



**MINUTES OF THE MEETING OF
THE OHIO LOTTERY COMMISSION**

**THE FRANK J. LAUSCHE BUILDING
FOURTH FLOOR CONFERENCE ROOM
615 WEST SUPERIOR AVENUE - CLEVELAND, OHIO 44113**

**March 18, 2019
12:00 P.M.**

Present at the meeting were the following:

Members of the Commission:

James Brady
John Lewis
Trevor McAleer
Angela Mingo
William Morgan
Martin Sweeney

Executive Staff of the Commission:

Pat McDonald, Director
Danielle Frizzi-Babb, Deputy Director, Communications
Greg Bowers, Deputy Director, Finance
Maureen Hall, Interim Director, Information Technology
Steve Kmiotek, Interim Director, General Services
Nicole Kostura, Deputy Director, Government and Community Relations
Sandy Lesko Sabbath, Deputy Director, Marketing Communications
Charles LoPresti, Chief Legal Counsel
Simeonia Mays, Interim Deputy Director, Security
Connie Miller, Deputy Director, Operations
Richard Perk, Deputy Director, Sales Management
Elizabeth Popadiuk, Deputy Director, Human Resources
Carla Tricarichi, Deputy Director, Public Policy
Jennifer Wilson, Deputy Director, Internal Audit
Nicholas Stadler, Assistant to the Director

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Also Present Were:

Daniel Carter, Assistant Legal Counsel
Brian Sindelar, Assistant Legal Counsel
Michael Sliwinski, Assistant Legal Counsel
Dustin Russell, Policy Staff
Michael Gonzalez, Office of Finance
Martin Morrow, Assistant Deputy Director, Sales Management
Marie Kilbane Seckers, Office of Communications
Karren Russo, Office of Public Policy
Scott Frost, VLT Regulation Manager
Ron Fornaro, Instant Ticket Product Manager
Rebecca McLemore, Office of Communications
Greg Kolocin, Hard Rock Rocksino
Kyle Wentz, Hard Rock Rocksino
Chris Kelly, MGM
John Walker, Scioto Downs
Charlie Scannella, Scientific Games
Debbie Pirone, Marcus Thomas
Eric Holman, Marcus Thomas
Ed Dick, JACK Thistledown
Allie Evangelista, Penn
Dan Kennedy, Penn
John Oberle, Ice Miller
Dan Kennedy, Hollywood Gaming – Dayton
Darrick Cornelious, Intralot

CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL

Executive Director McDonald, acting as its secretary, called the meeting of the Ohio Lottery Commission to order at 12:03 p.m.

After the Pledge of Allegiance to the Flag, attendance was taken, and a quorum was present. Commissioners Elizabeth Vaci and Sean Whalen were not in attendance.

ELECTION OF CHAIRMAN PRO TEMPORE & INTERIM CHAIRMAN

Director McDonald briefed the Commission on temporary organizational procedures of the Commission.

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Commissioner Brady moved to nominate Commissioner McAleer to serve as Chairman Pro Tempore for the March 18th meeting with Commissioner Mingo offering a second to the nomination. The Motion was affirmatively voted upon by the Commissioners present.

Commissioner Brady moved to nominate Commissioner Whalen to serve as Interim Chairman moving forward with Commissioner Mingo offering a second to the nomination. The Motion was affirmatively voted upon by the Commissioners present.

APPROVAL OF MINUTES OF FEBRUARY 11, 2019

Chairman Pro Tempore requested a Motion to approve the February 11, 2019 Minutes. Commissioner Lewis made a Motion that was seconded by Commissioner Brady. The Motion was affirmatively voted upon by all Commissioners present.

CHAIRMAN'S COMMENTS

Chairman Pro Tempore McAleer congratulated Director McDonald on his recent appointment.

APPROVAL OF FIVE INSTANT GAME RULES IN PROPOSED FORM

Ron Fornaro, Instant Ticket Product Manager, presented to the Commission five instant game rules in Proposed Form:

- Rule 3770:1-9-525, *Xtra Bonus* (\$1.00)
- Rule 3370:1-9-526, *Lucky* (\$2.00)
- Rule 3770:1-9-527, *Lots of \$500!* (\$5.00)
- Rule 3770:1-9-529, *Million Dollar Cash Bonanza* (\$10.00)
- Rule 3770:1-9-530, *\$1,000,000 Cashword* (\$20.00)

Questions were asked by Director McDonald. Commissioner Brady moved to approve the rules in Proposed Form with Commissioner Mingo offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

APPROVAL OF FIVE INSTANT GAME RULES IN FINAL FORM

Charles LoPresti, Chief Legal Counsel, presented to the Commission for approval five instant game rules in Final Form:

- Rule 3770:1-9-515, *\$50 In A Flash* (\$1.00)
- Rule 3770:1-9-516, *Ohio Lottery 45th Anniversary Black* (\$2.00)

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- Rule 3770:1-9-517, *Combo Play* (\$3.00)
- Rule 3770:1-9-518, *Wheel of Fortune®* (\$5.00)
- Rule 3770:1-9-520, *Lucky Dog Doubler* (\$1.00)

Commissioner Lewis moved to approve the rules in Final Form as presented with Commissioner Brady offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

APPROVAL OF AMENDMENTS TO ADMINISTRATIVE RULE IN FINAL FORM

Mr. LoPresti presented to the Commission for approval one amended administrative rule in Final Form:

- Rule 3770:2-4-06, *Video lottery sales agent employee licenses; suspension or revocation.*

Commissioner Brady moved to approve the rule in Final Form as presented with Commissioner Mingo offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

