **3772-11-32 (amendment)**, titled "Procedures for recording manual table credits." The rule currently specifies how casino operators are to record manual fills of tables. These requirements are being largely removed from the Administrative Code and will instead be required to be placed in a casino operator's internal controls. The Commission does not anticipate an adverse impact from this amendment. The amendment actually allows the Commission and the casino operators more discretion in adapting to changing industry practices and creating appropriate procedures unique to each casino facility. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved controls in place so no changes are necessary unless they choose to make them.

- **3772-11-35 (amendment)**, titled "Table game pit areas and supervision." This rule currently specifies how table game pit areas are to be operated and the staffing in those areas, including when a separate area for games is necessary. The amendment to this rule is intended to streamline and clarify. The amendment also includes the already-existing requirement that a supervisor should be in direct management of the poker room at all times, moved from Ohio Adm. Code 3772-11-41.

  The Commission does not anticipate an overall adverse impact from this rule. The rule is necessary to ensure the integrity of the games offered at each facility by ensuring that all

table game pit areas are appropriately secured, staffed, and supervised. The rule ensures efficient monitoring of games to allow for timely identification of any deception and quick resolution of any issues that may arise, minimizing risk and loss for casino operators. Costs related to ensure adequate staffing of table game and poker supervisors or similar positions will vary among the four casino operators depending on the number of employees, shifts, and salary. However, the existence of, and relationship between table game and poker supervisors and managers required by this rule is common in the industry and likely built into each casino operator's business model, regardless of this rule. Notably, these staffing requirements have existed since the commencement of casino gaming in Ohio.

3772-11-36 (amendment), titled "Instructional table games offered to public." This rule specifies how instructional table games may be offered to the public, including that the game must use only cancelled dice or cards and non-value chips, and that the casino operator must not allow any wagers or participation by those under 21. The Commission does not anticipate an adverse impact from this rule. This rule ensures the integrity of table game equipment and chips by ensuring that they are only used in casino gaming. This rule ensures casino operators that their equipment and chip system remains secure while still providing of-age patrons opportunities for an appropriate learning environment. Negligible costs include those related to the submission of notice to and receipt of approval from the Commission.

- **3772-11-38 (no change)**, titled "Dealer and boxperson hand clearing." This rule requires each dealer and boxperson to clear their hands in view of surveillance and all persons in the immediate area when entering and exiting the game. This rule is not being amended. The Commission does not anticipate an adverse impact from this rule. The rule ensures that dealers and boxpersons are not palming chips or other table game equipment as they enter or leave a game in an attempt to either steal such items or introduce unapproved items into play. This protects both casino operators and patrons from theft and deceptive practices and allows for efficient monitoring and surveillance, ensuring timely identification and resolution of any issues, minimizing risk and loss for casino operators.

  3772-11-40 (rescind), titled "Poker room; general." This rule is being rescinded in order to avoid redundancy and create a more efficient, streamlined Ohio Adm. Code 3772. The approved poker room requirement has been moved to Ohio Adm. Code 3772-11-35 for efficiency. Further, the mandate requiring casino operators to have written house rules is found elsewhere in the Ohio Adm. Code 3772 and has been removed as duplicative. Because the obligations within this rule will continue to exist in different sections of the Ohio Adm. Code, casino operators will continue to operate as they have been since the inception of casino gaming in the state of Ohio. Therefore, the Commission anticipates no adverse impact to business due to this rescission.

- **3772-11-41 (rescind)**, titled "Poker room; supervision." This rule is being rescinded in order to avoid redundancy and create a more efficient, streamlined Ohio Adm. Code 3772.

Because the obligations within this rule will continue to exist in different sections of the Ohio Adm. Code, casino operators will continue to operate as they have been since the inception of casino gaming in the state of Ohio. Therefore, the Commission anticipates no adverse impact to business due to this rescission.

- **3772-11-42 (amendment)**, "Poker room transactions." This rule currently specifies how poker room banks and poker room transactions will occur, including that all transactions must be properly authorized and must be an even exchange. The amendment to this rule further clarifies that the general table game requirements apply to the poker room, but also provides some exceptions specific to poker rooms.

  The Commission does not anticipate an overall adverse impact from this rule. This rule ensures that poker rooms are held to similar regulatory requirements as other table games, as appropriate, providing for greater consistency for both the casino operators and the Commission. The amendment also requires all transactions to go through a cashier's cage. This ensures that all funds and are being handled by the appropriate personnel and allowing transparency and efficient surveillance of all transactions. This benefits casino operators by ensuring their financial integrity and allows timely detection and resolution of any fraud or wrongdoing of their funds or cashless wagering system. Although it appears that one casino may likely have to eliminate the practice of having a satellite poker cage, the burden of walking from a poker table to the cashier's cage in the poker room to conduct the transaction is significantly outweighed by the benefits of eliminating the risk involved with that practice, including easier theft, loss of assets, or error caused by the extra step of handling chips and cash in a place other than the cage or poker table.

- **3772-20-01 (amendment)**, titled "Security department." This rule specifies that casino operators must have a security department to provide unarmed security at the casino and that those employed in the security department must hold a casino gaming employee license. The rule elaborates on the duties of the security department and specifies the limited situations in which a casino operator may permit a firearm at the facility. One amendment now requires the security department to notify the Commission, at the time of detection, of any suspected or known illegal activity, rather than within twenty-four hours of occurrence.

  This rule prescribes security requirements, as required by R.C. 3772.03 that ensure the casino operator has sufficient security to keep both those at the casino and the facility itself safe, as well as to assist the Commission as requested. The amendments to this rule largely consist of streamlining and clarifying rule language. One substantive change to this rule moves a notification timeframe up from within twenty-four hours to at the time of detection so that the Commission may commence an investigation as soon as practical, allowing for the timely resolution of any issues. However, because Commission staff are present twenty-four hours a day at each casino facility, the only change necessary with respect to these notifications is the speed with which they are made. The only other substantive amendment requires the casino operators to notify the Commission in writing when an

inquiry is made concerning the conduct of a licensee or applicant. This will allow the Commission a more efficient investigation of these matters, allowing for easier recognition and follow up. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved controls in place so no changes are necessary unless they choose to make them.

- **3772-20-02 (amendment)**, titled "Security department staffing." This rule specifies that the security department shall be supervised by a director, who reports to the general manager, and that the casino operator shall maintain sufficient security staffing to ensure safety and to meet the requirements of R.C. Chapter 3772.

  This rule prescribes security requirements, as required by R.C. 3772.03 that ensure the casino operator has sufficient security to maintain safety and meet the requirements of R.C. 3772.03. Requiring that each casino operator has a sufficient number of security personnel at their facility at all times ensures the safety of its patrons, staff, and Commission staff, and allows for the timely resolution of any safety issues. Each casino operator has a security staff and works closely with the Commission to maintain the balance between appropriate staffing and casino expenditures. The costs related to ensuring adequate staffing vary depending on salary, number of employees, and other factors unique to each casino facility. However, the rule defers to each casino operator to make that business decision under the guidance provided. This allows flexibility while still ensuring the safety of casino patrons, staff, and assets.

