

NGC #5



1 NGC 13-17

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STATE OF NEVADA

5

BEFORE THE NEVADA GAMING COMMISSION

6

STATE GAMING CONTROL BOARD,

7

Complainant,

8

vs.

COMPLAINT

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BEST BET PRODUCTS, INC., dba
STAGESTOP CASINO,

10

11

and

12

SHAWN PAUL HOLMES,
President,

13

Respondents.

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The State of Nevada, on relation of its State Gaming Control Board (BOARD),
Complainant herein, by and through its counsel, CATHERINE CORTEZ MASTO, Attorney
General, and MICHAEL P. SOMPS, Senior Deputy Attorney General, hereby files this
Complaint for disciplinary action against Respondents pursuant to Nevada Revised Statute
(NRS) 463.310(2) and alleges as follows:

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1. Complainant, BOARD, is an administrative agency of the State of Nevada duly
organized and existing under and by virtue of chapter 463 of NRS and is charged with the
administration and enforcement of the gaming laws of this state as set forth in Title 41 of NRS
and the Regulations of the Nevada Gaming Commission.

23

2. Respondent, BEST BET PRODUCTS, INC., dba STAGESTOP CASINO,
(STAGESTOP) located at 100 West Stagecoach Road, Pahrump, Nevada is a nonrestricted
licensee and is licensed to operate gaming in Nevada. Respondent, SHAWN PAUL HOLMES,
is licensed as the President of STAGESTOP and is also licensed as a shareholder and a
director of STAGESTOP.

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Office of the Attorney General
Gaming Division
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

RELEVANT LAW

3. The Nevada Legislature has declared under NRS 463.0129(1) that:

(a) The gaming industry is vitally important to the economy of the State and the general welfare of the inhabitants.

(b) The continued growth and success of gaming is dependent upon public confidence and trust that licensed gaming and the manufacture, sale and distribution of gaming devices and associated equipment are conducted honestly and competitively, that establishments which hold restricted and nonrestricted licenses where gaming is conducted and where gambling devices are operated do not unduly impact the quality of life enjoyed by residents of the surrounding neighborhoods, that the rights of the creditors of licensees are protected and that gaming is free from criminal and corruptive elements.

(c) Public confidence and trust can only be maintained by strict regulation of all persons, locations, practices, associations and activities related to the operation of licensed gaming establishments, the manufacture, sale or distribution of gaming devices and associated equipment and the operation of inter-casino linked systems.

NRS 463.0129(1)(a), (b) and (c).

4. The Nevada Gaming Commission has full and absolute power and authority to limit, condition, restrict, revoke or suspend any license, or fine any person licensed, for any cause deemed reasonable. See NRS 463.1405(4).

5. The BOARD is authorized to observe the conduct of licensees in order to ensure that the gaming operations are not being conducted in an unsuitable manner. See NRS 463.1405(1).

6. This continuing obligation is repeated in Nevada Gaming Commission Regulation 5.040, which provides as follows:

A gaming license is a revocable privilege, and no holder thereof shall be deemed to have acquired any vested rights therein or thereunder. The burden of proving his qualifications to hold any license rests at all times on the licensee. The board is charged by law with the duty of observing the conduct of all licensees to the end that licenses shall not be held by unqualified or disqualified persons or unsuitable persons or persons whose operations are conducted in an unsuitable manner.

Nev. Gaming Comm'n Reg. 5.040.

....

1 7. Nevada Gaming Commission Regulation 5.010(2) further provides that
2 “[r]esponsibility for the employment and maintenance of suitable methods of operation rests
3 with the licensee, and willful or persistent use or toleration of methods of operation deemed
4 unsuitable will constitute grounds for license revocation or other disciplinary action.”

5 8. NRS 463.335(2) provides the following:

6 A person may not be employed as a gaming employee
7 unless the person is temporarily registered or registered as a
8 gaming employee pursuant to this section. An applicant for
9 registration or renewal of registration as a gaming employee must
10 file an application for registration or renewal of registration with the
11 Board. Whenever a registered gaming employee, whose
12 registration has not expired, has not been objected to by the Board,
13 or has not been suspended or revoked becomes employed as a
14 gaming employee at another or additional gaming establishment,
15 the registered gaming employee must file a change of employment
16 notice within 10 calendar days with the Board. The application for
17 registration and change of employment notice must be filed through
18 the licensee for whom the applicant will commence or continue
19 working as a gaming employee, unless otherwise filed with the
20 Board as prescribed by regulation of the Commission.

