

## **Colorado Limited Gaming Control Commission**

Minutes of Public Session

October 20, 2022

### **PUBLIC SESSION**

#### **I. Call to Order**

The October 20, 2022, meeting of the Colorado Limited Gaming Control Commission was called to order at 9:15 a.m. MDT by Chair Nathan in person at 1707 Cole Blvd., Suite 300, Lakewood, CO 80401 and via Cisco Webex. Commissioners Davis, Landaveri, Coleman, and Armstrong were present and a quorum existed.

#### **Officials & Administrators in Attendance**

Richard Nathan, Chair

Justin Davis, Vice-Chair

Shawn Coleman, Commissioner

Patsy Landaveri, Commissioner

Kevin Armstrong, Commissioner

Dan Hartman, Director

Kirsten Gregg, Chief of Investigations via Cisco Webex

Kenya Collins, Director of Administration via Cisco Webex

Bradford Jones, Senior Assistant Attorney General via Cisco Webex

Torrey Samson, Assistant Attorney General

Paul Hogan, Chief Auditor

John Madruga, Agent in Charge, Background Unit

Brett Buckingham, Agent in Charge, Sports Betting

Suzanne Karrer, Communications Specialist

Breanne Nolan, Executive Assistant, Secretary to CLGCC

#### **II. Swearing in of Investigator**

Dan Hartman, Director, officially swore in Donny Mitchell as a Criminal Investigator for the Colorado Division of Gaming effective on his date of hire.

### **EXECUTIVE SESSION**

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 44-30-521(1)(a), 44-30-526(1)(d), and 44-30-1507 of the Colorado Revised Statutes to review confidential background licensing reports from the Division of Gaming that were scheduled for consideration in the Public Session.

### **PUBLIC SESSION**

The Public Session was called back to order at 10:20 a.m.

### **III. Approval of Licensing Actions**

The Commission voted unanimously to approve the First Vendor Major License for PT Services (Delaware) LLC. The Vendor Major License will expire two years from its date of issuance.

The Commission voted unanimously to approve the First Temporary Internet Sports Betting Operator License for Underdog Sports Wagering, LLC. The Temporary Internet Sports Betting Operator License will expire two years from its date of issuance and was approved pending the final results of the Division's background investigation.

The Commission voted unanimously to approve the First Temporary Vendor Major License for BetMakers MTS, LLC. The Temporary Vendor Major License will expire two years from its date of issuance and was approved pending the final results of the Division's background investigation.

The Commission voted unanimously to approve the First Vendor Minor Licenses for: Blue Wire, Inc. d/b/a Blue Wire Media, Inc.; Sporting Media USA INC; FIRST AMERICAN BANKCARD, INC. d/b/a FABI Cash; FSG Digital Inc. d/b/a JefeBet; ALT SPORTS DATA, INC.; Flixed, Inc.; GOT SPORTS MEDIA LLC d/b/a Getmoresports.com; PROPSWAP, INC. d/b/a PropSwap; Bayes Esports Solutions GmbH d/b/a Bayes; Incentive Games Limited; Target Media Ads Ltd.; and AMAZON WEB SERVICES, INC. d/b/a AWS. The Vendor Minor Licenses will expire 2 years from their dates of issuance.

### **IV. Opportunity for the Public to Address the Commission**

The Chair extended an opportunity for the public to address the Commission. No members of the public came forward.

### **IV. Consideration of Limited Gaming Financial Statements for August 2022**

The Commission voted unanimously to approve the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the two months ending on August 31, 2022 and to authorize its distribution.

### **V. Consideration of Division Sports Betting Financial Statement for August 2022**

The Commission voted unanimously to approve the Statement of Sports Betting Revenues, Taxes, and Expenditures (unaudited) for the two months ending on August 31, 2022 and to authorize its distribution.

## **VI. Sports Betting Fund Distribution for Fiscal Year 2022**

Eric Shannon, Deputy Controller, Division of Gaming, presented the Fiscal Year 2022 Distribution of the Sports Betting Fund.

Discussion was had by the Commission and Deputy Controller Shannon.

The Commission voted unanimously to certify the Fiscal Year 2022 Distribution of the Sports Betting Fund, as presented by the Division.