  3772-20-03 (amendment), titled "Training." This rule specifies that each casino operator must provide training to all members of its security department, as required by R.C. 3772.03. The rule requires Commission approval of this training program and some specifics in what procedures should be included in the program.

  The Commission does not anticipate an adverse impact from this rule. This rule requires the proper training of security personnel, so as to ensure safety and to ensure that the requirements of R.C. Chapter 3772 and the rules adopted thereunder are met. The amendment to this rule is largely for streamlining purposes. The only substantive amendment to this rule provides greater flexibility to casino operators by allowing for the training plan to be submitted on a schedule approved by the Commission, instead of on a rigid timeframe. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved controls in place so no changes are necessary unless they choose to make them.

- **3772-20-04 (amendment)**, titled "Security plan." This rule specifies that each casino operator must have a security plan, approved by the Commission and containing certain information, before the commencement of casino gaming.

The Commission does not anticipate an adverse impact on business from this rule. The rule merely implements the R.C. 3772.03 statutory requirement that casino operators must have standards and requirements for the provision of security. Further, the amendments to this rule provides greater flexibility to casino operators by allowing for the security plan to be submitted on a scheduled approved by the Commission, instead of a rigid timeframe, and removes duplicate requirements regarding the submission and approval of the plan. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved controls in place so no changes are necessary unless they choose to make them.

- **3772-20-05 (amendment)**, titled "Emergency operations plan." This rule specifies that the casino operator must have an emergency operations plan to deal with certain emergency situations, including severe storms, fires, and active shooter scenarios. The amendment to this rule is largely streamlining, with the addition that casino operators should also have a plan to deal with major civil disturbances.

  The Commission anticipates minimal adverse impact on business from this rule, at best. The majority of the changes to this rule are made for clarifying purposes only, to simplify the remaining language for ease of use. In addition, duplicate requirements have been removed. Though the rule will now specifically require that casino operators have a plan to deal with major civil disturbances, at least two of the casinos have already taken these steps and have a plan in action, thus no additional action would be required. Negligible costs of compliance include certain administrative requirements related to preparation of and adherence to Commission-approved internal controls. However, each casino operator already has these approved internal controls in place, so the only change necessary is the inclusion of one additional provision. Such a plan is necessary to ensure the casino operators have proper security standards, as required by R.C. 3772.03, and the benefits of having a plan in effect to deal with major civil disturbances will outweigh the costs and/or risks associated with not having such a plan.

- **3772-20-06 (amendment)**, titled "Incident reports." This rule requires casino operators to prepare reports regarding specific kinds of incidents at the casino, including injuries, underage gambling, removal of patrons, and several different types of illegal activity. The amendment to this rule is largely streamlining, but also clarifies that the casino need only make available incident reports to the Commission instead of physically provide a copy to the Commission. Finally, the amendment removes a records-retention provision that conflicts with the Commission's general five-year records-retention requirement.

  The Commission anticipates a minimal adverse impact on business from this rule. Incident reports allow casino operators to properly document incidents at each casino facility. The majority of changes to the rule is for streamlining and clarifying purposes. In addition, the amendment eliminates the submission of these incident reports to the Commission except when specifically requested. During the comment period, one casino inquired whether a

"courtesy walkout" would trigger the creation of an incident report under this rule. Commission staff discussed this with the relevant regulatory compliance officer at that property and explained that the removal of a patron, whether a "courtesy walkout" or otherwise, will always trigger an incident report but that each situation is unique and may be reported differently than others. Negligible costs relate do the preparation and retention of incident reports are expected. However, casino operators are already accustomed to five year retention for most other records under the general retention rule. As a result, casinos may use the same timeframe on all records retention issues, ensuring consistency and predictable regulation.

- **3772-20-07 (amendment)**, titled "Security detention area." This rule specifies that the security department must have at least one designated security detention area and that if a person is being detained, then a member of the security department must be present. The rule further specifies that the area be safe, secure, and monitored by surveillance. The amendment to this rule clarifies that a Commission agent may ask a security department employee to leave the room.

  The Commission does not anticipate an adverse impact on business from this rule. While the rule does require a separate room for detention purposes, the casinos were designed with this requirement in mind, each detention room has already been built, leading to little or no additional costs for the casino operators as a result of this rule.

- **3772-20-08 (amendment)**, titled "Communications system." This rule specifies that each casino operator must have a communications system that allows all members of the department to communicate and that is useable by the Commission upon request. The amendment to this rule is solely streamlining.

Costs related to the purchase of equipment will vary, depending on item, quantity, and other factors unique to each casino facility. However, given the size of each facility, this rule will enable each security department to adequately safeguard the people and assets in the casino and will also ensure that the Commission can participate, as necessary. The security benefits of this provision greatly outweigh the costs related to it.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

Each of the amendments to this package are needed to correct current issues, such as clarifying the Commission's interpretation of a particular rule and developing a more uniform, streamlined set of rules. Additionally, the regulatory intent justifies any adverse impact because Article XV, Section 6(C) of the Ohio Constitution and R.C. Chapter 3772. require the Commission to ensure the integrity of casino gaming, specifically by licensing and ensuring certain other minimum standards for casino operators are met.

Moreover, the regulatory intent justifies any adverse impact because casino gaming is a highly regulated industry. Unregulated gaming poses a threat to the public welfare and raises

the potential for fraud and abuse. To mitigate these threats, the Commission, like other gaming regulatory bodies, is using its regulatory authority to establish a best practice framework for casino operators, management companies, and gaming-related vendors.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

Yes (indirectly), though it is unlikely this will be necessary since these proposed regulations only affect businesses in the casino industry and certain gaming-related vendors, none of which likely constitute a small business. These amendments indirectly provide exemption or alternative means of compliance through Ohio Adm. Code 3772-1-04, which permits the Commission, upon written request, to grant waivers and variances from the rules adopted under R.C. Chapter 3772., including these rules, if doing so is in the best interest of the public and will maintain the integrity of casino gaming in the State of Ohio.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

Though it is unlikely R.C. 119.14 will apply to these amendments because the rules only impact businesses in the casino industry and certain gaming-related vendors, none of which likely constitute a small business, the Commission will adhere to the statutory requirements, if applicable.

To the extent R.C. 119.14 would apply to a violation of these amendments, the Commission will provide verbal and written notification to the small business in an attempt to correct the paperwork violation. Thereafter, the Commission would allow the small business a reasonable time to correct the violation. The Commission and its staff would also offer any additional assistance necessary to aid in remediation of the violation. No further action would be taken unless the small business fails to remedy the violation within the reasonable time allotted by the Commission.