21 NRS 463.335(2).

22 9. Nevada Gaming Commission Regulation 5.011 states, in relevant part, as follows:

23 The board and the commission deem any activity on the part
24 of any licensee, his agents or employees, that is inimical to the
25 public health, safety, morals, good order and general welfare of the
26 people of the State of Nevada, or that would reflect or tend to
27 reflect discredit upon the State of Nevada or the gaming industry, to
28 be an unsuitable method of operation and shall be grounds for
disciplinary action by the board and the commission in accordance
with the Nevada Gaming Control Act and the regulations of the
board and the commission. Without limiting the generality of the
foregoing, the following acts or omissions may be determined to be
unsuitable methods of operation:

.....

8. Failure to comply with or make provision for compliance
with all federal, state and local laws and regulations pertaining to
the operations of a licensed establishment including, without
limiting the generality of the foregoing, payment of all license fees,

.....

1 withholding any payroll taxes, liquor and entertainment taxes and
2 antitrust and monopoly statutes.

3 Nev. Gaming Comm'n Regs. 5.011(8).

4 10. Nevada Gaming Commission Regulation 5.101 states that "[n]o person shall be
5 employed as a gaming employee unless such person is temporarily registered or registered as
6 a gaming employee in accordance with NRS 463.335 and these regulations.

7 11. Nevada Gaming Commission Regulation 5.105 provides in relevant part the
8 following:

9 1. A nonrestricted licensee shall not knowingly employ any person
10 as a gaming employee unless such person is temporarily registered
11 or registered as a gaming employee. A licensee shall check, and
12 may rely on, the system of records maintained by the board to
13 verify the temporary registration, registration or eligibility of a
14 person seeking employment as a gaming employee with such
15 licensee.

14

15 11. On or before the fifteenth (15th) day of each month,
16 each licensee shall submit a written report to the board containing
17 the name, social security number, position held, and date of hire of
18 each gaming employee hired during the previous month.

18 Nev. Gaming Comm'n Reg. 5.105(1) and (11).

19 12. Nevada Gaming Commission Regulation 5.106 provides in relevant part the
20 following:

21 1. Whenever a registered gaming employee becomes
22 employed as a gaming employee with another or additional
23 licensee, he shall file a change of employment notice by submitting
24 it to such licensee for submission to the board within 10 days of the
25 employee becoming employed with such licensee, unless otherwise
26 prescribed by the chairman.

25 Nev. Gaming Comm'n Reg. 5.106(1).

26 13. Nevada Gaming Commission Regulation 5.030 provides as follows:

27 *Violation of any provision of the Nevada Gaming*
28 *Control Act or of these regulations by a licensee, his agent or*
employee shall be deemed contrary to the public health, safety,

1 morals, good order and general welfare of the inhabitants of the
2 State of Nevada and *grounds for suspension or revocation of a*
3 *license*. Acceptance of a state gaming license or renewal thereof
4 by a licensee constitutes an agreement on the part of the licensee
5 to be bound by all of the regulations of the commission as the same
6 now are or may hereafter be amended or promulgated. *It is the*
7 *responsibility of the licensee to keep himself informed of the*
8 *content of all such regulations, and ignorance thereof will not*
9 *excuse violations.*

6 Nev. Gaming Comm'n Reg. 5.030 (emphasis added).

7 14. NRS 463.310(4)(d)(2) states in relevant part that the Commission may:

8 (d) Fine each person or entity or both, who was licensed,
9 registered or found suitable pursuant to this chapter or chapter 464
10 of NRS or who previously obtained approval for any act or
11 transaction for which Commission approval was required or
12 permitted under the provisions of this chapter or chapter 464 of
13 NRS:

12

13 (2) Except as otherwise provided in subparagraph
14 (1), not more than \$100,000 for each separate violation of the
15 provisions of this chapter or chapter 464 or 465 of NRS or of the
16 regulations of the Commission which is the subject of an initial
17 complaint and not more than \$250,000 for each separate violation
18 of the provisions of this chapter or chapter 464 or 465 of NRS or of
19 the regulations of the Commission which is the subject of any
20 subsequent complaint.

