

GA1.1:999/2000



**ANNUAL REPORT
1999/2000**

*Protect the Public,
Ensure Compliance with the Gaming Compacts,
and Regulate the Gaming Industry*

GA 1, 1, 999/2000

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Message from the Director

On behalf of the Arizona Department of Gaming, I am pleased to submit the Fiscal Year 2000 Annual Report.

Fiscal Year 2000 was a year of resolution and accomplishment for the Department of Gaming. During the year, the Department settled a long-standing lawsuit over multi-station gaming devices and completed the arbitration over the legality of poker in tribal gaming operations. The Sunset Review process, which began in Fiscal Year 1998 with a performance audit by the Auditor General's Office, resulted in a favorable audit report and the continuation of the Department for another ten years. Putting these issues behind allowed the Department to focus on new challenges, such as department-wide strategic planning, developing customer satisfaction surveys, creating an intelligence unit, and compact renewal negotiations.

In preparation for the renewal negotiations, the Department held hearings in four locations across the state to seek public input on Indian gaming. These hearings were extremely helpful in identifying both the benefits reaped and the social costs incurred from Indian gaming. The Department's employees also served a major role in preparing for the negotiations. Over a period of several months, employees met within their units to evaluate and propose ways to define and clarify regulatory responsibilities in the new compacts. Their contribution was invaluable.

I am proud of the dedication, innovation, and hard work of every person who works in the Department. This year we have improved our working relationship with tribal governments and continued our strong role in the regulation of the gaming industry. Together we have made significant strides towards fulfilling the Department's mission.

A handwritten signature in black ink that reads "Stephen M. Hart". The signature is stylized and cursive.

Stephen M. Hart

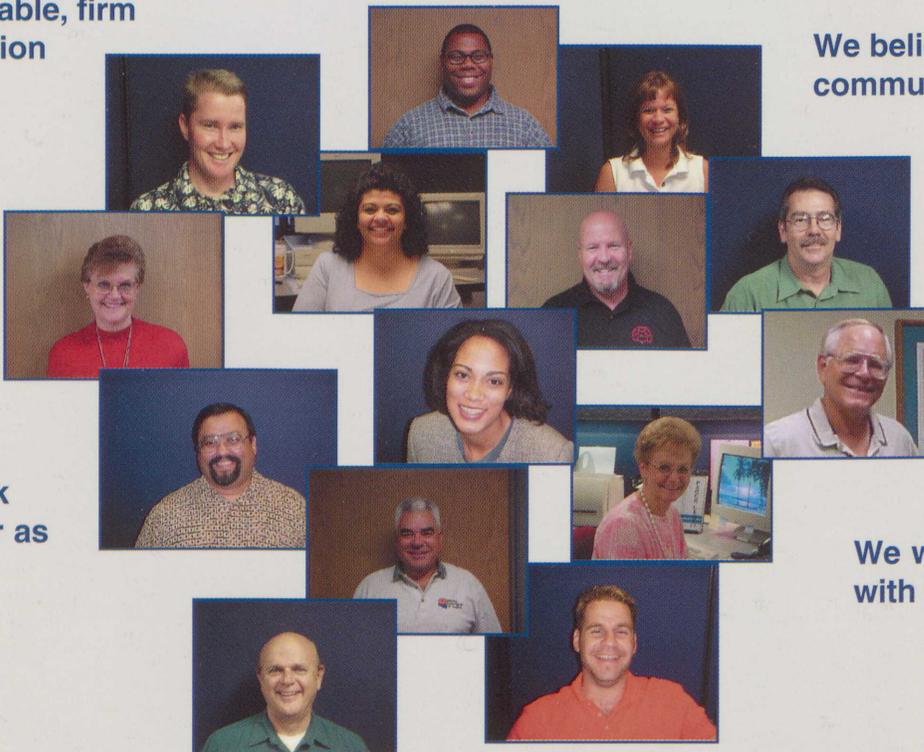
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We strive for quality and consistency in all activities