18. What resources are available to assist small businesses with compliance of the regulation?

The Commission and its staff are dedicated to working with members of the regulated community and the public to effectively and efficiently regulate casino gaming in this state. As a result, the following resources are available:

- Commission's mailing address:
  10 W. Broad Street, 6th Floor
  Columbus, Ohio 43215

- Commission's toll free telephone number: (855) 800-0058
- Commission's fax number: (614) 485-1007
- Commission's website: http://www.casinocontrol.ohio.gov/
- Commission's email: info@casinocontrol.ohio.gov

Also, all members of the regulated community and public may, in accordance with rule 3772-2-04, request to address the Commission during a public meeting. Finally, all members of the regulated community may, pursuant to rule 3772-1-04, request waivers and variances from Commission regulations.

Siba, Michelle

Attachment A

From: Martin, Patrick
Sent: Wednesday, September 28, 2016 2:24 PM
To: Siba, Michelle; Lisa Powers; Robert Wamsley; Samuel Porter; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John; Cox, William; Donahue, Craig
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

RCOs:

To piggyback on Michelle's email, you'll see a lot of red edits on the later sections in the Table Games chapter. For the most part, that editing shows us re-organizing the Code so that it makes more sense. That organizing allows us to eliminate five rules.

Otherwise, I'd only highlight changes to the shipping rule in 11-06 since we all use that weekly. One change is that we are removing the "time" of delivery requirement for accessory shipments. We know it is hard to predict exactly when those shipments will arrive and, frankly, four-hour windows are not that helpful. So we're eliminating that. Also, we are clarifying that the notices need to show the "approved artwork number" for accessories. Luckily, everyone is in a good habit of doing that already.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Wednesday, September 28, 2016 2:01 PM
To: Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: Proposed amendments to Chapter 11 and Chapter 20

Good afternoon RCOs,

Attached, please find proposed amendments to rules in Chapter 11 (table games) and Chapter 20 (security). This is the latest batch of rules the Commission will consider in its statutory five year review. Please share them with your teams and **provide any comments to me, in writing, by 5:00 PM on Monday, October 3**. The Commission will consider these rules for initial approval, including any changes made as a result of comments received from you, at the October 12 public meeting. Please note that there were no changes made to 3772-11-04, 3772-11-11, 3772-11-12, and 3772-11-24.

If you have any questions, please do not hesitate to call me.

Respectfully,

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

Siba, Michelle

Attachment B

From: Lisa Powers <LisaPowers@jackentertainment.com>
Sent: Friday, September 30, 2016 7:30 PM
To: Martin, Patrick; Siba, Michelle; Robert Wamsley; Samuel Porter; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John; Cox, William; Donahue, Craig
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Follow Up Flag: Flag for follow up
Flag Status: Completed

Good Evening,

Based on the operations teams feedback, we had a few questions come up and other considerations, as follows:

1. OAC 3772-11-20(C)(1): The language regarding standard decks of fifty-two cards is the same as before, and while it allows for "as otherwise documented in the internal controls and approved by the commission," we wanted to mention that some of our table games utilize a Joker and whether that should be mentioned within the OAC.
2. OAC 3772-11-21(D): Can we revise this to a "table games supervisor *or above*" to account for instances where we may utilize a Table Games Assistant Shift Manager or Table Games Shift Manager, etc. in circumstances where all Table Games Supervisors are in sections and we have a Table Games team member of greater authority available?
3. OAC 3772-11-22(B)(3): The verification for every tenth pre-shuffled multiple deck package of cards is included here with the additional language requiring verification by, "sorting the deck into sequence and into suit." Is this intended to be true for verification of the pre-shuffled multiple deck package of cards, as this is not current practice; we use the shuffling machine to verify all cards are present in these instances.
4. OAC 3772-20-06(A)(3): The property will have a "courtesy walkout" in the event, for example, a patron may have had too much to drink (or behaving as such) and we want to make sure they get to their transportation safely; we do not consider it to be a "removal" because we are not banning the patron, but ensuring that our patrons game responsibly. Additionally, we would not require identification from a patron we are walking out as a courtesy in this example because that may escalate the situation and all we want to do is ensure they safely leave property. Should the language within this rule specify that "removals" are for bans or other undesirable behavior or is it understood that a "courtesy walkout" would not be considered a "removal"?

We appreciate the opportunity to share our feedback and look forward to your response. Have a good weekend!

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
D: 216-297-4798
M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

J·A·C·K CLEVELAND CASINO
100 PUBLIC SQUARE, CLEVELAND, OH 44113
WWW.JACKENTERTAINMENT.COM
MAIN: 216-297-4777

From: Patrick.Martin@casinocontrol.ohio.gov [mailto:Patrick.Martin@casinocontrol.ohio.gov]
Sent: Wednesday, September 28, 2016 2:24 PM
To: Michelle.Siba@casinocontrol.ohio.gov; Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

RCOs:

To piggyback on Michelle's email, you'll see a lot of red edits on the later sections in the Table Games chapter. For the most part, that editing shows us re-organizing the Code so that it makes more sense. That organizing allows us to eliminate five rules.

Otherwise, I'd only highlight changes to the shipping rule in 11-06 since we all use that weekly. One change is that we are removing the "time" of delivery requirement for accessory shipments. We know it is hard to predict exactly when those shipments will arrive and, frankly, four-hour windows are not that helpful. So we're eliminating that. Also, we are clarifying that the notices need to show the "approved artwork number" for accessories. Luckily, everyone is in a good habit of doing that already.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Wednesday, September 28, 2016 2:01 PM
To: Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: Proposed amendments to Chapter 11 and Chapter 20

Good afternoon RCOs,

Attached, please find proposed amendments to rules in Chapter 11 (table games) and Chapter 20 (security). This is the latest batch of rules the Commission will consider in its statutory five year review. Please share them with your teams and **provide any comments to me, in writing, by 5:00 PM on Monday, October 3**. The Commission will consider these rules for initial approval, including any changes made as a result of comments received from you, at the October 12 public meeting. Please note that there were no changes made to 3772-11-04, 3772-11-11, 3772-11-12, and 3772-11-24.

If you have any questions, please do not hesitate to call me.

Respectfully,

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

Siba, Michelle

From: Samuel Porter <Samuel.Porter@pngaming.com>
Sent: Tuesday, October 04, 2016 12:05 PM
To: Siba, Michelle
Cc: Barron, John; Cox, William
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

To add on to this email, I know HCT is working on making IC changes to be able to close their poker cage/bank as well when patronage is light. Like HCO, they would also need to have access to the cashier's cage outside of the poker room when the poker room cage is closed.

Thanks,
Sam

From: Samuel Porter
Sent: Tuesday, October 04, 2016 11:41 AM
To: Michelle.Siba@casinocontrol.ohio.gov
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov
Subject: FW: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

I would also like to submit the below comment from Player Services for your consideration.

