Opinion: Look at Dotty's one way, sports book kiosks another

By J. Patrick Coolican, Las Vegas Sun

For the first time in years, the Nevada Legislature is seriously discussing gaming policy.

As R&R Partners gaming lobbyist Pete Ernaut said, "Protection of this industry: There can't be a higher priority of this body than getting the No. 1 industry in this state right."

Indeed, I couldn't agree more that we need to strengthen our economic engine, after a period of intense consolidation and debt and bankruptcies and some serious questions about the goings-on in Macau.

Turns out that's not what Ernaut was talking about. He was referring to the ongoing battle between restricted gaming licensees, which are the bars and slot parlors and other locations with no more than 15 slot machines, and on the other side, Ernaut's clients – the big resorts with their nonrestricted licenses.

The Nevada Resort Association – especially Station Casinos – is livid about Dotty's, the quiet little slot arcades that seem to anchor so many forlorn strip malls – including at Stateline as part of the old Bill's Casino property.

Big Gaming argues, persuasively I think, that both legislators and regulators never intended to allow a slot arcade on every corner of our community, which is why the legal language always required that gaming be "incidental" to the main business in these establishments, be it a bar or convenience store. Bar first, gaming second.

Gaming is clearly not incidental at Dotty's, where the only sounds are soft rock and creepy clacking of fingers on slot buttons.

(To be sure, Dotty's was always properly licensed by regulators – you can't really blame them for the policy drift here. And, they certainly deserve credit for their ingenious marketing.)

The Clark County Commission, at the urging of the Nevada Resort Association, put a vice grip on the smaller players two years ago with a bunch of new requirements for new locations, including a bar and a kitchen, which the Dotty's storefronts traditionally lacked.

As I wrote at the time, it was like a David and Goliath story, but only if David were a little hustler who took money from old ladies.

There's been so much uncertainty surrounding this issue that the Legislature should codify the policy in law – or perhaps I should say: Codify it in law again.

Sean Higgins, a bar owner and lobbyist for most of the 1,900 restricted licensees, says the resort association "plays Big Brother to other industries, dictating to us what is appropriate operation for us. Enough is enough."

Higgins says the whole point of the legislation is to stifle competition.

I'm sympathetic, and I have no illusions about Big Gaming's motives here, which involve money, currency, and also money.

To his point, however: Are we stifling competition? Yes, we are, and that's OK. We aren't talking about clothing or convenience stores here. The statute governing gaming begins with a preamble that lays out a far-reaching public policy explicitly stating that gaming's pre-eminent place in Nevada's

social and economic life means we will take extraordinary steps to regulate it, for the health and welfare of the industry and the broader community.

Dotty's is little more than a dopamine delivery device, and it contributes very little to the broader community – just a handful of jobs, no amenities and a paltry sum of taxes compared with the big resorts despite its more than 80 locations, more than 50 of which are restricted locations.

(I distinguish between Dotty's and actual bars, where people meet and socialize and tell embellished stories and bad jokes and complain about the president and eat and drink – these are sacred places. Dotty's is not.)

Indeed, in part because restricted licensees pay a small flat fee per slot machine instead of the gross gaming tax like the big resorts pay, the small guys paid just $13 million in taxes compared with $653 million by the resorts last year. And that's just gaming taxes. Throw in room taxes, sales taxes, the live entertainment tax and all the rest, and the resorts paid $1.3 billion in total taxes, or 42 percent of general fund.

This doesn't mean, however, that regulators or the Legislature should always favor the resorts over smaller competitors, especially when it comes to innovative new technology.

Gaming lobbyists also want to snuff out new sports betting kiosks, which resemble ATMs for sports betting, that you find in many taverns around the valley.

We can get deep in the weeds about how these machines were originally approved, about whether they are a "gaming device" or an "associated equipment," but there's no reason to bore ourselves.

This issue is entirely different from Dotty's, which is like an invasive species around the valley.

The sports book kiosks, by contrast, are going into existing businesses that already have slot machines. It's a nice convenience for people at a bar who are enjoying their team and their chicken wings and don't want to have to trudge over to Sunset Station or another sports book to place a bet.

And really that's the point: Station Casinos wants to force locals to come to their business – be it bricks and mortar or digital – to make sports bets. It's bullying, and I see no public policy rationale for it.