MANDATORY RULE REVIEW PURSUANT TO CHAPTER 119 – NO CHANGE

Mr. LoPresti presented to the Commission for approval two Administrative Rules based on the Mandatory Rule Review Pursuant to Chapter 119, No Change, in Proposed and Final Form:

- Rule 3770-4-04, *Sale by director.*
- Rule 3770-4-10, *Records and audits; and inspection of sales agent premises.*

Commissioner Lewis moved to approve the rules in Proposed and Final Form as presented, with Commissioner Sweeney offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

MANDATORY RULE REVIEW PURSUANT TO CHAPTER 119 IN PROPOSED FORM - AMENDMENTS

Mr. LoPresti presented to the Commission for approval one Administrative Rule based on the Mandatory Rule Review Pursuant to Chapter 119, Amendments, in Proposed Form:

- Rule 3770: 1-6-02, *Play of lottery games by the public.*

Commissioner Brady asked for an explanation of the rule. Mr. LoPresti provided the Commission with an explanation of the rule. Commissioner Brady moved to approve the rule as presented in Proposed Form with Commissioner Sweeney offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

MANDATORY RULE REVIEW PURSUANT TO CHAPTER 119 IN FINAL FORM - AMENDMENTS

Mr. LoPresti presented to the Commission for approval two Administrative Rules based on the Mandatory Rule Review Pursuant to Chapter 119, Amendments, in Final Form:

- Rule 3770-4-07, *Stolen and destroyed tickets.*
- Rule 3770:2-5-06, *Technology providers licenses; suspension or revocation.*

Commissioner Lewis moved to approve the rules in Final Form as presented with Commissioner Brady offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

MANDATORY RULE REVIEW PURSUANT TO CHAPTER 119 IN FINAL FORM - RESCISSION

Mr. LoPresti presented to the Commission for approval one Administrative Rule based on the Mandatory Rule Review Pursuant to Chapter 119, Rescission, in Final Form:

- Rule 3770-4-08, *Payment of Minor Prizes.*

Commissioner Sweeney moved to approve the rule in final form as presented with Commissioner Mingo offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

RESOLUTION TO APPROVE TWO TOUCH & WIN EZPLAY® TAP GAMES

Mr. LoPresti offered a resolution to approve two Touch & Win EZPLAY® Tap Games:

- *Smooth Sailing*
- *Wild Doubler*

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Commissioner Morgan moved to approve the resolution with Commissioner Lewis offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

RESOLUTION TO APPROVE FORTY-THREE VIDEO LOTTERY GAME THEMES

Mr. LoPresti offered a resolution to approve forty-three Video Lottery Game Themes.

Commissioner Brady moved to approve the resolution with Commissioner Lewis offering a second to the motion. The Motion was affirmatively voted upon by the Commissioners present.

WIRE ACT UPDATE

Dan Carter, Assistant Legal Counsel, presented to the Commission a briefing on the Wire Act, including a review of recent Department of Justice decisions and state responses currently pending in federal court. Questions were asked by Commissioner Sweeney.

FINANCIAL REPORT

Greg Bowers, Deputy Director, Finance, provided the Commission with a financial update for the month of February 2019. Questions were asked by Commissioner McAleer.

VOLUNTARY EXCLUSION PROGRAM UPDATE

Carla Tricarichi, Deputy Director, Public Policy and Karen Russo, Office of Public Policy, provided the Commission with an update on the Voluntary Exclusion Program. Commissioner Mingo also provided comments to the Commission on this topic.

NEW BUSINESS – EXECUTIVE DIRECTOR’S COMMENTS

Executive Director McDonald recognized Chris Kelly, the new President & CEO of Hard Rock Rocksino – soon to be rebranded under MGM ownership. Mr. Kelly addressed the Commission highlighting various top national performance rankings of the racino.

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Director McDonald updated the Commission on Governor DeWine's Executive Budget Proposal, released last week, as it relates to Ohio Lottery Commission. The Director also informed the Commission he will be traveling to Columbus for a Cabinet meeting and further budget preparation in advance of testimony before the House Finance Committee.

Director McDonald also announced that several new personnel decisions will be made in the coming weeks and that he will be discussing those decisions with Ryan Burgess, Cabinet Secretary.

Director McDonald updated the Commission on the Cash In program at the regional offices, indicating that over \$6 million has been awarded to prize winners. Questions were asked by Commissioner Brady. Further comments were made by Greg Bowers.

Director McDonald updated the Commission on the new P.O.S. Terminals. Questions were asked by Commissioner Sweeney. Further comments were made by Interim IT Director, Maureen Hall.

The Director recognized Danielle Frizzi-Babb, Deputy Director, Communications, to update the Commission on recent social media campaigns and awards received by the Ohio Lottery Commission.

Director McDonald suggested to the Committee, along with input from Commissioners, that Ohio Lottery Commission meeting dates moving forward would be changed to Wednesday. It was agreed that the next three meeting dates would be held on Wednesdays – April 10, May 8 and June 12, 2019.

Commissioner Sweeney congratulated Director McDonald on his appointment.

Commissioner Sweeney raised questions regarding ticket expiration dates and the future of sports betting in Ohio.

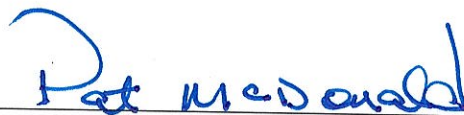
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ADJOURNMENT

With no further business to come before the Ohio Lottery Commission, Chairman Pro Tempore McAleer adjourned the meeting at 1:07 p.m.



Pat McDonald, Secretary

Approved:



Trevor A. McAleer, Chairman Pro Tempore