17

18 NRS 463.310(4)(d)(2).

19 **FACTUAL ALLEGATIONS**

20 15. Commencing on June 30, 2013, the BOARD conducted a compliance review of the
21 STAGESTOP.

22 16. During the BOARD'S compliance review, the BOARD discovered that seven out of
23 nine current bartenders were not properly registered as gaming employees. The length of time
24 such gaming employees were not properly registered ranged from two weeks to approximately
25 three and one half years.

26 17. During the BOARD'S compliance review, the BOARD also determined that two of
27 the seven improperly registered bartenders, although registered gaming employees, were not

28

1 registered gaming employees at the STAGESTOP. A change of location notification had not
2 been submitted to the BOARD for the bartenders for their employment at the STAGESTOP.

3 18. During the BOARD'S compliance review, the BOARD also discovered that three
4 prior gaming employees had not been properly registered as gaming employees.

5 19. During the BOARD'S compliance review, the BOARD also discovered that the
6 STAGESTOP had failed to submit its hire reports since October 2010.

7 20. On July 8, 2013, a BOARD agent spoke with Mr. HOLMES regarding the
8 STAGESTOP'S failure to properly register its gaming employees. Mr. HOLMES
9 acknowledged that the STAGESTOP had not been tracking gaming employee registrations for
10 several years.

11 **COUNT ONE**
12 **VIOLATION OF NRS 463.335 and NEVADA GAMING**
13 **COMMISSION REGS. 5.101, 5.105(1), 5.106(1) and/or 5.011(8)**

14 21. Complainant BOARD realleges and incorporates by reference as though set forth in
15 full herein paragraphs 1 through 20 above.

16 22. Respondents employed gaming employees who were not temporarily registered or
17 registered as gaming employees.

18 23. Respondents employed gaming employees who, although registered gaming
19 employees, were not registered gaming employees at the STAGESTOP.

20 24. Respondents' actions, as set forth herein, are in violation of NRS 463.335 and/or
21 Nev. Gaming Comm'n Regs. 5.101, Reg. 5.105(1) and/or 5.106(1).

22 25. Respondents' actions, as set forth herein constitute a failure to comply with or
23 make provision for compliance with all federal, state and local laws and regulations pertaining
24 to the operations of a licensed establishment in violation of Nev. Gaming Comm'n Reg.
25 5.011(8).

26 26. The failure to comply with NRS 463.335 and/or Nev. Gaming Comm'n Regs. 5.101,
27 5.105(1), 5.106(1) and/or 5.011(8) is an unsuitable method of operation and is grounds for
28 disciplinary action against Respondents. See Nev. Gaming Comm'n Regs. 5.010(2) and
5.030.

COUNT TWO
VIOLATION OF NEVADA GAMING
COMMISSION REGS. 5.105(11) and/or 5.011(8)

27. Complainant BOARD realleges and incorporates by reference as though set forth in full herein paragraphs 1 through 26 above.

28. Since October 2010, Respondents have failed to submit to the BOARD required hire reports.

29. Respondents' failure to submit to the BOARD hire reports constitutes a violation of Nev. Gaming Comm'n Reg. 5.105(11).

30. The actions of Respondents, as set forth herein, constitute a failure to comply with or make provision for compliance with all federal, state and local laws and regulations pertaining to the operations of a licensed establishment in violation of Nev. Gaming Comm'n Reg. 5.011(8).

31. The failure to comply with Nev. Gaming Comm'n Regs. 5.105(11) and/or 5.011(8) is an unsuitable method of operation and is grounds for disciplinary action against Respondents. See Nev. Gaming Comm'n Regs. 5.010(2) and 5.030.