We believe in reasonable, firm regulation

We believe in open communication



We work together as a team

We work with integrity

Our Values

Our Mission

Protect the Public, Ensure Compliance with the Gaming Compacts, and Regulate the Gaming Industry

Our Goals

- To coordinate, refine, and enhance State/Tribal regulatory responsibilities
- To build strong relationships with Tribal governments, other regulatory agencies, and key stakeholders
- To increase our knowledge of industry specific and other technological advances
- To develop and retain a skilled, high-performing workforce

Mission and Goals

Arizona Gaming History Timeline

- 1987** Cabazon Court Case – The legal foundation upon which Indian gaming law is built.
- 1988** Indian Gaming Regulatory Act (“IGRA”) Congress responded to *Cabazon* by enacting IGRA, which establishes the federal legislative framework for Indian gaming.
- 1992** Yavapai-Prescott Indian Tribe v. Arizona – A federal district judge in Arizona ruled that the state must negotiate with the Tribe and attempt to conclude a compact.
- The Arizona State Gaming Agency is established within the Department of Racing.
- 1993** Yavapai-Prescott Case – The federal mediator chose the Tribes’ last, best offered compact over the State’s recommended compact. Negotiations followed resulting in the “standard form” compacts.
- 1994** Sixteen tribes had signed compacts and ten casinos were in operation by December 31, 1994.
- 1995** The Legislature creates the Department of Gaming.
- The Salt River Pima-Maricopa Indian Community files a lawsuit in federal court seeking to force Tribal-State compact negotiations.
- 1996** Seminole Court Case – The U.S. Supreme Court declared provisions in IGRA allowing states to be sued without their consent were unconstitutional.

Gaming . . .

Where We’ve Been . . .

Fiscal Year 2000 was one of major accomplishment for the Department: the completion of the Sunset Review process; the resolution of litigation/arbitration issues; holding statewide public hearings regarding gaming; implementing Department-wide strategic planning; creating an Intelligence Unit; developing customer satisfaction surveys; and establishing an employee Tuition Reimbursement Program.

The Sunset Review process actually began in FY1998 with the start of a performance audit conducted by the Auditor General’s Office, pursuant to



Public Hearings held in Payson (above) on November 30, 1999, and in Yuma (right) on December 6, 1999.



statute. A significant amount of time was spent educating the auditors on the Department and Indian gaming. The audit culminated in a favorable Auditor General’s report, which recommended extending the existence of the agency to the Arizona Legislature. In Sunset hearings held during the 2000 legislative session, the Legislature determined that the Department was achieving its

specified goals and granted a ten-year renewal, the maximum allowed by law. In addition, the Legislature further increased the Department’s authority by granting the Department statewide jurisdiction over gambling devices.

In October 1999, a lawsuit filed by the Gila River and Ak-Chin Indian Communities against the State of Arizona was settled in an agreement both sides described as “fair, sensible and acceptable.” The settlement resolved the legal dispute over how to account for gaming devices that allow multiple players. In November, the long-standing arbitration over the legality of poker in Indian casinos was resolved in favor of the Tribes. The arbitration panel found that federal law governed and that under that law, poker was permissible in Indian casinos. The State accepted the arbitration panel’s

decision, and some tribes have voluntarily agreed to state certification of card room employees.

In December, ADG conducted public hearings in Payson, Yuma, Phoenix, and Tucson to gather Arizonans’ perspectives on the impact of Indian gaming. Over 1,200 people attended

those meetings. A report of the hearings found Indian gaming provides major economic benefits to Tribes, rural communities, and Arizona businesses. The report also found that the benefits of Indian gaming are accompanied by sobering tales of the costs of compulsive gambling. As a result of the hearings, the Governor began compact renewal negotiations aimed at improving gaming regulation, securing the economic benefits of



The Department works closely with the Tribal regulators on Compact Compliance

gaming for Arizona's tribes, and addressing the social costs of problem gambling.