Thanks,
Sam

From: Thomas McDonald
Sent: Tuesday, October 04, 2016 10:55 AM
To: Samuel Porter
Cc: Chris Riley
Subject: FW: Proposed amendments to Chapter 11 and Chapter 20

Sam,

The only change I see of concern is in bold below. They took out references to the Cashier's Cage and specified Poker Room Cashier's Cage for exchanges. There are times due to staffing that I have to close the Poker Cage window during Grave Shift. Under the original OAC section, I was OK to do transfers from the Front Windows. This change seems to take that out as an option.

Each transfer of chips between any poker room table banks and the poker room bank the **poker room cashier's cage** shall be an even exchange authorized by a poker room supervisor and evidenced by the use of a transfer slip, lammer, or sign, as specified in the internal controls. The poker dealer and poker room supervisor shall verify the amount of chips to be transferred, according to the proving of chip requirements of this chapter in accordance with rule 3772-11-19 of the

Administrative Code. Transfers between table banks, poker room banks, or cashier's cages within the poker room shall not require a security escort.

(E) Each transfer of cash between any poker room table bank and **the poker room cashier's cage** shall be an even exchange authorized by a poker room supervisor and evidenced by the use of a transfer slip, lammer, or sign, as specified in the internal controls. The poker dealer and poker room supervisor shall verify the amount of cash to be transferred according to the following requirements:

Tom McDonald
♣ Director of Player Services
♥ P. 614.308.4632
♠ www.hollywoodcolumbus.com
♦ 200 Georgesville Road
Columbus, OH 43228
614-308-3333

Siba, Michelle

Attachment C

From: Samuel Porter <Samuel.Porter@pngaming.com>
Sent: Monday, October 03, 2016 4:41 PM
To: Martin, Patrick; Siba, Michelle; Lynne Mackin; Jessica McGrady
Cc: Barron, John; Cox, William; Donahue, Craig
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

I have received the following feedback I would like to share with you and your team,

1. 3772-11-21(M) – Operations is requesting the modification to be able to replace damaged playing cards using a replacement deck for single deck games, just like is performed on multiple deck games. The reasoning being is that in the Poker Room the cards that are used are both more expensive and a better quality than the ones used for Table Games. Currently we have to throw out card decks with a damaged card, which is wasteful and costly. We would be okay if this modification only applied to poker cards.

2. 3772-11-42(D) & (E) – Operations is requesting that after the poker room supervisor authorizes the cash/chip transfer, the poker room supervisor is no longer needed to verify the amount of chips/cash transferred to the poker cage under this code section. The purpose of a poker table bank is to make change for the dealer and players, unlike the table games float where chips are sold, and wins are paid and losses collected. As a result, the total value of the poker table bank does not change from one moment to the next. Poker table banks are counted upon opening and closing of the tables and upon every dealer change in the course of a day. (Dealer changes occur every half hour at HCT). The dealers using these table banks are subject to an approved and enforced variance policy should any shortage or overage occur. All other employees in the poker room are held to the same policy. When an even exchange is performed at a poker table, the chips, cash, or both are counted and verified by the dealer and the person performing the chip run (any poker room employee acting as a chip runner). The chips, cash, or both are brought to the poker cage where the funds are counted and verified by the cage cashier and the person performing the chip run. The replacement funds are then counted and verified by the cage cashier and the person performing the chip run. The replacement funds are then brought to the table where they are counted and verified by the dealer and the person performing the chip run. All of this activity is captured and observed by Surveillance. At HCT, almost all of these transactions are for the replenishing of white $1 chips and almost always for $200 or less, as the total bank amount is $300. Based on the above controls we feel that having a supervisor participate in these transactions does not provide any additional protection.

Thank you for your consideration.

Sincerely,
Sam Porter

Samuel H. Porter, III
♣ Regional Director of Compliance
♥ P. 614.308.4476
♠ hollywoodcolumbus.com

From: Lisa Powers [mailto:LisaPowers@jackentertainment.com]
Sent: Monday, October 03, 2016 1:39 PM
To: Patrick.Martin@casinocontrol.ohio.gov; Michelle.Siba@casinocontrol.ohio.gov; Robert Wamsley; Samuel Porter; Lynne Mackin; Jessica McGrady
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov; Ed Dick
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Good Afternoon,

In regards to #3 below, the JACK properties confirmed they both utilize Shuffle Master MD3s to verify the cards for Blackjack multi-deck shoe games – it counts the cards and uses card recognition to verify every card is present. Both properties use these shufflers to verify every 10th pre-shuffled multiple deck package of cards.

Any questions, please let me know.

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
D: 216-297-4798
M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

J·A·C·K CLEVELAND CASINO

100 PUBLIC SQUARE, CLEVELAND, OH 44113
WWW.JACKENTERTAINMENT.COM
MAIN: 216-297-4777

From: Lisa Powers
Sent: Friday, September 30, 2016 7:30 PM
To: 'Patrick.Martin@casinocontrol.ohio.gov' <Patrick.Martin@casinocontrol.ohio.gov>; Michelle.Siba@casinocontrol.ohio.gov; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
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We appreciate the opportunity to share our feedback and look forward to your response. Have a good weekend!

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
D: 216-297-4798
M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

J·A·C·K CLEVELAND CASINO

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614-387-5860

From: Siba, Michelle
Sent: Wednesday, September 28, 2016 2:01 PM
To: Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: Proposed amendments to Chapter 11 and Chapter 20

Good afternoon RCOs,

Attached, please find proposed amendments to rules in Chapter 11 (table games) and Chapter 20 (security). This is the latest batch of rules the Commission will consider in its statutory five year review. Please share them with your teams and **provide any comments to me, in writing, by 5:00 PM on Monday, October 3**. The Commission will consider these rules for initial approval, including any changes made as a result of comments received from you, at the October 12 public meeting. Please note that there were no changes made to 3772-11-04, 3772-11-11, 3772-11-12, and 3772-11-24.

If you have any questions, please do not hesitate to call me.

Respectfully,

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

Siba, Michelle

Attachment D

From: Martin, Patrick
Sent: Monday, October 03, 2016 8:38 AM
To: Siba, Michelle; Donahue, Craig
Cc: Barron, John; Cox, William
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

Craig and I discussed these and added responses below. Long story short, mostly agree but need to check on best practices for the pre-shuffled card inspection.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Monday, October 3, 2016 8:07 AM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: FW: Proposed amendments to Chapter 11 and Chapter 20

Patrick and Craig,

What are your thoughts on Lisa's feedback? Here are mine:

1. I think the "as otherwise documented in the internal controls and approved by the commission" language covers games that use a Joker card.

Yes, we agree.

2. I think this is reasonable but defer to you.

We don't need to revise the table game supervisor to include "and above." We've never had a finding that a manager wasn't a supervisor. We could explain to Lisa that a manager is still a supervisor if she wants that interpretation in writing. To be sure, if we include "and above" in Chapter 11 then we'd need to go back and revise supervisor references in Chapter 10 for cage personnel, Chapter 20 for security personnel, etc. So, probably best to leave this as self-explanatory.