WHEREFORE, based upon the allegations contained herein which constitute reasonable cause for disciplinary action against Respondent, pursuant to NRS 463.310, and Nevada Gaming Commission Regulations 5.010, 5.011 and 5.030, the STATE GAMING CONTROL BOARD prays for the relief as follows:

1. That the Nevada Gaming Commission serve a copy of this Complaint on Respondents pursuant to NRS 463.312(2);

2. That the Nevada Gaming Commission fine Respondents a monetary sum pursuant to the parameters defined at NRS 463.310(4) for each separate violation of the provisions of the Nevada Gaming Control Act or the Regulations of the Nevada Gaming Commission;

3. That the Nevada Gaming Commission take action against Respondents' license or licenses pursuant to the parameters defined in NRS 463.310(4); and

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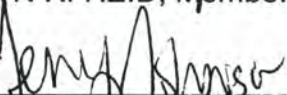
1 4. For such other and further relief as the Nevada Gaming Commission may deem just
2 and proper.

3 DATED this 23rd day of October, 2013.

4 STATE GAMING CONTROL BOARD

5 
6 _____
A.G. BURNETT, Chairman

7 
8 _____
SHAWN R. REID, Member

9 
10 _____
TERRY JOHNSON, Member

11 Submitted by:

12 CATHERINE CORTEZ MASTO
13 Attorney General

14 By: 
15 MICHAEL P. SOMPS
16 Senior Deputy Attorney General
17 Gaming Division
18 (775) 850-4152

Office of the Attorney General
Gaming Division
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511



1 NGC 13-17

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STATE OF NEVADA

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BEFORE THE NEVADA GAMING COMMISSION

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STATE GAMING CONTROL BOARD,

7

Complainant,

8

vs.

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BEST BET PRODUCTS, INC., dba
STAGESTOP CASINO,

10

and

11

SHAWN PAUL HOLMES,
President,

12

RESPONDENTS.

13

STIPULATION FOR SETTLEMENT AND
ORDER

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The State of Nevada, on relation of its STATE GAMING CONTROL BOARD (BOARD),
Complainant herein, filed a Complaint, NGC Case No. 13-17 against the above-captioned
RESPONDENTS, BEST BET PRODUCTS, INC., dba STAGESTOP CASINO, and SHAWN
PAUL HOLMES alleging certain violations of the Nevada Gaming Control Act and Regulations
of the Nevada Gaming Commission.

19

IT IS HEREBY STIPULATED AND AGREED to by the BOARD and RESPONDENTS
that the Complaint, NGC Case No. 13-17, filed against RESPONDENTS in the above-entitled
case shall be settled on the following terms and conditions:

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1. RESPONDENTS admit each and every allegation set forth in the Complaint, NGC
Case No. 13-17.

24

2. RESPONDENTS fully understand and voluntarily waive the right to a public hearing
on the charges and allegations set forth in the Complaint, the right to present and cross-
examine witnesses, the right to a written decision on the merits of the Complaint, which must
contain findings of fact and a determination of the issues presented, and the right to obtain
judicial review of the Nevada Gaming Commission's decision.

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Office of the Attorney General
Gaming Division
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

1 3. RESPONDENTS agree to pay a fine in the total amount of FIVE THOUSAND FIVE
2 HUNDRED DOLLARS and NO CENTS (\$5,500.00) electronically transferred to the *STATE OF*
3 *NEVADA-NEVADA GAMING COMMISSION* on or before the date this stipulated settlement
4 agreement is accepted by the Nevada Gaming Commission. This amount is allocated as
5 follows: 1) a fine of \$5,000.00 as a result of the allegations contained in Count 1 of the
6 Complaint representing \$500.00 for each gaming employee registration violation detailed in
7 the background section of the Complaint; and 2) a \$500.00 fine as a result of the allegations
8 contained in Count 2 of the complaint. Interest on the fine shall accrue at 5.25 percent per
9 annum on any unpaid balance computed from the date payment is due until payment is made
10 in full.

11 4. In consideration for the execution of this settlement agreement, RESPONDENTS,
12 for themselves, their heirs, executors, administrators, successors, and assigns, hereby
13 release and forever discharge the State of Nevada, the Nevada Gaming Commission, the
14 Nevada Gaming Control Board, the Nevada Attorney General and each of their members,
15 agents, and employees in their individual and representative capacities, from any and all
16 manner of actions, causes of action, suits, debts, judgments, executions, claims, and
17 demands whatsoever known or unknown, in law and equity, that RESPONDENTS ever had,
18 now have, may have, or claim to have against any and all of the persons or entities named in
19 this paragraph arising out of, or by reason of, the investigation of the allegations in the
20 Complaint and this disciplinary action, NGC Case No. 13-17, or any other matter relating
21 thereto.