For the first time, strategic planning was developed with total involvement by Department employees. The process compelled the units to re-evaluate their responsibilities under the compacts and to establish goals and objectives to achieve them. As a direct result, the units revised and streamlined their functions, making them more efficient and cost-effective.

Recognizing the need for a repository of newly acquired sensitive information, the Department created an Intelligence Unit in July 1999. The unit collects this confidential, gaming-related information and disseminates it to tribal gaming regulators. The tribes have responded favorably to these Intelligence Bulletins.

To improve service to our customers, the Department developed surveys for its external and internal customers. The external customer surveys went to companies who had completed the certification process. The results indicate a high level of satisfaction with the certification process. The results of the employee surveys also show a high level of satisfaction.

In an effort to encourage employees to seek their career development, the Department created a plan for tuition reimbursement. By establishing this program, the Department demonstrates the value it places on its employees' personal and professional growth.

And Where We're Going.

The next year will be a seminal one in the history of Arizona Indian gaming. The Compact renewal negotiations may well be concluded and the Department will complete its first year of implementing its new statewide criminal jurisdiction over gaming devices. In addition, the State will see the opening of major casinos in both metropolitan Phoenix and Tucson.

A federal court judge dismisses the Salt River court case based on the *Seminole* decision. The tribe appealed.

Rumsey Court Case – The Court held that Class III gaming was to be examined game by game and allowed on Indian land only if permitted by a specific state law.

Based on the *Rumsey* decision, Governor Symington refuses to negotiate a standard form compact with the Salt River Indian Community. The tribe's successful initiative measure is placed on the ballot. Voters approve the measure but the law is challenged in Superior Court. Ultimately, the Arizona Supreme Court upholds the initiative measure.

The *Sears* Case – The Superior Court rules that the Governor of Arizona lacks the authority to negotiate a compact with Salt River permitting slot machines and/or keno. The decision is appealed to the Arizona Supreme Court.

1998 The Arizona Supreme Court overturns the decision in the *Sears* Case. Governor Hull begins compact negotiations with the Salt River Pima-Maricopa Indian Community and signs a compact on August 18, 1998.

1999 Issues regarding Multi-player gaming devices are resolved.

2000 As of June 30, 2000, there are 19 Indian gaming casinos in Arizona.

For more information see our Website at www.gm.state.az.us

Division's Responsibilities

- Conducting background investigations on all non-tribal members seeking employment in a gaming facility
- Conducting background investigations and making recommendations to tribal governments concerning tribal members seeking employment in a gaming facility
- Determining the suitability of manufacturers and suppliers of gaming devices, management contractors, and providers of gaming services to Class III gaming facilities
- Monitoring all Class III gaming operations to ensure that such operations are conducted in compliance with the provisions of the compacts

Applications Unit

- Conducts thorough but expeditious background investigations for all individuals seeking certification and recommendation to be employed by the gaming facility
- Ensures applicant compliance with compact requirements

Records Unit

- Collects and processes all application fees
- Enters application data and maintains all certification records and databases
- Issues certification and recommendation documentation

Operations Division

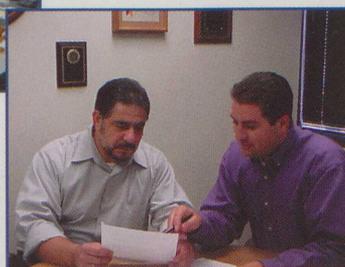
Applications Unit

Every time a casino opens or expands its operation, it increases the number of applications for certification. This



Application Unit investigators work closely with each other and the Attorney General's Office.

