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The MICHIGAN GAMING Newsletter



MATT WESAW TO RETIRE FROM POKAGON TRIBAL COUNCIL AND POKAGON GAMING AUTHORITY

Today, the Pokagon Band of Potawatomi Indians (“Pokagon Band”) announced that Chairman Matt Wesaw will retire from his roles as Chairman of the Pokagon Band Tribal Council and President and CEO of the Pokagon Gaming Authority. He will be succeeded in the interim by Vice Chairman Bob Moody. The Pokagon Band will hold a special election in January, 2014 to elect a new Chairman.

Mr. Wesaw has been selected as the Executive Director of the Michigan Department of Civil Rights where he was first appointed (as a commission member) in 2004. In 2010, he was elected as its Commission Chair for a term through 2011.

“I feel very privileged and honored to have been selected as Executive Director of the Michigan Department of Civil Rights. Having served on the Commission for several years, Civil Rights is an area that I am very passionate about and I’m excited to focus on it in the final phase of my career,” said Mr. Wesaw. “I leave the Pokagon Tribal Council and Gaming Authority in the very capable hands of my colleagues. I feel I have been able to contribute to the continued and long-term success of the Pokagon Band at important times in our history. I also have the utmost confidence in our current and future leaders and would like to thank all Pokagon Citizens for the support that they have provided me over the years.”

Mr. Wesaw held the position of Pokagon Tribal Council Chairman in 1996, during state-tribal compact negotiations with the state of Michigan and again in 2008 following the opening of Four Winds Casino in New Buffalo. Previously, Mr. Wesaw served 26 years with the Michigan Department of State Police as a Trooper and Detective Sergeant.

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PLANS FOR A FRUITPORT TOWNSHIP CASINO MOVE ON TO FEDERAL REVIEW

Last Saturday, October 12, 2013, the Little River Band of Ottawa Indians (“Little River Band”), with the assistance of State Senator Geoff Hansen (R-Hart), announced that Michigan Governor Rick Snyder has agreed to a waiver of certain rights held by the State which, in turn, will allow the plans for a proposed \$100 Million casino development in Fruitport Township to be reviewed by the U.S. Department of the Interior. The Little River Band purchased the former Great Lakes Downs racetrack in Muskegon County in July, 2008 and has since purchased additional parcels surrounding this site. In accordance with the Indian Gaming Regulatory Act, the Little River Band will need to have this land taken into trust by the Federal Government in order to develop a tribal casino there.

The Little River Band’s proposal will now be reviewed by the Bureau of Indian Affairs (“BIA”), a division of the U.S. Department of the Interior. This review, which will include, among other things, a study detailing the environmental impact that such a casino would have on the surrounding area, could take between 18 months and two years to complete. In addition to formal federal approvals, finalizing these plans will also require an amendment to the Little River Band’s tribal gaming compact with the State of Michigan allowing for this second casino site. Legislation that would have amended the Little River Band’s compact to include the Fruitport Township casino stalled in the Legislature in 2010.

The Little River Band has already negotiated and signed local operating agreements with Fruitport Township and Muskegon County, which cover issues such as the provision of municipal services and cooperative law enforcement. Local officials have said that there is strong local support for this casino development.

MICHIGAN LEGISLATIVE UPDATE

Since the 2013-2014 legislative session began in January, 2013, legislative proposals introduced related to changes in the Michigan

gaming landscape and regulatory environment surrounding the casino gaming industry have been very limited. Several pieces of legislation have been introduced that would affect the state lottery, as well as ATM transactions at certain gaming facilities, which are outlined below.

SB 0534 - [Senate Bill 0534](#) was introduced on September 24, 2013 by Senator John Proos (R – Berrien County) and, if passed, would amend the McCauley-Traxler-Law-Bowman-McNeely Lottery Act regarding how the state lottery distributes prizes. The bill would require the Bureau of State Lottery to determine if a winner of a prize of \$1,000 or more has any outstanding court fees, fines, or assessments. If a winner has outstanding items, then the Bureau would apply the winnings to the outstanding court costs, along with outstanding taxes and other existing statutory considerations, before making any prize payments to the winner. Any remaining prize balance after such costs have been accounted for would be distributed to the lottery winner.

On October 8, 2013, Senate Bill 0534 was referred to the Senate Judiciary Committee.

SB 0554/HB 5015 – [Senate Bill 0554](#) was introduced on September 26, 2013 by Senator Rick Jones (R – Allegan County) and would add a new provision to the Horse Racing Law of 1995. If passed, the bill would require horse track operators to work with the state’s Department of Human Services and with ATM providers to develop a program to prevent state assistance payments from being withdrawn from ATM machines at the track.

The bill was referred to the Senate Committee on Banking and Financial Institutions on September 26, 2013. On October 17, 2013, a substitute version of the bill was voted out of committee and placed on the order of third reading of bills in the Committee of the Whole.

[House Bill 5015](#) was introduced on September 26, 2013 by Representative Dale Zorn (R - Monroe County) and contains the same language as Senate Bill 0554. The bill was referred to the House Committee on Families Children, and Seniors on September 26, 2013.

ROCK GAMING ANNOUNCES NEW PRESIDENT AND COO

Yesterday, October 17, 2013, Detroit-based Rock Gaming LLC announced the appointment of Mark Dunkenson as the company's new president and COO. Mr. Dunkenson previously served as a senior vice president of operations for Station Casinos, in Las Vegas, Nevada. Rock Gaming LLC's affiliate, Athens Acquisition, LLC, acquired a majority interest in the Greektown Casino-Hotel earlier this year.

Upon proper regulatory approvals, Mr. Dunkenson will oversee the company's strategic partnerships and operational responsibilities to advance Rock Gaming's gaming facilities. "As we continue to scale up our gaming properties, Mark's blend of strategic corporate gaming experience and strong industry leadership will be a valuable addition to our established partner and property management teams," stated Rock Gaming CEO Matt Cullen. "Mark's breadth of experience and proven track record will also help Rock Gaming further entrench the urban casino philosophy."

Mr. Dunkenson has more than 19 years of commercial gaming and hospitality experience. His most recent role as senior vice president of operations for Station Casino's luxury brand division included overseeing operations at several destination gaming properties including Red Rock Casino, Resort and Spa, and Green Valley Ranch Resort, Casino and Spa.