

July 31, 2015

Volume 21, Issue 24

For more information on Michigan's gaming industry, please visit [www.michigangaming.com](http://www.michigangaming.com)

*Editor in Chief*

**David D. Waddell, Esq.**

Phone: 517.507.3859

[waddell@rmclegal.com](mailto:waddell@rmclegal.com)

*Senior Gaming Analyst & Editor*

**Robert R. Russell, II**

Phone: 517.507.3858

[russell@rmclegal.com](mailto:russell@rmclegal.com)

*Reporter and Associate Editor*

**Dustin M. Ford**

Phone: 517.999.5414

[dford@rmclegal.com](mailto:dford@rmclegal.com)

*Reporter*

**Douglas L. Minke**

Phone: 313.221.9380

[minke@rmclegal.com](mailto:minke@rmclegal.com)

*Reporter*

**Blaine R. DeGracia**

Phone: 517.507.3857

[degracia@rmclegal.com](mailto:degracia@rmclegal.com)

*Subscription information:*

[info@michigangaming.com](mailto:info@michigangaming.com)

A publication of

**RMC Ventures, LLC**

Asher Court

321 W. Lake Lansing Rd.

East Lansing, MI 48823

Phone: 517.507.3860

Fax: 517.908.0235

[www.rmclegal.com](http://www.rmclegal.com)

# The MICHIGAN GAMING Newsletter



## MICHIGAN HORSE RACING UPDATE

### Northville Downs

On Monday, July 27, 2015, the Michigan Gaming Control Board (“MGCB”) announced that live Standardbred racing will resume at Northville Downs in August and continue through November 2015. Northville Downs hosted Standardbred races from February to mid-July 2015. In the July 27, 2015 Order, the MGCB permitted the track to host such races on Fridays and Saturdays from August 14 through November 14, and thus the Order allows the track to offer 28 additional days of live racing this year.

“Today’s actions update a June 16 order allowing Northville Downs to race Wednesdays and Thursdays and switch to weekends once Hazel Park Raceway completed its meet,” said MGCB Executive Director Rick Kalm.

### Hazel Park Raceway

On Wednesday, July 22, 2015, the MGCB announced that it has issued an order, at Hazel Park Raceway’s request, to halt the 2015 live thoroughbred race meeting after August 8, 2015. Hazel Park will fulfill 30 of its 40 thoroughbred race dates granted for 2015, which originally were to conclude on September 12.

“Hazel Park Raceway requested 40 days of live racing, which we granted,” stated Mr. Kalm. “We were disappointed to learn there are insufficient funds available to race beyond August 8. This is an unfortunate and serious matter.”

*(Continued on page 2)*

The MGCB does not suspect malfeasance or misspending on the part of Hazel Park Raceway, but is likely a result of overspending by the track. The MGCB notes that it is investigating the situation.

“The MGCB remains willing to work with Hazel Park Raceway management if it can find a solution to its financial challenges,” Mr. Kalm stated. “However, the MGCB must work within the framework of state law. We encourage all of the parties involved in the horse racing industry, including the tracks and the horsemen’s associations, to cooperate to best meet the challenges faced by the industry.”

### **Jackson County Receives License**

On Tuesday, July 28, 2015, Jackson County received a horse racing track license for its fairgrounds from the MGCB. This is the first step required for horse racing to return to the county. Notably, the Jackson County fairgrounds closed in 2009.

“If the county finds an operator with sufficient financial resources, the MGCB will consider a horse race meeting license for the track,” said Mr. Kalm. “We must approve both licenses before racing can begin.”

A track license is valid for two years.

### **MATT WESAW TO RETIRE FROM MICHIGAN DEPARTMENT OF CIVIL RIGHTS**

According to recent reports, Matt Wesaw will be stepping down from his position with the Michigan Department of Civil Rights (“Department”) as Executive Director at the end of October, 2015. Mr. Wesaw, 62, plans to spend more time with his family. He is the first native American to head the Department.

Mr. Wesaw has served as the Department’s Executive Director since October of 2013. He was first appointed (as a commission member) in 2004.