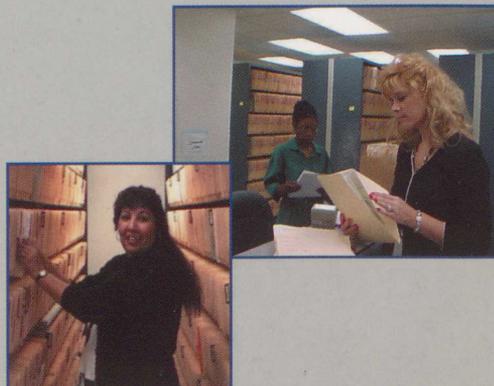
unit is charged with the task of conducting the background investigation of everyone seeking employment with the gaming facility. In addition to processing new applications, the unit also processes the annual renewal applications for current employees seeking to renew their certifications. There were 3,403 new gaming employee applications and 6,412 renewal applications processed this fiscal year.



Records Unit

The Records Unit works closely with the Applications and Corporate Investigations Units. Information from all new and renewal applications is initially entered into the database before the applications are given to the investigators for background investigations.

The unit diligently maintains accurate records for the Department. This fiscal year, they reviewed and updated the Department's document retention policy and devoted many hours reviewing records to ready them for archiving.



Access to the records room is limited in order to maintain confidentiality and to expedite retrieval.

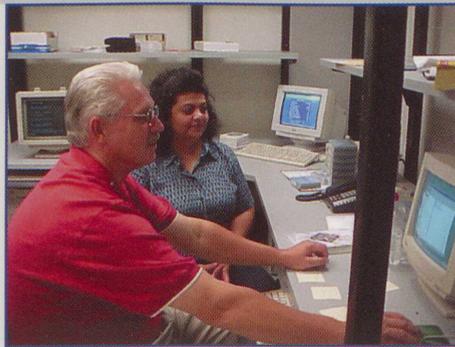


Tribal Gaming Affairs Investigators work closely with the Tribal Gaming Offices at the gaming facilities.

Tribal Gaming Affairs Unit

The investigators in this unit spend a great portion of their time at the gaming facilities and work closely with the Tribal Gaming Offices. The ADG investigators, in cooperation with the Tribal Gaming Offices, investigate suspected compact violations and criminal activity in violation of the tribe's gaming ordinances. Often, these investigations are very complex, requiring many man-hours to complete.

When a new gaming facility is planned, the investigators begin working closely with tribal officials to ensure the new facility is in compliance with the compacts. This year saw the opening of a new facility by the Yavapai-Apache Nation at Camp Verde.



Information Technology Unit

The beginning of the fiscal year was spent upgrading and testing the network and telephone systems to ensure that both would be Y2K compliant. When the new year arrived, there was a smooth transition with no problems occurring as a result of the 2000 date.

The unit also completed an assessment of ADG's technological needs and the technical services provided.

Two steering committees were developed to assist in the assessment and to formulate a course of action to address the needs. The Business Steering Committee focused on business needs with respect to computer applications technology. The IT Steering Committee focused on technical solutions to accomplish the business needs. The unit will be making significant changes to further the Department's mission.

Tribal Gaming Affairs Unit

- Monitors and enforces compact compliance at the Indian gaming facilities by completing on-site inspections of various aspects of the gaming operation
- Assures public safety by regular inspections of the gaming facilities to ensure appropriate security and surveillance procedures
- Conducts investigations on all suspected compact violations by gaming employees
- Conducts background investigations, independent of any tribal investigation, on all key employees and primary management personnel of the casino

Information Technology Unit

- Provides technology enhancements to enable the Department to serve the tribes more efficiently
- Provides computer support services
- Designs program applications
- Performs network upgrades
- Identifies program priorities
- Evaluates equipment and personnel needs in order to meet Department data processing demands

Operations Division

Intelligence Unit

- Coordinates and centralizes intelligence information pertaining to the gaming industry
- Disseminates information to the Department's Tribal Affairs investigators and the Tribal Gaming Agencies at the casinos concerning immediate threats to the patrons, employees, or assets of the gaming facility
- Acts as a liaison between the Department and other law enforcement agencies

Intelligence Unit

The most critical aspect of this unit is the dissemination of information, in the form of Intelligence Bulletins, to both the Department's investigators and the Tribal Gaming Offices concerning immediate threats to the patrons, employees, or the assets of the gaming facilities. These threats may come in the form of active slot cheats, new cheating devices, wanted felons, and many others.



