

OFFICE OF THE ATTORNEY GENERAL
MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY

TO: Maryland Lottery and Gaming Control Commission
Gordon Medenica, Director

FROM: Robert T. Fontaine, Assistant Attorney General *RTF*
Principal Counsel

DATE: October 15, 2019

SUBJECT: Report for the Commission Meeting

This is a status update of ongoing and special projects in the Office of the Attorney General.

I. Contracts, Human Resources, and Administrative

a. Key accomplishments last period:

- i. Reviewed several contracts for the Communications Division for promotion of public events.
- ii. Reviewed several contracts for the Marketing Division.
- iii. Reviewed various employment issues and documents for the Human Resources Division, and assisted Staff in resolving several issues.
- iv. Filed several liens against retailers on behalf of the AFO Division.
- v. Assisted Staff in responding to a Public Information Act request from a law firm, seeking copies of all procurement officer decisions that constituted the final decision of the Agency after bid protests.
- vi. Assisted Staff in ongoing procurement issues.
- vii. Assisted Staff in responding to a request from the State's PIA Ombudsman pertaining to the numbers and dispositions of PIA requests submitted to the Agency.
- viii. Assisted Staff in preparing and providing Agency records about a lottery player in response to a subpoena issued by the Circuit Court for Frederick County.
- ix. Assisted Staff in preparing a response to a subpoena issued by the Circuit Court for Cecil County seeking records of a lottery player's winnings.
- x. Assisted Staff in responding to an inquiry from an individual in the Voluntary Exclusion Program.

b. Upcoming tasks for this period:

- i. Assist Staff with matters related to contracts and personnel.

c. Issues:

- i. N/A

II. Lottery

a. Key accomplishments last period:

- i. Reviewed several requests from Product Development relating to new Lottery scratch-off games.
- ii. Reviewed several new XCAP Agreements.
- iii. Reviewed several promotions from Product Development.

- iv. Reviewed several contracts for Lottery sponsorship and advertising campaigns.
- v. Assisted Staff in obtaining the removal of a Facebook page infringing on Maryland Lottery trademarks.
- vi. Continued to assist Creative Services and Communications Divisions in developing and implementing the My Lottery Rewards Program with ongoing reviews and revisions of license agreements.
- vii. Worked with Staff on a sponsorship contract with the Baltimore Ravens to promote Lottery products.
- viii. Worked with Staff on two licensed Ravens instant ticket lottery games.
- ix. Assisted Staff with notifying retailers that the Agency intends to revoke their retailer licenses.
- x. Continued to work with Staff on issues associated with the emergency suspension of a retailer in Baltimore County.
- xi. Continued to work with Staff to resolve issues with how Lottery liens are recorded in the Circuit Court for Prince George's County.
- xii. Worked with Staff on matters related to implementing coupons.
- xiii. Assisted Staff in drafting rules for Double Play, an add-on Mega Millions game.
- xiv. Assisted staff in drafting amendments to Lottery regulations limiting retailers from offering games of chance other than Lottery or a promotional game. The amendments will be presented by the Managing Director for Gaming.

b. Upcoming tasks for this period:

- i. Continue to assist Staff as needed on working with the Mega Millions Consortium on issues related to exploring use of the Mega Million trademark in international sales.
- ii. Continue to work with Staff on preparing documents that would satisfy audit requirements if a Maryland player wins a \$1 Million Dollar prize in the New Year's Rockin' Eve Powerball Promotion.
- iii. Continue to work with Staff on the Fast Play implementation process.
- iv. Continue to work with Staff on matters related to implementing coupons.
- v. Assist Staff in drafting Finance and Operations Procedures for Double Play, an add-on Mega Millions game.
- vi. Assist Staff in drafting Pollard Game Specifications.

c. Issues:

- i. N/A

III. Gaming

a. Key accomplishments last period:

- i. Continued to assist Staff on enforcement and licensing issues associated with casino operations.
- ii. Awaiting a decision in the hearing held at the Office of Administrative Hearings ("OAH") on August 23, 2019, regarding the recommended revocation of a non-gaming video lottery employee license.
- iii. Assisted Staff with reviewing gaming-related legislation that may be proposed during the 2020 session of the General Assembly.

- iv. In a case pending in the Circuit Court for Baltimore City where a former temporary licensee challenges the Commission's decision to terminate her temporary license, filed a motion to dismiss for the former licensee's failure to follow court rules.

b. Upcoming tasks for this period:

- i. Continue to assist Staff on enforcement and licensing issues associated with casino operations.
- ii. In the case pending in the Circuit Court for Baltimore City related to the former temporary licensee, represent the Commission at a hearing scheduled for October 22, 2019.
- iii. Continue to assist Staff with reviewing gaming-related legislation that may be proposed during the 2020 session of the General Assembly.
- iv. Assist Staff with preparing for a hearing that was referred to OAH concerning the recommended revocation of a gaming video lottery employee license.
- v. Continue to assist Staff in responding to questions from the Virginia legislature pertaining to potential gaming legislation in Virginia.

c. Issues:

- i. N/A

IV. Electronic Gaming Devices

a. Key accomplishments last period:

- i. N/A

b. Upcoming tasks for this period:

- i. Work with Staff as needed concerning the Commission's regulation of electronic gaming devices.

c. Issues:

- i. N/A

V. Amusement Gaming Licenses

a. Key accomplishments last period:

- i. N/A

b. Upcoming tasks for this period:

- i. Work with Staff as needed concerning the Commission's regulation of skills-based amusement devices and amusement gaming licenses.

c. Issues:

- i. N/A

VI. Fantasy Competition

a. Key accomplishments last period:

- i. N/A

b. Upcoming tasks for this period:

- i. Work with Staff as needed concerning the Commission's regulation of fantasy competitions.

c. Issues:

- i. N/A