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VIA FACSIMILE/OVERNIGHT MAIL

Mr. Paul Hogen, Chairman, Vice-Chairman Westrin
and Commissioner Choney
National Indian Gaming Commission
1441 L. Street NW, Suite 9100
Washington D.C. 2005

RE: Comments to Proposed Class II Game Classification and Technical Standards

Dear Chairman Hogen, Vice-Chairman Westrin and Commissioner Choney:

Thank you for the opportunity to provide comments to the Commission's proposed Class II game classification and technical standards. The Arizona Department of Gaming ("Arizona") hereby submits these comments for your consideration.

In addition to comments specifically related to the proposed standards, we also wish to add a comment regarding the existing definitions contained in 25 CFR Part 502. Reading §§ 502.3 (Class II gaming), 502.4 (Class III gaming), 502.7 (Electronic, computer or other technologic aid) and 502.8 (Electronic or electromechanical facsimile) in conjunction with one another, it appears that Class II gaming can include, for bingo and games similar to bingo, playing the game in an electronic or electromechanical format that broadens participation by allowing multiple players to play with or against each other rather than with or against a machine.

This conclusion appears to be at odds with the definition of Class II gaming contained in the Indian Gaming Regulatory Act (IGRA). Specifically, at 25 U.S.C. 2703(7)(B)(ii), there is an exclusion for "electronic or electromechanical facsimiles of any game of chance or slot machines of any kind." There is no exception for electronic or electromechanical formats that broaden participation by allowing multiple players to play with or against each other rather than with or against a machine.

Our comment on this matter is that these existing provisions of 25 CFR Part 502 should be reviewed against 25 U.S.C. 2703(7)(B)(ii) to ensure consistency.

Section 2.j

The proposed definition of "auto daub" is unclear whether this feature is initiated by the player or initiated by the machine or game. We believe that "auto daubing" should not be initiated by the machine or game, but rather should be initiated by the player, otherwise the fundamental characteristics of daubing are lost.

Section 3.b

We believe that a requirement for each electronic card issued in a bingo game to have a distinct reference number assigned to it and used subsequent to the game to track game play and results should be added. This would be consistent with Section 3.a.xi, which requires each bingo game to have a distinct reference number. The same requirement for bingo cards will allow for tracking and verification of game play subsequent to the game.

Section 3.c.iv

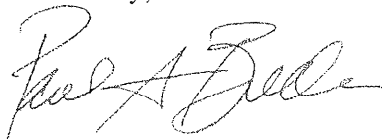
This provision states that designated winning patterns and the prizes available "should" be explained in the Rules of the Game, which rules must be made available to players upon request. We believe that this should be a requirement, rather than left as an option, in order to provide players with full and accurate information concerning the game.

Section 5.a.iii

This provision appears to in conflict with Section 2.b. This provision states that a player other than the first player to cover the predetermined pattern of numbers or designations on the card may be the winner of an "other game similar to bingo." However, Section 2.b., which defines what it means to "win" in a game of bingo or an "other game similar to bingo," states that to "win" is to be the first player to cover a pre-designated and announced game winning pattern of numbers or other designations. We believe that the language in Section 2.b comports with the traditional understanding of winning a game, and that Section 5.a.ii should be harmonized with that language.

We wish to thank you once again for the opportunity to submit these comments. Please do not hesitate to contact me at (602) 604-1801 if you have any questions.

Sincerely,



Paul A. Bullis