3. I defer to you.

I'd like to review the current practices at the other casinos when it comes to verifying every tenth pre-shuffled multipack before responding. I also need to review the waivers we gave to see if those included language explaining what exactly the casinos would do. Please sit tight.

4. The Commission frequently receives complaints from individuals claiming that they were "kicked out" of the casino and have no idea why. While we try to stay out of a private business's decision to remove a patron (whether a ban or a "courtesy walkout"), documentation of that would, at the very least, enable us to point the patron back to the casino to resolve that private dispute.

Totally agree, no change necessary.

So far, this is the only feedback we've received from any stakeholders, I believe.

Thanks,

Michelle

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

From: Lisa Powers [mailto:LisaPowers@jackentertainment.com]
Sent: Friday, September 30, 2016 7:30 PM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Good Evening,

Based on the operations teams feedback, we had a few questions come up and other considerations, as follows:

1. OAC 3772-11-20(C)(1): The language regarding standard decks of fifty-two cards is the same as before, and while it allows for "as otherwise documented in the internal controls and approved by the commission," we wanted to mention that some of our table games utilize a Joker and whether that should be mentioned within the OAC.
2. OAC 3772-11-21(D): Can we revise this to a "table games supervisor *or above*" to account for instances where we may utilize a Table Games Assistant Shift Manager or Table Games Shift Manager, etc. in circumstances where all Table Games Supervisors are in sections and we have a Table Games team member of greater authority available?
3. OAC 3772-11-22(B)(3): The verification for every tenth pre-shuffled multiple deck package of cards is included here with the additional language requiring verification by, "sorting the deck into sequence and into suit." Is this intended to be true for verification of the pre-shuffled multiple deck package of cards, as this is not current practice; we use the shuffling machine to verify all cards are present in these instances.
4. OAC 3772-20-06(A)(3): The property will have a "courtesy walkout" in the event, for example, a patron may have had too much to drink (or behaving as such) and we want to make sure they get to their transportation safely; we do not consider it to be a "removal" because we are not banning the patron, but ensuring that our patrons game responsibly. Additionally, we would not require identification from a patron we are walking out as a courtesy in this example because that may escalate the situation and all we want to do is ensure they safely leave property. Should the language within this rule specify that "removals" are for bans or other undesirable behavior or is it understood that a "courtesy walkout" would not be considered a "removal"?

We appreciate the opportunity to share our feedback and look forward to your response. Have a good weekend!

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
D: 216-297-4798
M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

J·A·C·K CLEVELAND CASINO

100 PUBLIC SQUARE, CLEVELAND, OH 44113
WWW.JACKENTERTAINMENT.COM
MAIN: 216-297-4777

From: Patrick.Martin@casinocontrol.ohio.gov [mailto:Patrick.Martin@casinocontrol.ohio.gov]
Sent: Wednesday, September 28, 2016 2:24 PM
To: Michelle.Siba@casinocontrol.ohio.gov; Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

RCOs:

To piggyback on Michelle's email, you'll see a lot of red edits on the later sections in the Table Games chapter. For the most part, that editing shows us re-organizing the Code so that it makes more sense. That organizing allows us to eliminate five rules.

Otherwise, I'd only highlight changes to the shipping rule in 11-06 since we all use that weekly. One change is that we are removing the "time" of delivery requirement for accessory shipments. We know it is hard to predict exactly when those shipments will arrive and, frankly, four-hour windows are not that helpful. So we're eliminating that. Also, we are clarifying that the notices need to show the "approved artwork number" for accessories. Luckily, everyone is in a good habit of doing that already.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Wednesday, September 28, 2016 2:01 PM
To: Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: Proposed amendments to Chapter 11 and Chapter 20

Good afternoon RCOs,

Attached, please find proposed amendments to rules in Chapter 11 (table games) and Chapter 20 (security). This is the latest batch of rules the Commission will consider in its statutory five year review. Please share them with your teams and **provide any comments to me, in writing, by 5:00 PM on Monday, October 3**. The Commission will consider these

rules for initial approval, including any changes made as a result of comments received from you, at the October 12 public meeting. Please note that there were no changes made to 3772-11-04, 3772-11-11, 3772-11-12, and 3772-11-24.

If you have any questions, please do not hesitate to call me.

Respectfully,

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

Siba, Michelle

Attachment E

From: Martin, Patrick
Sent: Tuesday, October 04, 2016 9:52 AM
To: Siba, Michelle
Cc: Barron, John; Cox, William; Donahue, Craig
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

On Sam Porter's comments:

1. The Commission – mostly Commissioner Steinhauer – raised the card replacement schedule years ago in a public meeting and that approach is echoed in the OAC. I don't know if his stance has softened. From Compliance's perspective, we think it is ok to change individual cards in poker, which are more expensive and durable than the normal deck of table game cards. We would be in favor of adding a line in the poker rule (which already has banking exceptions) to include a card replacement. Is that something you'd approach Commissioner Steinhauer about?
2. The Penn properties have no room to complain about money movements in the poker room because they both failed their most recent audits, which are repeat findings. Even if they were in compliance, we'd point out that the rules for money movement in the poker room are relaxed on reasonable areas, where the rest of the tables follow stricter proving requirements. Having a supervisor verify the front-end and back-end of the transactions is not only symmetrical but it isn't asking much.

Thanks for keeping track of these,

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Tuesday, October 4, 2016 7:52 AM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Patrick and Craig,

I'm going to need your help on these comments. I know replacement decks have been sensitive for some of our Commissioners, previously.

From: Samuel Porter [mailto:Samuel.Porter@pngaming.com]
Sent: Monday, October 03, 2016 4:41 PM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>; Lynne Mackin <Lynne.Mackin@pngaming.com>; Jessica McGrady <Jessica.McGrady@pngaming.com>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue,

Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

I have received the following feedback I would like to share with you and your team,

1. 3772-11-21(M) – Operations is requesting the modification to be able to replace damaged playing cards using a replacement deck for single deck games, just like is performed on multiple deck games. The reasoning being is that in the Poker Room the cards that are used are both more expensive and a better quality than the ones used for Table Games. Currently we have to throw out card decks with a damaged card, which is wasteful and costly. We would be okay if this modification only applied to poker cards.

2. 3772-11-42(D) & (E) – Operations is requesting that after the poker room supervisor authorizes the cash/chip transfer, the poker room supervisor is no longer needed to verify the amount of chips/cash transferred to the poker cage under this code section. The purpose of a poker table bank is to make change for the dealer and players, unlike the table games float where chips are sold, and wins are paid and losses collected. As a result, the total value of the poker table bank does not change from one moment to the next. Poker table banks are counted upon opening and closing of the tables and upon every dealer change in the course of a day. (Dealer changes occur every half hour at HCT). The dealers using these table banks are subject to an approved and enforced variance policy should any shortage or overage occur. All other employees in the poker room are held to the same policy. When an even exchange is performed at a poker table, the chips, cash, or both are counted and verified by the dealer and the person performing the chip run (any poker room employee acting as a chip runner). The chips, cash, or both are brought to the poker cage where the funds are counted and verified by the cage cashier and the person performing the chip run. The replacement funds are then counted and verified by the cage cashier and the person performing the chip run. The replacement funds are then brought to the table where they are counted and verified by the dealer and the person performing the chip run. All of this activity is captured and observed by Surveillance. At HCT, almost all of these transactions are for the replenishing of white $1 chips and almost always for $200 or less, as the total bank amount is $300. Based on the above controls we feel that having a supervisor participate in these transactions does not provide any additional protection.