As Joe Asher, the CEO of kiosk purveyor William Hill points out, the sports book betting handle and win both increased 20 percent last year, from $140 million to $170 million, despite the existence of the supposedly scary kiosks.

By contrast, the kiosks did only $600,000 in business last year. They aren't hurting our most important commercial avenue, the Strip. William Hill also does business in the conventional sports books and has no interest in driving down that business, Asher said.

Ernaut, the gaming lobbyist, disagrees. He said in an interview that the kiosks will soon proliferate into every restricted license location, meaning every bar.

This is a violation of the implicit covenant the state has with the resorts, wherein they pay higher taxes and meet more stringent requirements – such as 200 hotel rooms and a bar and a 24/7 restaurant – in exchange for us not allowing every bar in the valley to offer sports betting.

It's a slippery slope, Ernaut said: Next, the bars will try to get table games.

I think we can draw a bright line at the kiosks. You can have your 15 machines and your sports kiosk, and that's it. I actually think the convenience would bring more sports betting customers into the fold, which in the end would be good for

the wider gaming industry – including the resorts – and good for the state.

I'm open to higher taxes on the kiosks in restricted locations. Call it a "convenience fee."

Or, hey, I have an alternate idea: If Station Casinos will allow the Culinary Union to organize at its properties with the same card check process the union has used on the Strip, thereby giving workers the rights they deserve, then, fine, I'll advocate we shut down the kiosks.

No?

OK, kiosks it is, then.

Binge drinking comes with serious consequences

By Barton Health

This summer, millions of young adults in the U.S. will "binge drink" their way through parties. Binge drinking is drinking to get drunk – the point at which the drinker is risking health or behavioral problems as a consequence of drinking alcohol.

Binge drinking means a man having five or more drinks, or a woman having four or more, in quick succession.

"Overall alcohol use among young people has decreased in recent years, but the number of binge drinkers remains high," says Warren Withers, director of Emergency Services at Barton Memorial Hospital.

Risky behavior

Besides risk of death from an overdose, binge drinking involves other dangerous consequences, including:

• **Accidents.** Alcohol impairs sensory perceptions and reaction time.

• **Date rape.** Alcohol can be a significant factor in sexual assaults on young adults.

• **Unprotected sex.** Heavy drinkers are at greater risk for HIV/AIDS and other sexually transmitted diseases. They also have a greater chance of pregnancy.

• **Violence.** Young people who drink are more likely to be victims of violent crime, including rape, aggravated assault, and robbery.

• **Alcoholism.** Some college students who abuse alcohol will become alcoholics. Chronic alcohol use can damage the liver and heart, as well as increase the risk for some cancers.

• **Bad grades.** Students who drink the most are at risk for having the worst grades.

Influencing your children

“Educating your kids about the risks of binge drinking and behavior patterns, as well as making your expectations clear as to their lifestyle and academic performance, is key,” Withers said.

Some ways to do that include:

• Checking your own behavior. Are you subconsciously promoting the idea that drinking to excess is OK.

• Working with your children’s education facilities. Encourage initiatives such as substance-free social events and dorms.

• Promoting awareness early in your child’s life. What parents say and do really can make a difference. The earlier you start your prevention efforts, the better.

Need to talk?

If you are worried your teen or college-aged child may have a substance abuse problem, call Tahoe Youth & Family Services at (530) 541.2445 or, 24-hours-a-day call 800.870-8937. For a list of other resources, go online.

Al Tahoe residents spend day cleaning neighborhood

Residents of the Al Tahoe neighborhood participated in a volunteer neighborhood clean-up day Saturday.

The clean-up day initiative was a result of the group’s most recent Neighborhood Service Team meeting. A second neighborhood clean-up day for this South Lake Tahoe neighborhood has been scheduled for June 1. Anyone is welcome to participate and the clean-up will begin at 9am at Regan Beach.

The NST program was formed in 2011 as part of the city’s Strategic Plan to help facilitate communications and activities within neighborhoods.

To learn more about the NST program, go online or call (530) 542.6093.

College enrollment drops as people return to work

By Mary Beth Marklein, USA Today

College enrollments declined 2.3 percent this spring compared with a year earlier, a sign that more students are returning to the workforce as the economy recovers, a report out Thursday says.

The biggest drops occurred among adult learners attending for-profit colleges and public community colleges, which are most likely to enroll students in vocation-oriented classes tied to the local job market. Enrollments at those institutions fell 8.7 percent and 3.6 percent, respectively.

