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INDEPENDENT REGULATORY
REVENUE COMMISSION

July 23, 2008

VIA EMAIL AND FEDERAL EXPRESS

Mickey Kane, Acting Board Secretary
Pennsylvania Gaming Control Board
P. O. Box 69060
303 Walnut Street
Strawberry Square
Verizon Tower, 5th Floor
Harrisburg, PA 17106-9060

Re: Washington Trotting Association, Inc., License No.: F-1316
Comments to Proposed Rulemaking 125-89

Dear Acting Secretary Kane:

Please be advised that we represent Washington Trotting Association, Inc. ("WTA"), a Category 1 slot operator licensee. On behalf of WTA, we are submitting the following comments to the proposed amendments to regulation 58 Pa. Code § 465a.14 ("Proposed Rulemaking No. 125-89").

Proposed Rulemaking No. 125-89 intends to impose the restriction that slot machine licensees may not hire off-duty law enforcement officers to provide security in any area of the licensed facility. Currently, off-duty law enforcement officers are permitted to provide security to areas of the licensed facility other than restricted areas or on the gaming floor. The preamble to Proposed Rulemaking No. 125-89 explains that the restriction is to help avoid any actual conflict of interest or an appearance of same if a law enforcement officer is required to investigate a matter at the licensed facility

WTA respectfully submits that the proposed restriction imposed by 58 Pa. Code § 465a.14 should not be extended to the entire licensed facility as that would include the racetrack areas of a Category 1 licensed facility and non-restricted areas. WTA currently employs off-duty law enforcement officers to provide security in the racing areas of the Meadows' facility. After completion of the permanent facility, both gaming and racing will be located



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under a common roof and Proposed Rulemaking No. 125-89 would require WTA to terminate off-duty law enforcement officers that are employed to provide security in connection with the racing operation. These off-duty law enforcement officers are necessary to maintain a fully staffed security force for the racing facility. These individuals are also union employees and required termination may raise union issues.

From the preamble to the proposed regulation, WTA understands that the purpose of the requirement is to avoid possible conflicts of interest. WTA submits that by having the off-duty law enforcement officers in non-restricted areas or on the racing side of the operation, a conflict would not exist if an incident needed to be investigated. The off-duty officer working at the Meadows would never be a primary investigator of an incident. These individuals would be present and lend their expertise to fellow law enforcement officers as an employee of WTA at the time of the incident similar to other security personnel. If why on duty they must investigate an incident at the Meadows, there should be no conflict as it would not involve their employment and they are professional law enforcement officers. Regardless, in either case they are working for the benefit of law and order. Pennsylvania State Police, or other on duty law enforcement, would be there to oversee and be responsible for the investigation.

Accordingly, WTA submits that 58 Pa. Code § 465a.14 should not be amended and the restriction should remain applicable only to restricted areas of a licensed facility, the gaming floor or in connection with slot operations.

Thank you for consideration of WTA's comments to the proposed rulemaking.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Marie Jiacobello Jones'.

Marie Jiacobello Jones

cc: Arthur Cocodrilli, Chairman, Independent Regulatory Review Commission
Guy Hillyer, Executive Vice President
Michael Graninger, Vice President and General Manager
Michael S. Keelon, Manager of Compliance