22 5. In consideration for the execution of this settlement agreement, RESPONDENTS
23 hereby indemnify and hold harmless the State of Nevada, the Nevada Gaming Commission,
24 the State Gaming Control Board, the Nevada Attorney General, and each of their members,
25 agents, and employees in their individual and representative capacities against any and all
26 claims, suits and actions, brought against the persons named in this paragraph by reason of
27 the investigation of the allegations in the Complaint, filed in this disciplinary action, NGC Case
28 No. 13-17, and all other matters relating thereto, and against any and all expenses, damages,

1 charges and costs, including court costs and attorney fees, which may be sustained by the
2 persons and entities named in this paragraph as a result of said claims, suits and actions.

3 6. RESPONDENTS enter into this Stipulation for Settlement freely and voluntarily and
4 acknowledge that RESPONDENTS had an opportunity to consult with counsel prior to entering
5 into this Stipulation for Settlement. RESPONDENTS further acknowledge that this stipulated
6 settlement is not the product of force, threats, or any other form of coercion or duress, but is
7 the product of discussions between RESPONDENTS and the attorney for the BOARD.

8 7. RESPONDENTS and the BOARD acknowledge that this settlement is made to avoid
9 litigation and economize resources. The parties agree and understand that this Stipulation for
10 Settlement is intended to operate as full and final settlement of the Complaint filed against
11 RESPONDENTS in the above-entitled disciplinary case, NGC Case No. 13-17.

12 8. RESPONDENTS and the BOARD recognize and agree that the Nevada Gaming
13 Commission has the sole and absolute discretion to determine whether to accept this
14 stipulated settlement agreement. RESPONDENTS and the BOARD hereby waive any right
15 they may have to challenge the impartiality of the Nevada Gaming Commission to hear the
16 above-entitled case on the matters embraced in the Complaint if the Nevada Gaming
17 Commission determines not to accept this stipulated settlement agreement. If the Nevada
18 Gaming Commission does not accept the Stipulation for Settlement, it shall be withdrawn as
19 null and void and RESPONDENTS' admissions, if any, that certain violations of the Nevada
20 Gaming Control Act and the Regulations of the Nevada Gaming Commission occurred shall be
21 withdrawn.

22 9. RESPONDENTS and the BOARD agree and understand that this settlement
23 agreement is intended to operate as full and final settlement of the Complaint filed in NGC
24 Case No. 13-17. The parties further agree and understand that any oral representations are
25 superseded by this settlement agreement and that only those terms memorialized in writing
26 herein shall be effective.

27 10. RESPONDENTS agree and understand that although this settlement, if approved
28 by the Nevada Gaming Commission, will settle the Complaint filed in NGC Case No. 13-17,

1 that the allegations contained in the Complaint filed in NGC Case No. 13-17 and the terms of
2 this settlement agreement may be considered by the BOARD and/or the Nevada Gaming
3 Commission, with regards to any and all applications by RESPONDENTS that are currently
4 pending before the BOARD or the Nevada Gaming Commission, or that are filed in the future
5 with the BOARD.

6 11. RESPONDENTS and the BOARD shall each bear their own costs incurred in this
7 disciplinary action, NGC Case No. 13-17.

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1 12. This stipulated settlement agreement shall become effective immediately upon
2 approval by the Nevada Gaming Commission.

3 DATED this 3rd day of October, 2013.

5 BEST BEST PRODUCTS, INC., dba
6 STAGESTOP CASINO; and
7 SHAWN PAUL HOLMES, President

STATE GAMING CONTROL BOARD

8 By: Shawn Paul Holmes
9 SHAWN PAUL HOLMES, President
10 Respondent

A.G. Burnett
A.G. BURNETT, Chairman

Shawn R. Reid
SHAWN R. REID, Member

Terry Johnson
TERRY JOHNSON, Member

13 Submitted by:
14 CATHERINE CORTEZ MASTO
15 Attorney General

16 By: Michael P. Somps
17 MICHAEL P. SOMPS
18 Senior Deputy Attorney General
19 Gaming Division
20 Attorneys for State Gaming Control Board

ORDER

IT-IS SO ORDERED in NGC Case No. 13-17.

