

*Maryland Lottery and Gaming Control Commission*

**STAFF AGENDA MEMORANDUM**

**DATE OF MEETING:** June 25, 2020

**AGENDA ITEM:** **Proposed New and Amended Gaming Regulations**

**PRESENTER:** John Mooney, Managing Director, Regulatory Oversight

**ISSUE SUMMARY:**

**Amendments to COMAR 36.03.02.01.** New §D would codify existing processes that Staff uses to review a video lottery employee licensee’s notice that he or she intends to make a “change in employment status” (a newly defined term). Staff determines whether the license is in good standing, and may not approve a change in employment status if the license is not in good standing. COMAR 36.03.02.01., new §D(6), (7). The amendments would also clarify that those licensees separated from employment for more than 6 months shall pay the required fee for conducting a criminal history check. New 36.03.02.02.E would set forth the information a licensee must submit in support of the intended change in employment status. A failure to maintain good standing may be the basis for enforcement action. 36.03.04.03, new §C(5).

**Amendments to COMAR 36.03.02.01.** New §E would clarify that an applicant or licensee *always* has the burden of proving license qualifications. An Administrative Law Judge recently opined that the regulations as written are unclear as to who has the burden of proving or disproving license qualifications at a hearing; this amendment would echo the Gaming Law, which specifically provides that the applicant or licensee must prove license qualifications.

**Amendment to COMAR 36.03.02.01.** New §G(3) would delete the certified check payee designation for administrative costs and fees for licensing, making the process more easily adaptable for the Agency’s Fiscal staff.

**COMAR 36.03.02.06, new §L, Institutional Investors section.** This section would clarify that Staff’s approval of an “institutional investor,” as that term is defined in State Gov’t §9-1A-01, would generally be valid for a term of 5 years from the date of last approval.

**Amendments to COMAR 36.03.02.12.E** would restate this and clarify what is already true: that a video lottery employee license is portable in the State, and that nothing precludes the holder of a valid license from working at more than one casino.

**COMMISSION ACTION REQUIRED/REQUESTED:** Discussion, consideration, and possible action.

**STAFF RECOMMENDATIONS:** Staff recommends approval.