For colleges, which saw enrollments peak in 2011 during the recession, the declining numbers represent “a bit of a return to normal,”says Doug Shapiro, executive director of the non-profit National Student Clearinghouse Research Center, which released the report. “It’s reflective of good news for the economy and labor market.”

Numbers are based on data provided by about 95 percent of the nation’s colleges and universities to the National Student Clearinghouse, which offers verification and research services to participating colleges.

Enrollments this spring reached 19,105,651, down from 19,550,391 last spring. A similar decline has occurred during fall semesters, when enrollment figures have historically been higher. Enrollments last fall were down 1.8%, to 20,195,924, compared with a high of 20,556,272 in fall 2011.

Among details between this spring and last spring:

• Four-year public institutions saw a 1.1 percent drop in enrollments while four-year private colleges saw a slight increase.

• Across regions, the Midwest saw the greatest decrease in overall enrollment, 2.6 percent, while the Northeast saw the smallest decrease, less than 1 percent. The drops were 1.7 percent in the West and 2.2 percent in the South.

• The decrease was steeper for women than men (2.7 percent vs. 1.7 percent) but women still accounted for more than 57 percent of this spring's enrollments.

• Enrollments among students over age 24 fell 3.6 percent, while rates for traditional-age students fell 1.4 percent.

Michael Reilly, executive director of the American Association of Collegiate Registrars and Admissions Officers, says the numbers are consistent with trends showing declines in the size of high school graduating classes and may reflect recent scrutiny on for-profit colleges. Last summer, Sen. Tom Harkin, D-Iowa, wrapped up a two-year investigation of the sector that found that students at for-profit colleges on average had lower graduation rates and higher average loan default rates than those enrolled in nonprofit institutions.

Steve Gunderson, CEO of the Association of Private Sector Colleges and Universities, which represents for-profit institutions, attributed some of the enrollment declines to what he called "right-sizing." But he also said his schools also have grown more selective as federal and state policymakers focus on issues such as graduation rates.

"We as a sector used to practice what we would call open access (admissions). Everyone had a chance," he says. Increasingly, he says, "enrollments are reflecting a better-prepared, less risky student body."

Grass Valley man admits guilt in Incline deaths

A Grass Valley man last week pleaded guilty to charges stemming from a 2011 DUI case that ended with the deaths of an Incline Village couple.

Robert C. Mathis and Linda Mathis, both 46, died after being struck by a vehicle driven by Christopher Torii Smith, 26.



Christopher Torii Smith

In pleading guilty to two felony counts of reckless driving causing death, Smith could be sentenced to six years in prison. The sentencing is scheduled for August in Reno.

Nevada Highway Patrol officers said on Dec. 30, 2011, the victims were crossing Highway 28 just south of Village Boulevard in Incline when they were struck by the pickup driven by Smith, who was headed south.

The following September, Smith was arrested for allegedly attacking another man in a bathroom at AT&T Park during a San Francisco Giants baseball game. No charges were ever filed in that incident.

– Lake Tahoe News staff report

Informational meeting on Upper Truckee River project set

On May 30 the U.S. Forest Service will answer questions and provide information about its Upper Truckee River restoration project.

The project area is located east of the Lake Tahoe Airport runway and west of the Washoan subdivision in the Tahoe Paradise residential area.

The meeting will provide an overview of the activities that will occur this summer, and how these will limit public access during construction due to safety concerns associated with heavy equipment operation.

The Forest Service, in collaboration with the California Tahoe Conservancy, has completed environmental analysis and permitting for the project, which is part of a larger effort to restore the lower nine miles of the Upper Truckee River. The Forest Service expects to break ground on its portion of the project in early June.

The meeting is 6-8pm at the Forest Supervisor’s Office, 35 College Drive, South Lake Tahoe.

For more information on the meeting, contact Theresa Cody, (530) 545.2057 or tlcody@fs.fed.us. The environmental documents and other project information are available online.

Truckee-Tahoe animal group works with kids

The Humane Society of Truckee-Tahoe just wrapped up its fourth year conducting a successful Pet Pals Humane Education program, which is run almost completely by volunteers.

Funded by a grant from Vail Resorts Echo Program, Pet Pals serves to fulfill the critical education component of the HSTT's mission.

Pet Pals incorporates guest animals and fun interaction to educate kids about important topics such as how to care for a pet and how to be safe around animals. The program also introduces kids to issues that affect the community such as the importance of spaying and neutering your pets, and teaches them about the role of working dogs.