DATED this _____ day of _____, 2013.

NEVADA GAMING COMMISSION

Peter Bernhard
PETER BERNHARD, Chairman

Office of the Attorney General
Gaming Division
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

NEVADA GAMING COMMISSION

1 Repeal of)
Nevada Gaming Commission)
2 Regulation 22.035 (Registration)
of Employees) and Amendment)
3 To Nevada Gaming Commission)
Regulation 3.100 (Employee))
4 Report))



5 PETITION

6
7 COMES NOW Station Casinos LLC ("Station"), an interested person, and petitions the
8 Nevada Gaming Commission, pursuant to NRS 463.145-1(d), to repeal Regulation 22.035, and to
9 amend Regulation 3.100 (c) to add race book and sports pool to the definition of "Qualifying
10 employee."

11 Regulation 22.035 provides that any individual who fulfills the function of race book or
12 sports pool manager, race book or sports pool supervisor, manager or supervisor for an operator
13 of a call center or who determines race book or sports pool betting odds, point spreads or betting
14 lines must register with the Gaming Control Board, and sets forth a procedure for such
15 registration. This requirement duplicates the gaming employee registration requirement set forth
16 in NRS 463.335 and Regulations 5.101 through 109. Race book and sports pool employees are
17 gaming employees as defined in NRS 463.0157. Accordingly, all of them must be registered as
18 gaming employees, and those whose functions are listed in Regulation 22.035 must also be
19 separately registered pursuant to that regulation. The duplicative registration requirement of
20 Regulation 22.035 is costly and burdensome, especially to a registered publicly traded company
21 like Station, whose subsidiaries operate numerous race books and sports pools. The heavy costs
22 and burdens associated with Regulation 22.035 do not yield a significant regulatory advantage
23 that is not already achieved by the gaming employee registration requirement. At best, the
24 registration of race book and sports pool supervisory employees provides a tracking mechanism.
25 The same purpose can be achieved by amending Regulation 3.100 (c) to add race book and sports
26 pool to the definition of "Qualifying employee." Such an addition would require nonrestricted
27 licensees to report key employees in race books and sports pools semi-annually, thus providing a
28 tracking mechanism for such employees without a duplicative, costly and burdensome registration
requirement.

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For the foregoing reasons, Station requests the repeal Regulation 22.035, and an amendment to Regulation 3.100 (c) to add race book and sports pool to the definition of "Qualifying employee."

DATED this 20th day of September, 2013

STATION CASINOS, LLC

By: David Arrajj
David Arrajj
BROWNSTEIN HYATT FARBER SCHRECK, LLP

Counsel for the Petitioner

October 9, 2013

David R. Arrajj
Attorney at Law
702.464.7053 tel
702.382.8135 fax
DArrajj@bhfs.com

VIA E-MAIL AND U.S. MAIL

Adriana G. Fralick, Esq.
Executive Secretary
State Gaming Control Board
1919 East College Parkway
Carson City, NV 89702-8003

**RE: In the Matter of: Petition to Amend NGC Regulation 3.100 and
to Repeal NGC Regulation 22.035**

Dear Ms. Fralick:

Enclosed you will find a draft of a proposed amended NGC Regulation 3.100 in connection with the above-referenced Petition.

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

Very truly yours,


David R. Arrajj

DRA:dkh

Enclosure

cc: John Pasqualotto (w/copy of encl.)

3.100 Employee report.

1. Definitions. As used in this section:

(a) (No Change)

(b) (No Change)

(c) "Qualifying employee" of a group I or group II nonrestricted licensee means any person whose responsibility is to directly oversee the entirety of the following types of departments or functions of the licensee's operations:

(1) Accounting.

(2) Bingo.

(3) Cage and vault.

(4) Contracts and agreements for entertainment or for the lease of space on the premises of the licensed gaming establishment.

(5) Credit.

(6) Collections.

(7) Entertainment operations.

(8) Finance.

(9) Food and beverage.

(10) Gaming regulatory compliance.

(11) Hotel operations.