Thank you for your consideration.

Sincerely,
Sam Porter

Samuel H. Porter, III
♣ Regional Director of Compliance
♥ P. 614.308.4476
♠ hollywoodcolumbus.com

From: Lisa Powers [mailto:LisaPowers@jackentertainment.com]
Sent: Monday, October 03, 2016 1:39 PM
To: Patrick.Martin@casinocontrol.ohio.gov; Michelle.Siba@casinocontrol.ohio.gov; Robert Wamsley; Samuel Porter; Lynne Mackin; Jessica McGrady
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov;

Ed Dick
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Good Afternoon,

In regards to #3 below, the JACK properties confirmed they both utilize Shuffle Master MD3s to verify the cards for Blackjack multi-deck shoe games – it counts the cards and uses card recognition to verify every card is present. Both properties use these shufflers to verify every 10th pre-shuffled multiple deck package of cards.

Any questions, please let me know.

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
D: 216-297-4798
M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

J·A·C·K CLEVELAND CASINO

100 PUBLIC SQUARE, CLEVELAND, OH 44113
WWW.JACKENTERTAINMENT.COM
MAIN: 216-297-4777

From: Lisa Powers
Sent: Friday, September 30, 2016 7:30 PM
To: 'Patrick.Martin@casinocontrol.ohio.gov' <Patrick.Martin@casinocontrol.ohio.gov>; Michelle.Siba@casinocontrol.ohio.gov; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
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from a patron we are walking out as a courtesy in this example because that may escalate the situation and all we want to do is ensure they safely leave property. Should the language within this rule specify that "removals" are for bans or other undesirable behavior or is it understood that a "courtesy walkout" would not be considered a "removal"?

We appreciate the opportunity to share our feedback and look forward to your response. Have a good weekend!

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
D: 216-297-4798
M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

J·A·C·K CLEVELAND CASINO

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MAIN: 216-297-4777

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Sent: Wednesday, September 28, 2016 2:24 PM
To: Michelle.Siba@casinocontrol.ohio.gov; Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

RCOs:

To piggyback on Michelle's email, you'll see a lot of red edits on the later sections in the Table Games chapter. For the most part, that editing shows us re-organizing the Code so that it makes more sense. That organizing allows us to eliminate five rules.

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Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Wednesday, September 28, 2016 2:01 PM
To: Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com

Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
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If you have any questions, please do not hesitate to call me.

Respectfully,

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

Siba, Michelle

Attachment F

From: Martin, Patrick
Sent: Tuesday, October 04, 2016 2:40 PM
To: Siba, Michelle; Donahue, Craig
Cc: Barron, John; Cox, William
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Right, I'm not in favor of making any changes – especially based on the two poker rooms asking! If they have strong arguments then they can ask for a waiver later.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Tuesday, October 4, 2016 2:37 PM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

This is helpful. Sam sent another follow-up I'm just reading now. It appears that HCT wants to change its ICS "as well" to close its poker cage when patronage is light. It sounds like you're not in favor in making any changes based on the below comments – neither am I. I'll wait until you're back in the office to finalize these though.

From: Martin, Patrick
Sent: Tuesday, October 04, 2016 2:32 PM
To: Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Hey Michelle,

Tom McDonald is right that money movements outside of the poker room should follow under the normal table game rules. We purposefully made that change for two reasons: (1) every casino now has a poker room cage – which wasn't true when that rule was first created; and (2) the best practice is that money movements on the floor be escorted by security with appropriate paperwork.

Between you and me, it is pretty silly for Hollywood Columbus to complain about that change since their poker cage is part of the main player services. It is literally just a window that happens to face the poker room instead of main floor. They could easily staff a grave-shift cashier that pulls double-duty for the poker cage and main cage.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Tuesday, October 4, 2016 11:43 AM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: FW: Proposed amendments to Chapter 11 and Chapter 20

Patrick and Craig,

Sam submitted this (late) comment on the rules regarding staffing concerns for poker transactions at the poker cage.

From: Samuel Porter [mailto:Samuel.Porter@pngaming.com]
Sent: Tuesday, October 04, 2016 11:41 AM
To: Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: FW: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

I would also like to submit the below comment from Player Services for your consideration.

Thanks,
Sam

From: Thomas McDonald
Sent: Tuesday, October 04, 2016 10:55 AM
To: Samuel Porter
Cc: Chris Riley
Subject: FW: Proposed amendments to Chapter 11 and Chapter 20

Sam,

The only change I see of concern is in bold below. They took out references to the Cashier's Cage and specified Poker Room Cashier's Cage for exchanges. There are times due to staffing that I have to close the Poker Cage window during Grave Shift. Under the original OAC section, I was OK to do transfers from the Front Windows. This change seems to take that out as an option.

Each transfer of chips between any poker room table banks and the poker room bank the **poker room cashier's cage** shall be an even exchange authorized by a poker room supervisor and evidenced by the use of a transfer slip, lammer, or sign, as specified in the internal controls. The poker dealer and poker room supervisor shall verify the amount of chips to be transferred, according to the proving of chip requirements of this chapter in accordance with rule 3772-11-19 of the Administrative Code. Transfers between table banks, poker room banks, or cashier's cages within the poker room shall not require a security escort.

(E) Each transfer of cash between any poker room table bank and **the poker room cashier's cage** shall be an even exchange authorized by a poker room supervisor and evidenced by the use of a transfer slip, lammer, or sign, as specified in the internal controls. The poker dealer and poker room supervisor shall verify the amount of cash to be transferred according to the following requirements:

Tom McDonald

♣ Director of Player Services
♥ P. 614.308.4632
♠ www.hollywoodcolumbus.com
♦ 200 Georgesville Road
Columbus, OH 43228
614-308-3333

Siba, Michelle

Attachment G

From: Donahue, Craig
Sent: Tuesday, October 04, 2016 3:04 PM
To: Martin, Patrick; Siba, Michelle
Cc: Barron, John; Cox, William
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20
Attachments: RE: Proposed amendments to Chapter 11 and Chapter 20; RE: Shufflers used on tables with pre-shuffled cards

Michelle,

On the inspection of every 10th package of pre-shuffled cards: We received the attached responses on the shufflers used at for games at three properties that are using pre-shuffled cards. All three properties confirmed that they are using Shufflemaster MD3 shufflers which have the capability of verifying that the pre-shuffled groups of decks contain the correct number of cards and that the correct suits and values are present.