The unit also acts as a liaison between other law enforcement agencies supplying information that leads to the investigation of alleged criminal activity.

One of the major accomplishments during the Intelligence Unit's first year of operation was the establishment of a counterfeit currency tracking system. The unit transmits a report to every Tribal Gaming Office each month giving them the pertinent information regarding incidents of counterfeit currency found in the casinos.

In the future, the unit will be involved in the registration and monitoring of all gaming device manufacturers and distributors within the State

Corporate Investigations Unit

- Processes all applications from businesses seeking certification
- Conducts background investigations to ensure that unsuitable companies are not involved in Arizona's gaming industry
- Interviews with corporate board members, officers, and key personnel
- Obtains information from other gaming regulators and law enforcement agencies
- Conducts interviews with applicant's references
- Conducts inspection of applicant's plant/facilities
- Reviews publicly filed corporate documents
- Performs financial reviews and analyses

Corporate Investigations team members work together.



Corporate Investigations Unit

During the past fiscal year, the unit worked to streamline the certification process for companies seeking to conduct business with the gaming facilities. As part of this effort, the unit began surveying their external customers, receiving excellent input and results.

Two financial investigators were added this year to conduct forensic financial audits. The investigators

work together in two-member teams to better facilitate the background investigations required prior to issuing state certification. Out of the 255 business applications submitted this year, 2 were found to be unsuitable.

The unit will continue to monitor and evaluate the process in keeping with the Department's mission.

ADG Machine Technicians conducting on-site random inspection and testing of slot machines at the Fort McDowell Gaming Center.



Games & Devices Compliance Unit

The Department's Machine Technicians travel throughout the state inspecting, testing, and certifying gaming devices before they are put into play, or when any changes are made in a gaming device's hardware or software. Random inspections are frequently conducted and may occur at any time in a 24-hour period. The technicians inspected 6,176 machines during the 1999/2000 fiscal year.

The gaming industry's technological advances are moving at a rapid pace. The unit is working and training to keep up with all the changes that are taking place. The unit's technicians are also receiving extensive training in the on-line accounting systems used by the Tribes in their gaming facilities.

Compliance Audit



Compliance Audit Unit

The unit worked diligently to complete 18 compact compliance reviews this fiscal year. A compact compliance review is an extensive process of reviewing the tribal gaming operation for compliance with the tribal-state compact. Prior to the review, the audit team observes the

revenue drop/count at the gaming facility. Often these drop/counts are performed in the middle of the night.

One major project of the unit this year was the review and revision of proposed internal control requirements in the compact.

Games & Devices Compliance Unit

- Ensures electronic games and related equipment are in compliance with the technical standards set forth in the compacts
- Verifies, on site, that all gaming devices and related equipment meet the tested and approved specifications before the devices are allowed to operate in the casino
- Conducts random inspections and testing of gaming devices in operation at the casinos
- Certifies any changes in hardware or software at the time the changes take place

Compliance Audit Unit

- Reviews tribal gaming operations for compliance with the compacts
- Performs compliance testing of the Class III gaming operation for standard minimum internal controls unique to the gaming industry
- Performs revenue drop/count observations prior to each compact compliance review
- Reviews the Class III gaming operation's external audit workpapers to analyze the detailed transactions
- Performs follow-up reviews when compact violations are discovered or deficiencies are found in the internal control systems

Division's Responsibilities

- Facilitating and supporting the employees in accomplishing the Department's mission
- Budgeting and planning for the future
- Accounting for and managing the Department's revenues
- Ensuring the Department's compliance with good accounting practices and the state's guidelines
- Facilitating necessary travel
- Collaborating with the Operations Division, other state agencies, and private enterprises on pertinent matters

