

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
Principal Counsel

DATE: April 14, 2020

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 contracts for the Communications Division for promotion of public events prior to the state of emergency issued by the Governor in response to COVID-19.
- ii. Reviewed several contracts for the Marketing Division.
- iii. Reviewed contract for Corporate Sales Division.
- iv. Reviewed various employment issues and documents for the Human Resources Division, and assisted Staff in addressing several issues.
- v. Assisted Staff in ongoing procurement issues.
- vi. Assisted Staff with responding to Public Information Act requests for: (1) the Agency's online games drawing procedures; and (2) corporate identification numbers of approximately 30 closed franchise stores that were formerly Lottery retailers.
- vii. Assisted Staff with reviewing legislation passed during the 2020 session of the General Assembly that may impact the Agency.
- viii. Assisted Staff with extending the claim period for tickets that would expire during the declared state of emergency.
- ix. Assisted Staff with issues related to operational impacts on the Agency and Commission caused by the advance of COVID-19.
- x. Assist Staff with responding to two subpoenas issued by the District Court of Maryland, for records pertaining to a lottery retailer.

b. Upcoming tasks for this period:

- i. Continue to assist Staff with matters related to contracts and personnel.
- ii. Continue to assist Staff with reviewing legislation that may impact the Agency.
- iii. Continue to assist Staff with issues related to operational impacts on the Agency caused by the advance of COVID-19.

c. Issues:

- i. N/A

April 14, 2020

II. Lottery

a. Key accomplishments last period:

- i. Reviewed several requests from Product Development relating to new Lottery scratch-off and Fast Play 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. Worked with Staff on updating My Lottery Rewards Terms of Use and the Official Rules and Conditions of Eligibility to inform players what to do if they receive defective merchandise or no merchandise at all.
- vi. Worked with Staff on a license and merchandise agreement for a Baltimore Ravens scratch-off game and second chance promotion
- vii. Worked with Staff on temporary changes to My Lottery Rewards individual Procedures to accommodate changes due to COVID-19 stay-at-home restrictions.
- viii. Reviewed Powerball and Mega Millions game rules and documents related to changes necessitated by the impact of COVID-19.

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. Work with Staff as needed concerning new promotions, tickets, games, and licenses.
- iii. Continue to assist staff on license and merchandise agreement for Baltimore Ravens scratch-off game and second chance promotion.
- iv. Continue to assist Staff on a contract for research services related to responsible gambling.

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 OAH on March 11, 2020, concerning the recommended revocation of a video lottery employee license.

b. Upcoming tasks for this period:

- i. Continue to assist Staff on enforcement and licensing issues associated with casino operations.
- ii. In a case pending in the Circuit Court for Baltimore County pertaining to the termination of a temporary license, after a court hearing is scheduled, file a motion to dismiss based on the petitioner's failure to timely file a required memorandum.

- iii. File the Agency's response to a petition for judicial review filed in the Circuit Court for Baltimore City of the termination of a temporary license
- iv. Assist Staff with preparing for four hearings that were referred to OAH arising out of the same investigation and concerning the recommended revocation of four video lottery employees. These were originally scheduled each week in April, but have now been rescheduled to June and July due to OAH's suspension of hearings due to COVID-19.
- v. Assist Staff with responding to a subpoena issued from Massachusetts for licensing records of two individuals.
- vi. Assist Staff with preparing for a hearing at OAH concerning the recommended revocation of two video lottery employee licenses. One hearing is scheduled for May 4, 2020, and the other is scheduled for May 20, 2020.
- vii. Assist Staff with drafting proposed regulations to clarify the Licensing Division's processing of employment changes for video lottery employee licensees employed by casinos.
- viii. Assist Staff with changes to the Voluntary Exclusion Program application.

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. Skills-Based Amusement Devices and 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. N/A

c. **Issues:**

- i. N/A