With these responses we are comfortable with allowing for the use of the shuffler to verify the cards in place of requiring the dealer to arrange the cards into suit by value. We would still recommend that the front and back of each card be inspected so that any printing errors or other irregularities would be discovered during inspection. Can we make this change?

Thanks,

Craig Donahue
Manager of Audits
Ohio Casino Control Commission
(614) 387-5687
craig.donahue@casinocontrol.ohio.gov

From: Martin, Patrick
Sent: Tuesday, October 4, 2016 9:35 AM
To: Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

On Lisa's issues, we're waiting on one piece of information from Hollywood Columbus about what process and specific shuffler they use on the tenth pre-shuffled decks. I expect that this morning.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Monday, October 3, 2016 12:59 PM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Thanks Patrick. I'll wait to hear from you on the pre-shuffled card inspection before finalizing these for Caty for the Commissioners' packets.

From: Martin, Patrick
Sent: Monday, October 03, 2016 8:38 AM
To: Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

Craig and I discussed these and added responses below. Long story short, mostly agree but need to check on best practices for the pre-shuffled card inspection.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Monday, October 3, 2016 8:07 AM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>
Subject: FW: Proposed amendments to Chapter 11 and Chapter 20

Patrick and Craig,

What are your thoughts on Lisa's feedback? Here are mine:

1. I think the "as otherwise documented in the internal controls and approved by the commission" language covers games that use a Joker card.

Yes, we agree.

2. I think this is reasonable but defer to you.

We don't need to revise the table game supervisor to include "and above." We've never had a finding that a manager wasn't a supervisor. We could explain to Lisa that a manager is still a supervisor if she wants that interpretation in writing. To be sure, if we include "and above" in Chapter 11 then we'd need to go back and revise supervisor references in Chapter 10 for cage personnel, Chapter 20 for security personnel, etc. So, probably best to leave this as self-explanatory.

3. I defer to you.

I'd like to review the current practices at the other casinos when it comes to verifying every tenth pre-shuffled multipack before responding. I also need to review the waivers we gave to see if those included language explaining what exactly the casinos would do. Please sit tight.

4. The Commission frequently receives complaints from individuals claiming that they were "kicked out" of the casino and have no idea why. While we try to stay out of a private business's decision to remove a patron

(whether a ban or a "courtesy walkout"), documentation of that would, at the very least, enable us to point the patron back to the casino to resolve that private dispute.

Totally agree, no change necessary.

So far, this is the only feedback we've received from any stakeholders, I believe.

Thanks,

Michelle

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

From: Lisa Powers [mailto:LisaPowers@jackentertainment.com]
Sent: Friday, September 30, 2016 7:30 PM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Good Evening,

Based on the operations teams feedback, we had a few questions come up and other considerations, as follows:

1. OAC 3772-11-20(C)(1): The language regarding standard decks of fifty-two cards is the same as before, and while it allows for "as otherwise documented in the internal controls and approved by the commission," we wanted to mention that some of our table games utilize a Joker and whether that should be mentioned within the OAC.
2. OAC 3772-11-21(D): Can we revise this to a "table games supervisor *or above*" to account for instances where we may utilize a Table Games Assistant Shift Manager or Table Games Shift Manager, etc. in circumstances where all Table Games Supervisors are in sections and we have a Table Games team member of greater authority available?
3. OAC 3772-11-22(B)(3): The verification for every tenth pre-shuffled multiple deck package of cards is included here with the additional language requiring verification by, "sorting the deck into sequence and into suit." Is this intended to be true for verification of the pre-shuffled multiple deck package of cards, as this is not current practice; we use the shuffling machine to verify all cards are present in these instances.
4. OAC 3772-20-06(A)(3): The property will have a "courtesy walkout" in the event, for example, a patron may have had too much to drink (or behaving as such) and we want to make sure they get to their transportation safely; we do not consider it to be a "removal" because we are not banning the patron, but ensuring that our patrons game responsibly. Additionally, we would not require identification from a patron we are walking out as a courtesy in this example because that may escalate the situation and all we want to do is ensure they safely leave property. Should the language within this rule specify that "removals" are for bans or other undesirable behavior or is it understood that a "courtesy walkout" would not be considered a "removal"?

We appreciate the opportunity to share our feedback and look forward to your response. Have a good weekend!

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
D: 216-297-4798
M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

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WWW.JACKENTERTAINMENT.COM
MAIN: 216-297-4777

From: Patrick.Martin@casinocontrol.ohio.gov [mailto:Patrick.Martin@casinocontrol.ohio.gov]
Sent: Wednesday, September 28, 2016 2:24 PM
To: Michelle.Siba@casinocontrol.ohio.gov; Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

RCOs:

To piggyback on Michelle's email, you'll see a lot of red edits on the later sections in the Table Games chapter. For the most part, that editing shows us re-organizing the Code so that it makes more sense. That organizing allows us to eliminate five rules.

Otherwise, I'd only highlight changes to the shipping rule in 11-06 since we all use that weekly. One change is that we are removing the "time" of delivery requirement for accessory shipments. We know it is hard to predict exactly when those shipments will arrive and, frankly, four-hour windows are not that helpful. So we're eliminating that. Also, we are clarifying that the notices need to show the "approved artwork number" for accessories. Luckily, everyone is in a good habit of doing that already.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Wednesday, September 28, 2016 2:01 PM
To: Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: Proposed amendments to Chapter 11 and Chapter 20

Good afternoon RCOs,

Attached, please find proposed amendments to rules in Chapter 11 (table games) and Chapter 20 (security). This is the latest batch of rules the Commission will consider in its statutory five year review. Please share them with your teams and **provide any comments to me, in writing, by 5:00 PM on Monday, October 3**. The Commission will consider these rules for initial approval, including any changes made as a result of comments received from you, at the October 12 public meeting. Please note that there were no changes made to 3772-11-04, 3772-11-11, 3772-11-12, and 3772-11-24.

If you have any questions, please do not hesitate to call me.

Respectfully,

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

Siba, Michelle

Attachment H

From: Martin, Patrick
Sent: Wednesday, October 05, 2016 10:40 AM
To: Siba, Michelle
Cc: Barron, John; Cox, William; Donahue, Craig
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

Let's grab Sam at the next Commission meeting and talk about the replacement card history. I'd also like to push back on him a bit to see how "wasteful and costly" the poker card replacement process really is. Specifically, how many times are they replacing cards per month and what's the current cost of a set? Those specifics matter to Steinhauer, though he's not generally interested in the topic.

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Tuesday, October 4, 2016 11:13 AM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Patrick,

I just discussed the replacement deck suggestion with John and Matt. At this time, we think it's best to keep paragraph (M) as is. It might be helpful if we walked Sam through the history of how this provision came to be. I'm happy to do that might need some backup if specifics about the rule and present practice come up.