Procurement/Purchasing

- Purchases all Department equipment and supplies
- Ensures all acquisitions comply with State procurement rules and laws
- Space planning and utilization
- Negotiates and manages contracts for the Department within State Procurement guidelines
- Orders, assigns, and maintains records of all communication equipment

Travel

- Arranges all in-state and out-of-state travel for the Department's investigators
- Processes all travel claims in compliance with State requirements

Administrative Services

Procurement/Purchasing

This unit carried out several projects during the fiscal year. One constant challenge for the unit is how to best utilize the Department's limited space, while satisfying ergonomic concerns. Working with individual employees, the unit reconfigured workstations using modular units that effectively created more work space enabling the employees to work more efficiently and comfortably.

When the Flagstaff satellite office staff outgrew their space, the unit faced the challenge of relocating in a market with few possibilities. The unit found ideal space in a central location. They then coordinated and oversaw the move and setup in the new space to ensure it was fully functional for the staff to carry out their business activities.

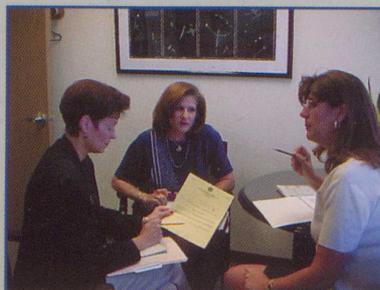
*The Department's
Administrative Services
Division Staff*



Travel

This unit's priority was keeping pace with the Department's increased travel needs. The Department's corporate investigators, in conducting background investigations on companies seeking certification, are required to travel to company headquarters to perform on-site inspections, interviews, and financial

audit reviews. The headquarters for most of these companies are located outside the state, which requires significant travel arrangements. This unit effectively coordinates all these arrangements as well as the travel for training and conferences. The unit reduced the processing time for travel claims to a one-week turnaround for reimbursement of expenses.



*Brainstorming ideas helps
the unit to create more
efficient and cost-effective
methods for the Department.*

Human Resources

During the fiscal year, this unit began an ambitious project of reviewing the Department's classification system and compensation structure in an effort to improve hiring and retention of staff. The project will continue into FY2001 with expected implementation under the next biannual budget.

To encourage and facilitate career development for the employees, the unit developed and implemented the Department's first tuition reimbursement program. Also, the unit provided team building training for all

Department employees, which enhanced their ability to work more effectively in teams.

In December, the unit administered the State of Arizona Employee Satisfaction Survey, which reflected a high level of employee satisfaction in the Department. The survey responses placed the Department in the category of "Agencies with Most Favorable Responses". Department employees responded most favorably to eight of eleven questions posed by the Governor's office.



Accounting figures are double-checked for accuracy. (left)

(Below) The Comptroller keeps a close eye on the budget.



Fleet Management

Last fiscal year, the responsibility for the Department's fleet was transferred to this division and expanded. The unit was tasked with acquiring nine replacement vehicles as well as managing the fleet maintenance and repairs and addressing employee transportation needs.

Human Resources

- Facilitates employee recruitment
- Reviews and monitors employee classification and compensation issues
- Monitors and disseminates employee benefit information
- Coordinates employee training
- Facilitates new employee orientation

Fleet Management

- Coordinates and schedules maintenance of all vehicles
- Coordinates responses to emergency situations
- Monitors the acquisition and utilization of fleet within the Department
- Prepares monthly reports

Denials and Appeals

- Prepares and processes all certification denials, suspensions, and revocations
- Maintains the Denials Database
- Coordinates and processes all requests for administrative hearings and informal settlement conferences