(12) Human resources.

(13) Internal audit.

(14) Internal information technology.

(15) Keno.

(16) Marketing.

(17) Pit operations.

(18) Poker operations.

(19) Race book.

(20) Sales.

(20)(21) Security.

(24)(22) Slot operations.

(23) Sports pool.

(22)(24) Surveillance.

(d) (No Change)

2. (No Change)

3. (No Change)

4. (No Change)

5. (No Change)

6. (No Change)

3.100 Employee report.

1. Definitions. As used in this section:

(a) (No Change)

(b) (No Change)

(c) "Qualifying employee" of a group I or group II nonrestricted licensee means any person whose responsibility is to directly oversee the entirety of the following types of departments or functions of the licensee's operations:

(1) Accounting.

(2) Bingo.

(3) Cage and vault.

(4) Contracts and agreements for entertainment or for the lease of space on the premises of the licensed gaming establishment.

(5) Credit.

(6) Collections.

(7) Entertainment operations.

(8) Finance.

(9) Food and beverage.

(10) Gaming regulatory compliance.

(11) Hotel operations.

(12) Human resources.

(13) Internal audit.

(14) Internal information technology.

(15) Keno.

(16) Marketing.

(17) Pit operations.

(18) Poker operations.

(19) Race book.

(20) Sales.

(20)(21) Security.

(21)(22) Slot operations.

(23) Sports pool.

(22)(24) Surveillance.

(d) (No Change)

2. All nonrestricted licensees, including each manufacturer, distributor, service provider, operator of a slot machine route, of a mobile gaming system, of interactive gaming, or of an inter-casino linked system, and each pari-mutuel systems operator shall submit an employee report to the board two times yearly within 30 days after March 31st and within 30 days after September 30th. The report shall identify every person who is, as of March 31st or September 30th, whichever is most recent, a qualifying employee. The report shall also identify, as of March 31st or September 30th, whichever is most recent, the following persons who are not otherwise qualifying employees:

(a) Any person who directly supervises a qualifying employee.

(b) Any person who entered into a contractual arrangement, which is reportable pursuant to Regulation 8.130, on behalf of and binding upon the licensee.

(c) Any individual who fulfills the function of race book or sports pool manager, race book or sports pool supervisor, or who determines race book or sports pool betting odds, point spreads or betting lines.

(d) For a group I nonrestricted licensee:

(1) (No Change)

(2) (No Change)

(3) (No Change)

(e) For a group II nonrestricted licensee:

(1) (No Change)

(2) (No Change)

(3) (No Change)

(f) For licensees other than a group I or group II nonrestricted licensee:

(1) (No Change)

(g) (No Change)

3. (No Change)

4. (No Change)

5. (No Change)

6. (No Change)

22.035 Registration of employees.

~~1. Any individual who fulfills the function of race book or sports pool manager, race book or sports pool supervisor, manager or supervisor for an operator of a call center or who determines race book or sports pool betting odds, point spreads or betting lines must register with the board. Such registration must be made on a form provided by the chairman and shall include the individual's:~~

~~(a) Full legal name and any aliases, nicknames, maiden name and any other change, legal or otherwise;~~

~~(b) Social security number and current driver's license number;~~

~~(c) Date and place of birth;~~

~~(d) History of residence for the past 5 years;~~

~~(e) History of employment for the past 10 years;~~

~~(f) Complete history of arrests, detentions, or litigations including any which have been sealed or expunged by court order;~~

~~(g) Consent to a full licensing investigation, subject to the provision of subsection 3, by the board and commission; and~~

~~(h) Such other information as required by the chairman.~~

~~2. Licensed key employees or key employees in applicant status are not required to register pursuant to this section.~~

~~3. Individuals required to register must file within 30 days of assuming such duties.~~

~~4. After reviewing the registration forms, the chairman may request that the individual file a completed application form. Individuals who object to the request for submission of a completed application form and commencement of a full licensing investigation by the board may appeal the administrative decision to the full board and commission in a manner similar to that outlined in Regulations 4.185 through 4.195.~~

~~5. The requirements of this section do not apply to satellite books.~~

~~(Adopted: 11/98. Effective: 1/1/99. Amended: 9/05; 8/21/08.)~~