This year's program included a special guest appearance from Officer Pete Mann of the Truckee CHP who did an demonstration with his fellow human and canine officers.

More than 300 second-graders from Truckee and Glenshire elementary schools benefited from this year's program.

Court backs paper's right to

publish juvenile’s name

By Denny Walsh, Sacramento Bee

California newspapers have a legal right to publish the names of children who are subjected to abuse if a name is newsworthy, a Sacramento appellate court ruled Friday.

Relying heavily on a 1998 California Supreme Court decision, a three-justice panel of the 3rd District Court of Appeal said that “publication of truthful, lawfully obtained material of legitimate public concern is constitutionally privileged and does not create liability” against the publisher.

Newsworthiness is not limited to news in the narrow sense of reports of current events, the panel said. It extends “to the use of names, likenesses or facts … when the public may reasonably be expected to have a legitimate interest in what is published.”

The 17-page, unpublished opinion was issued in the context of a child’s challenge to the publication of his name by the *Record Searchlight as* part of the Redding newspaper’s coverage of the violent abuse inflicted on the boy when he was 7 by his legal guardian.

Through a successor guardian, the boy sued the Record Searchlight; a sister newspaper, the *Anderson Valley Post*, which republished the six articles at issue; and the newspapers’ owner, E.W. Scripps Co.

He accused the defendants of invasion of privacy and gross negligence based on the use of his name and the fact he was in foster care. He asserted his name was confidential and privileged because he was a dependent minor.

Court documents filed by his attorney claim the boy’s emotional distress over the disclosure of his name was so

intense that he needed therapy and he would surely later request to have his name changed.

The suit sought money to pay for his therapy, as well as punitive damages to “set an example and punish” the newspapers and stop reporters from violating the privacy rights of minors.

The appellate justices saw it differently and said in Friday’s opinion, “The minor’s lawsuit arose from acts by the media defendants in furtherance of the right of free speech in connection with a public issue, and the minor failed to prove a probability of prevailing on the merits.”

The opinion was authored by Associate Justice Louis Mauro, with the concurrences of Presiding Justice Vance W. Raye and Associate Justice George Nicholson.

In rejecting the boy’s appeal, the justices affirmed the ruling of Shasta Superior Court Judge Monica Marlow, who granted the defendants’ motion to strike down the boy’s complaint as one designed to choke off their constitutional rights to freely report on public affairs.

The boy’s attorney, Marc Barulich, argued in the trial court that, while the brutal abuse of his client in 2009 was newsworthy, the victim’s name was not.

“If that’s the case, why publish any name in the newspaper?” Marlow asked. “Are they just going to say ‘a person?’ You don’t think people would be curious who that person was?”

The appellate opinion quotes Silas Lyons, editor of the Record Searchlight, as explaining that the newspaper learned the boy’s name from a relative and published it because he was not a victim of a sexual crime, and because there was an outpouring of community good will toward the boy.

Future of Royal Gorge up to public

Last December the Truckee Donner Land Trust acquired the 3,000-acre Royal Gorge property on Donner Summit as well as 351 acres in Negro Canyon above Donner Lake.

All of Royal Gorge's meadows, peaks, natural resources, and Nordic ski area are protected forever and will be open to the public for recreation.

As part of a public outreach and recreational planning process, the Truckee Donner Land Trust has announced a series of public input meetings:

June 15 – Kick-off (Donner Summit)

June 17 – Kick-off (Truckee)

July 6 – Forestry Management

July 29 – Van Norden Meadow

Aug. 31 – Final Wrap-Up

For details regarding each meeting, visit the Truckee Donner Land Trust website.

El Dorado recognizes emergency services workers

Paramedics, emergency medical technicians, firefighters and base hospital medical staff in El Dorado County are being recognized as part of National Emergency Medical Services Week, May 19-25.

More than 14,500 calls for emergency medical assistance are received through the 911 system in El Dorado County each year. The local EMS system includes the 911 system, dispatch centers, first responders, paramedic ambulances, air ambulances, acute care hospitals, trauma centers and medical oversight by the local EMS Agency.

The El Dorado County EMS Agency partners with Marshall Medical Center and Barton Memorial Hospital, certifies and trains paramedics and EMTs in El Dorado County, and develops policies and procedures for emergency medical response in the field.