Administrative Services

Budget and Planning

- Coordinates and facilitates strategic planning within the Department
- Prepares projections of revenue and expenditures
- Prepares and monitors the Department's budget
- Prepares financial reports for the Governor's Office
- Acts as the Department's liaison to the executive and legislative budget offices
- Ensures that the Department's financial functions comply with State accounting policies and generally accepted accounting principles

Budget and Planning

The unit was involved in two major projects this fiscal year. It coordinated and facilitated the Department's first agency-wide strategic planning. While the process was time-consuming, it proved extremely beneficial to streamline agency functions and focus the Department's activities on achieving the agency's mission. In addition, the unit prepared for and facilitated the procurement of a new financial management system. The system, among other things, will enable the agency to make more

detailed reporting to the tribes and improve the billing of investigative expenses.

Accounting

Once the new financial management system was procured, this unit worked with the vendor to customize the software to meet the agency's requirements. In addition to customizing the software for the billing process, the unit also developed a system to improve the collection of the investigative costs, which are reimbursed by the companies seeking certification.

Accounting

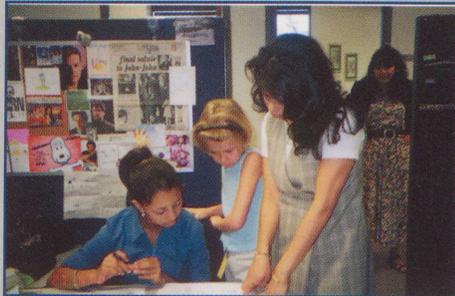
- Processes accounts payable claims and mails warrants
- Prepares and makes deposits
- Prepares monthly financial statements
- Prepares quarterly reports for the tribes
- Prepares monthly invoices for reimbursement of investigative costs
- Processes and monitors all payroll functions
- Maintains all accounting records and databases

Revenue and Expenditures

Fiscal Year 2000 Revenues	Enforcement	Certification
Total Revenue	3,611,271	928,299
 Fiscal Year 2000 Expenditures		
Personal Services	1,878,234	410,493
Employer Related Expenses	359,194	82,032
Professional & Outside Services	244,258	185,706
In-State Travel Expenses	102,855	6,525
Out-of-State Travel Expenses	45,552	59,849
Other Operating Expenses	455,882	91,753
Equipment	155,515	0
Total Operating Expenditures	3,241,490	836,357
Arbitration	94,361	0
Total Expenditures	3,335,851	836,357
Revertment to Compacted Tribes	376,106	

Special Programs

(Right) ADG employees with Governor Hull at the State Employee Recognition Day Event held at Wesley Bolin Plaza



(Left) Take Your Child to Work Day

ADG employees generously support and participate in several charitable projects, many times in a leadership capacity.

For the second consecutive year, the Department had 100% employee participation in the State Employees Charitable Campaign. They consistently increase their amount of giving. Contributions to S.E.C.C. this year totaled \$6,100.

During the Christmas holidays, employees adopted a classroom in the Wilson Elementary School District providing a class party and gifts, which the students requested in their letters

to Santa. This is the fifth year the employees have participated in the project.

Over half of the Department's employees regularly participate in the Arizona Healthways Flu Shot Campaign. The Department is one of the first to volunteer as a site every year.

The Department's commitment to the State also includes participation in programs to reduce air pollution and improve air quality in the metropolitan Phoenix area with 47% of the employees choosing telecommuting, flexible scheduling, bus, or carpooling options.

Special Programs

- Travel Reduction and Rideshare
- U.S. Savings Bonds
- State Employees Charitable Campaign
- Other Charitable Projects
- Chair Massage Program
- Flu Shot Campaign