Barring the response you're waiting on from HCO, I think we've covered all the comments we've received from the stakeholders in this batch. Everything is finalized except 11-22.

Thanks,

Michelle

From: Martin, Patrick
Sent: Tuesday, October 04, 2016 9:52 AM
To: Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

On Sam Porter's comments:

1. The Commission – mostly Commissioner Steinhauer – raised the card replacement schedule years ago in a public meeting and that approach is echoed in the OAC. I don't know if his stance has softened. From Compliance's perspective, we think it is ok to change individual cards in poker, which are more expensive and durable than the normal deck of table game cards. We would be in favor of adding a line in the poker rule (which already has banking exceptions) to include a card replacement. Is that something you'd approach Commissioner Steinhauer about?
2. The Penn properties have no room to complain about money movements in the poker room because they both failed their most recent audits, which are repeat findings. Even if they were in compliance, we'd point out that the rules for money movement in the poker room are relaxed on reasonable areas, where the rest of the tables follow stricter proving requirements. Having a supervisor verify the front-end and back-end of the transactions is not only symmetrical but it isn't asking much.

Thanks for keeping track of these,

Patrick D. Martin
Director of Regulatory Compliance
Ohio Casino Control Commission
614-387-5860

From: Siba, Michelle
Sent: Tuesday, October 4, 2016 7:52 AM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Patrick and Craig,

I'm going to need your help on these comments. I know replacement decks have been sensitive for some of our Commissioners, previously.

From: Samuel Porter [mailto:Samuel.Porter@pngaming.com]
Sent: Monday, October 03, 2016 4:41 PM
To: Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Siba, Michelle <Michelle.Siba@casinocontrol.ohio.gov>; Lynne Mackin <Lynne.Mackin@pngaming.com>; Jessica McGrady <Jessica.McGrady@pngaming.com>
Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Michelle,

I have received the following feedback I would like to share with you and your team,

1. 3772-11-21(M) – Operations is requesting the modification to be able to replace damaged playing cards using a replacement deck for single deck games, just like is performed on multiple deck games. The reasoning being is that in the Poker Room the cards that are used are both more expensive and a better quality than the ones used for Table Games. Currently we have to throw out card decks with a damaged card, which is wasteful and costly. We would be okay if this modification only applied to poker cards.

2. 3772-11-42(D) & (E) – Operations is requesting that after the poker room supervisor authorizes the cash/chip transfer, the poker room supervisor is no longer needed to verify the amount of chips/cash transferred to the poker cage under this code section. The purpose of a poker table bank is to make change for the dealer and players, unlike the table games float where chips are sold, and wins are paid and losses collected. As a result, the total value of the poker table bank does not change from one moment to the next. Poker table banks are counted upon opening and closing of the tables and upon every dealer change in the course of a day. (Dealer changes occur every half hour at HCT). The dealers using these table banks are subject to an approved and enforced variance policy should any shortage or overage occur. All other employees in the poker room are held to the same policy. When an even exchange is performed at a poker table, the chips, cash, or both are counted and verified by the dealer and the person performing the chip run (any poker room employee acting as a chip runner). The chips, cash, or both are brought to the poker cage where the funds are counted and verified by the cage cashier and the person performing the chip run. The replacement funds are then counted and verified by the cage cashier and the person performing the chip run. The replacement funds are then brought to the table where they are counted and verified by the dealer and the person performing the chip run. All of this activity is captured and observed by Surveillance. At HCT, almost all of these transactions are for the replenishing of white $1 chips and almost always for $200 or less, as the total bank amount is $300. Based on the above controls we feel that having a supervisor participate in these transactions does not provide any additional protection.

Thank you for your consideration.

Sincerely,
Sam Porter

Samuel H. Porter, III
♣ Regional Director of Compliance
♥ P. 614.308.4476
♠ hollywoodcolumbus.com

From: Lisa Powers [mailto:LisaPowers@jackentertainment.com]
Sent: Monday, October 03, 2016 1:39 PM
To: Patrick.Martin@casinocontrol.ohio.gov; Michelle.Siba@casinocontrol.ohio.gov; Robert Wamsley; Samuel Porter; Lynne Mackin; Jessica McGrady
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov; Ed Dick
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

Good Afternoon,

In regards to #3 below, the JACK properties confirmed they both utilize Shuffle Master MD3s to verify the cards for Blackjack multi-deck shoe games – it counts the cards and uses card recognition to verify every card is present. Both properties use these shufflers to verify every 10th pre-shuffled multiple deck package of cards.

Any questions, please let me know.

Thank you,
Lisa

LISA POWERS
DIRECTOR OF COMPLIANCE
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M: 513-667-4506
LISAPOWERS@JACKENTERTAINMENT.COM

J·A·C·K CLEVELAND CASINO

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MAIN: 216-297-4777

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Sent: Friday, September 30, 2016 7:30 PM
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We appreciate the opportunity to share our feedback and look forward to your response. Have a good weekend!

Thank you,
Lisa

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LISAPOWERS@JACKENTERTAINMENT.COM

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Sent: Wednesday, September 28, 2016 2:24 PM
To: Michelle.Siba@casinocontrol.ohio.gov; Lisa Powers <LisaPowers@jackentertainment.com>; Robert Wamsley <RobertWamsley@jackentertainment.com>; Samuel Porter <Samuel.Porter@pngaming.com>; Lynne.Mackin@pngaming.com; Jessica.McGrady@pngaming.com
Cc: John.Barron@casinocontrol.ohio.gov; William.Cox@casinocontrol.ohio.gov; Craig.Donahue@casinocontrol.ohio.gov
Subject: RE: Proposed amendments to Chapter 11 and Chapter 20

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Ohio Casino Control Commission
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Sent: Wednesday, September 28, 2016 2:01 PM
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Cc: Barron, John <John.Barron@casinocontrol.ohio.gov>; Cox, William <William.Cox@casinocontrol.ohio.gov>; Martin, Patrick <Patrick.Martin@casinocontrol.ohio.gov>; Donahue, Craig <Craig.Donahue@casinocontrol.ohio.gov>
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If you have any questions, please do not hesitate to call me.

Respectfully,

Michelle Siba
Deputy General Counsel
Ohio Casino Control Commission
(614) 387-0485
Michelle.Siba@casinocontrol.ohio.gov

Siba, Michelle

Attachment I

From: Duran, Cory
Sent: Monday, November 21, 2016 12:10 PM
To: Siba, Michelle
Cc: Johnson, Shane
Subject: Cost of TG/poker cards
Attachments: USPC Card Invoice, Packing Slip.pdf; Poker card invoice.pdf

Michelle,

Based on the cards that are currently in use at HCO, the cost on a per-deck basis is:

Single deck: $0.71
Preshuffled cards: $0.81
Poker cards: $8.00

See attached invoices. Thanks.

Cory Duran
Financial Auditor
Ohio Casino Control Commission
(614) 308-4680