

By Peter C. Bernhard,
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Welcome to the 2013 edition of *Nevada Gaming Lawyer*

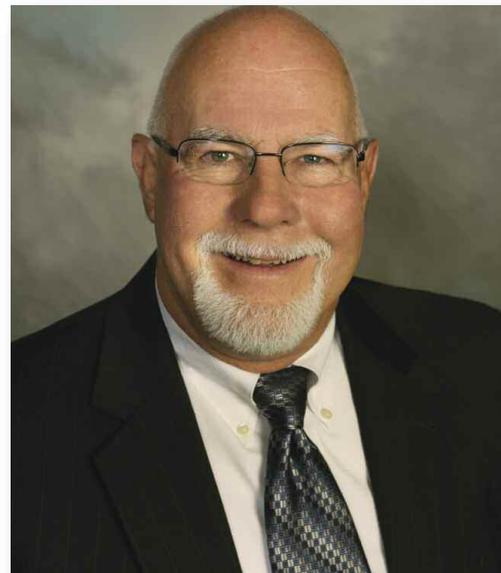
As 2013 moves inexorably into its Fourth Quarter, this regulator reflects on the adage attributed to the French novelist, Alphonse Karr: “Plus ca change, plus c’est la meme chose” (the more things change, the more they stay the same). The phrase, of course, has many variations. I like the cynical version, attributed to advocates of the status quo: “if we call it change, then it’ll be easier to keep everything the same.” But the concept goes back eons, as in, “there’s nothing new under the sun,” and the more recent perversion, “what goes around, comes around.” How does this apply to the gaming industry? And to gaming law?

You’ll see several illustrations in the excellent articles in this year’s issue. Scott Scherer tackles the bi-annual project of reflecting on the 2013 Legislature’s accomplishments. Some of these are actually new (tax credits to promote film-making, parts of which fall within GCB and NGC responsibilities). Others are refinements of issues that have been around for quite a while (independent testing labs, restricted licenses, race and sports books). And still others break new ground in existing areas (interactive intrastate gaming compacts). Jennifer Carleton examines the compacting issues, with her comparison of Nevada, New Jersey and Delaware’s legislative approaches, while Dan Walsh takes a look at the federal aspects of interactive gaming. Not to over-emphasize “old” issues, the enlightening interview with Frank Fahrenkopf is a must-read, as the industry pays tribute to one of its true icons, one who deserves much of the credit for the stability and success of this world-wide industry. I tip my cap to Frank, for all he has done to advance effective regulation as a focal point for industry expansion.

Then, several articles address current, front-burner issues facing the industry: comp meals, sweepstakes and lotteries, live entertainment tax, money

laundering, trademarks, and the Foreign Corrupt Practices Act. These represent continuing areas of concern for the industry that will remain significant for years to come, and we welcome the insights in these areas from John Bartlett, Andy Moore, Erin Elliott, Jeff Rodefer, Jeff Setness, Len Senia, Vernon Nelson, Mark Tratos, Trip Mackintosh and Jon Anderson. Scott Scherer provides an in-depth review of 2013 gaming legislation. Finally, there is a look back at some of the Nevada Supreme Court’s landmark decisions that helped shape our gaming laws.

So, please absorb and enjoy this year’s issue. Change is good. Progress is essential. Technology rules! But remember the concepts that remain the same in any effective legal and social system: integrity and credibility; consistency in rule-making and enforcement; fairness in investigations, taxation, and treatment of all; and advancement in a regulatory system that allows innovation and creativity, within a structure that strives to serve the public interest.



Peter C. Bernhard, Chairman, Nevada Gaming Commission