(Below) Arizona Healthways Flu Shot Campaign



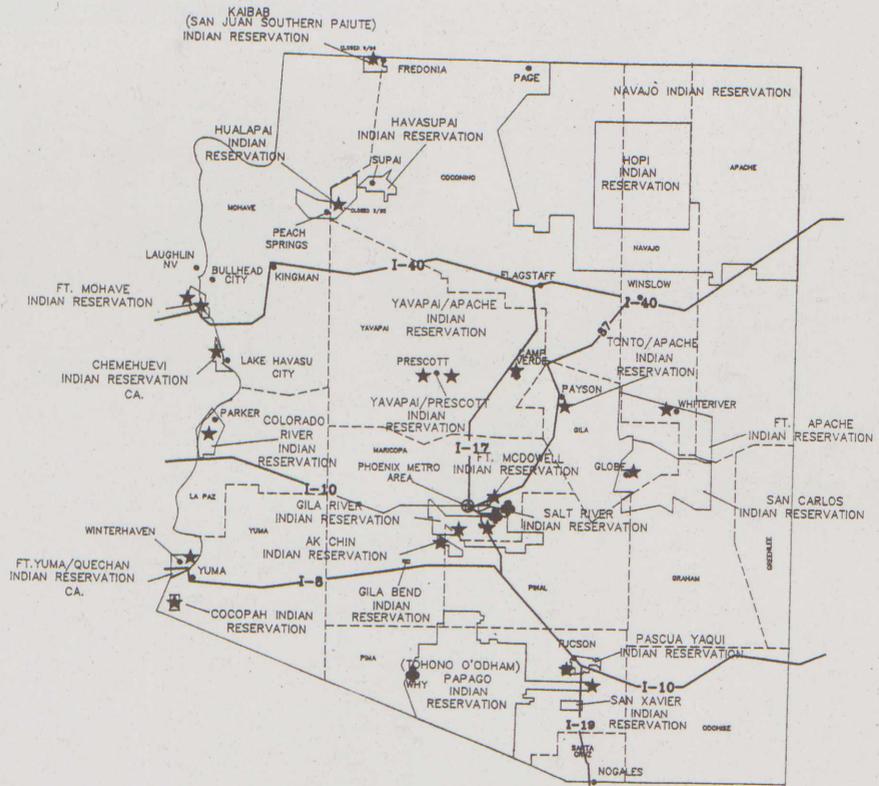
(Above and right) ADG employees delivering presents to a 1st grade classroom at Wilson Primary School



Arizona Tribes with Casinos

- Ak-Chin Indian Community
- Cocopah Indian Tribe
- Colorado River Indian Tribes
- Fort McDowell Mohave-Apache Indian Community
- Fort Mojave Indian Tribe
- Gila River Indian Community
- Pascua Yaqui Tribe of Arizona
- Quechan Indian Tribe
- Salt River Pima-Maricopa Indian Community
- San Carlos Indian Tribe
- Tohono O'odham Nation
- Tonto Apache Tribe
- White Mountain Apache Tribe
- Yavapai-Apache Nation
- Yavapai-Prescott Indian Tribe

For information, see our web site at www.gm.state.az.us



The Fort McDowell Mohave-Apache Indian Community's Gaming Center northeast of Fountain Hills, Arizona. Photo courtesy of the Secretary of State's Office



The Tonto Apache Tribes's Mazatzal Casino located on the Tonto Apache Reservation southeast of Payson, Arizona. Photo courtesy of the Secretary of State's Office



(Left) San Carlos Apache Tribe's Apache Gold Casino east of Globe.
Photo courtesy of Apache Gold Casino



(Right) Harrah's Ak-Chin Casino, owned by the Ak-Chin Indian Community, is located near Maricopa in central Arizona
Photo courtesy of Harrah's Ak-Chin Casino



Gila River Casinos, Vee Quiva (above) and Wild Horse Pass (right), located south of Phoenix. Photos courtesy of the Gila River Casinos



(Above left and right) Salt River Pima-Maricopa Indian Community's two temporary gaming facilities located east of Scottsdale



Tohono O'odham Nation's Desert Diamond Casino (above) and Golden Ha:sañ (left), located south of Tucson.
Photos courtesy of the Tohono O'odham Nation's casinos

Department of Gaming

June 30, 2000

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