In 2010, he was elected as its Commission Chair for a term through 2011.

Notably, on October 18, 2013, the Pokagon Band of Potawatomi Indians (“Pokagon Band”) announced that Chairman Matt Wesaw had retired from his roles as Chairman of the Pokagon Band Tribal Council and President and CEO of the Pokagon Gaming Authority.

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.

### **MICHIGAN CLUB KENO SETS RECORD JACKPOT AWARD**

On Thursday, July 23, 2015, the Michigan Lottery announced that a Club Keno player located in Michigan’s Upper Peninsula has won \$448,055 playing Club Keno’s The Jack on Wednesday. This is the largest prize won by a Lottery player playing The Jack since the game’s debut on June 1, 2009.

The Jack prize set a record for the largest amount ever won, and the previous record was set in 2013 when a Leelanau County player won \$267,234.

The jack is a progressive Club Keno add-on game that players may add to their Club keno wager for \$1 per draw. The jackpot starts at \$10,000 and grows until it is won. To win the jackpot, players must match all eight numbers.

### **FEDERAL LEGISLATION INTRODUCED TO CLARIFY INDIAN GAMING LAWS**

On Tuesday, July 28, 2015, Senator John Barasso (R-WY) introduced legislation that, if passed, would alter the Department of the

Interior's ("Department") tribal land acquisition process in an effort to make the process more streamlined. The legislation has been introduced, in part, to address legal and regulatory issues that have arisen since the Supreme Court's decision in *Carcieri v. Salazar*, 555 US 379 (2009), which limited the Department's ability to take land into trust for tribes that had not received federal recognition prior to 1934.

Senate Bill 1879, *The Interior Improvement Act* ("SB 1879"), would permit the Secretary of the Interior to take land into trust for all federally recognized tribes regardless of their date of federal recognition. The legislation is also designed to streamline the Department's review process for land into trust applications by codifying certain regulations, requiring increased consultation and communications with tribes, encouraging cooperative agreements between tribes and government agencies, as well as increasing the ability for stakeholders to comment on land applications. In addition, the legislation would reaffirm the trust status of lands that have already been placed into trust.

Trust lands are used by tribes for a number of governmental and economic development initiatives. In addition, the land into trust process is an important consideration for tribes seeking to operate gaming facilities under the Indian Gaming Regulatory Act. According to a press release from the Senate Committee on Indian Affairs, the bill "dramatically improves the Department of the Interior trust land acquisition process for Indian tribes." Senator Barasso also stated that "[t]his bill clarifies existing law and streamlines outdated, cumbersome, and costly land into trust processes within the Department of the Interior."

SB 1879 has been referred to the Senate Indian Affairs Committee, where Sen. Barasso is the Chairman. For more information on SB 1879, including the text of the bill, please visit the US Congress website at: [https://www.congress.gov/bill/114th-congress/senate-bill/1879/text?q={%22search%22%3A\[%22%22s1879%22%22\]}&resultIndex=1](https://www.congress.gov/bill/114th-congress/senate-bill/1879/text?q={%22search%22%3A[%22%22s1879%22%22]}&resultIndex=1)

## GLOBAL GAMING BUSINESS MAGAZINE ANNOUNCES CALL FOR ENTRIES FOR GAMING TECH AWARDS

Global Gaming Business Magazine is currently accepting entries for their 15th annual Gaming and Technology Awards.

The deadline to submit nominations is August 14, 2015 and entry forms can be found at [www.ggbmagazine.com](http://www.ggbmagazine.com).

This year's call for entries fall into four separate categories, they include 1) Best consumer-service technology, 2) Best productivity-enhancement technology, 3) Best slot product, and 4) Best table-game product or innovation.

The awards will be presented on Thursday, October 1, 2015 at the Global Gaming Expo in Las Vegas and will be included in the November issue of Global Gaming Business Magazine.

For further inquiry, please contact David Coheen at 702-248-1565 or by email at [dcoheen@ggbmagazine.com](mailto:dcoheen@ggbmagazine.com).