

# Maryland Lottery and Gaming Control Agency

Larry Hogan, Governor • Gordon Medenica, Director



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

FROM: John J. Mooney

DIVISION: Managing Director Regulatory Oversight

DATE: February 17, 2016

SUBJECT: Report for the February Commission Meeting

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## **Commission Action Items – Manufacturers Hearing**

### **Tictabs. LLC**

You are receiving two reports for the manufacturer. The longer report contains detailed confidential financial information. The shorter report will be made public at the commission meeting. The report contains updated financial information.

### **Vendor Regulation – Proposed Changes**

The proposed amendments to the threshold and fee structure for vendor certification, registration, and renewal should allow more small businesses to become financially eligible for registration. Proposed new § C-1 would clarify that if a video lottery operator purchases goods or services from a vendor *solely* so those goods or services may be given to a player, that vendor is exempt from vendor registration or certification requirements. Operators are already subject to certain limits and reporting requirements under COMAR 36.03.10.09 – *Complimentary Services*; new § C-1 would require that an operator purchasing goods or services from an exempted vendor includes in its reports under COMAR 36.03.10.09 the name of each exempted vendor it uses.

## **Licensing Division**

- Monthly statistics have been updated and included in your packet.
- There are twelve (12) denials/revocations this month; they are on the Consent Agenda.

## Casino Compliance Division

- Monthly statistics have been updated and included in your packet. The December 2015 statistics have been revised and are included in your packet.

## Major Incidents at the Casinos

N/A

## Commission Consent Agenda Item

### 1. Gaming License Application Denials/Revocations

**There are twelve (12) gaming license applications being recommended for denial/revocation based on the applicant's criminal history or failure to cooperate with, or provide requested information to, a background investigator.**

#### Commission Action:

**It is requested that the Commission adopt as final the recommendation of the Director, or the Director's designee, for denial/revocation of the specified gaming license applications for the respective applicant's failure to establish his/her qualifications by clear and convincing evidence.**

**Please see the description below. A spreadsheet containing the denial/revocations is on the MLGCA shared drive under commission reports.**

### Gaming License Denials/Revocations

Commissioners:

The spreadsheet contains names of twelve (12) gaming license applicants for whom Staff has recommended denial/revocation of their applications for gaming license for failure to prove by clear and convincing evidence that they meet the statutory requirements for licensure. *See* State Gov't, Section 9-1A-14 (below). The license applications were recommended for denial/revocation after Licensing Division Staff conducted an investigation, and the investigation results were reviewed by a three-member review panel comprised of Gina Smith, Robert

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Howells and James Butler. The panel also recommended denial/revocation of these applicants' license applications, and the Director or his designee concurred.

COMAR sets forth the applicant's rights if his/her gaming license application is recommended for denial/revocation. An applicant has a right to timely request a reconsideration meeting, and, if he or she is dissatisfied with the recommendation following the reconsideration meeting, the applicant may timely request a full hearing before the Commission. If the applicant fails to exercise these rights, the Commission may adopt as final the Director's recommendation to deny the license. Only the Commission, not Staff, is authorized to deny/revoke a gaming license, which is why these recommended denials/revocations are being presented to the Commission.

All of the applicants identified on the attached spreadsheet were mailed notification of the recommended denial/revocation, and of their right to timely request a reconsideration meeting with the Director or the Director's designee. The majority of the recommended denials/revocations are applicants who did not exercise that right. A smaller group of the recommended denials/revocations are applicants who received a reconsideration meeting and were notified of their right to timely request a full hearing before the Commission, but did not exercise that right.

Staff is requesting that the Commission adopt as final the Director's recommendation to deny/revoke the gaming license applications of the twelve (12) applicants identified on the attached spreadsheet.

Located on the Agency's Shared Drive under Commission files (February 2016) there are PDF files for your review. The PDF files contain documentation for each of the recommended denials, including: notice of recommended denial (which includes the basis for the recommendation and notice of right to request reconsideration meeting); documentation that Staff mailed the required notices; and relevant documents from the background investigation conducted by Staff that supports the recommended denial/revocation of the applicant's license application.