## **VII. Consideration of Supplemental Budget Changes for FY22-23**

Kristi Piazza, Budget Manager, Specialized Business Group, presented the Supplemental Budget Changes.

There was discussion between the Commission and Ms. Piazza.

The Commission voted unanimously to approve the Supplemental Limited Gaming Budget Change of a \$57,100 central appropriation decrease for Fiscal Year 2022-2023.

The Commission voted unanimously to approve the Supplemental Sports Betting Budget Change of a \$147 central appropriation increase for Fiscal Year 2022-2023.

## **VIII. Consideration of Emergency Colorado Limited Gaming Rules 2 & 29**

The Commission voted unanimously to open the hearing on Emergency Colorado Limited Gaming Rules 2 & 29.

Based on a rulemaking discussion had during the Executive Session, the Chair called for a recess at 10:55 a.m. so the Division could print and disseminate the rulemaking document with the most recent corrections, which were not included in the rulemaking documents sent to the Commission on Monday, October 17.

The meeting was reconvened at 11:16 a.m. The Commission were given the most recent rulemaking documents.

Director Hartman gave a presentation on Emergency Colorado Limited Gaming Rules 2 & 29. Discussion was had by the Commission and Director Hartman regarding the two separate stakeholder workshops, held on October 7<sup>th</sup> & 14<sup>th</sup>, regarding Limited Gaming Rules 2 & 29.

The Chair Opened the floor for public comment. Peggy Brown, President, Problem Gambling Coalition of Colorado (PGCC), stated that PGCC would like to participate in further workshops before Rules 2 & 29 are permanently adopted by the Commission. Hearing no further comments, the Commission voted to close the public comment portion of the rulemaking hearing on Emergency Colorado Limited Gaming Rules 2 & 29.

Prior to calling for a motion, discussion was had by the Commission. Commissioner Landaveri suggested that the Commission table the rulemaking hearing to a later date in order to give adequate time for a more thoughtful rule review and vote.

The Chair referred to Bradford Jones to craft a proper motion.

The Commission voted unanimously to table the rulemaking hearing for Emergency Colorado Limited Gaming Rules 2 & 29 until Thursday, October 27 at 1:00 p.m. MDT, where the rules would be adopted and in place by the statutory required date of November 1.

### **IX. Consideration of Emergency Sports Betting Rule 9**

The Commission voted unanimously to open the hearing on Emergency Colorado Sports Betting Rule 9.

Dan Hartman, Director, presented the most recent version of Emergency Colorado Sports Betting Rule 9 that was printed and handed out to the Commission during the recess that occurred during the prior rulemaking hearing. Discussion was had by the Commission and Director Hartman.

The Chair Opened the floor for public comment. Peggy Brown, President, Problem Gambling Coalition of Colorado (PGCC), stated that PGCC supported Emergency Rule 9 and would like to offer help for the formulation of the self-exclusion program. Hearing no further comments, the Commission voted to close the public comment portion of the rulemaking hearing on Emergency Colorado Sports Betting Rule 9.

The Commission voted unanimously to table the rulemaking hearing on Emergency Colorado Sports Betting Rule 9 until Thursday, October 27 at 1:00 p.m. MDT, where the rule would be adopted and in place by the statutory required date of November 1.

Senior Assistant Attorney General Bradford Jones stated that Emergency Limited Gaming Rules 2 & 29 and Emergency Sports Betting Rule 9 would be sent out via email and posted to the Division of Gaming website by the end of the day on October 20 for the Special Commission meeting on October 27 at 1:00 p.m. MST.

### **X. Consideration of Organizational Matters**

The Commission approved the minutes from the September 15, 2022 public session of the Colorado Limited Gaming Control Commission, with corrections provided by Commissioner Davis.

Dan Hartman, Director, Division of Gaming, thanked the Commission for its thoughtful input on the emergency rules regarding responsible gaming. He explained that he attended a conference regarding responsible gaming on college campuses hosted by the National Football League and Colorado Sports Betting Operators on October 6. He concluded his remarks and stated that multiple Division staff members attended the G2E conference held in Las Vegas, October 9-12 and that there was excellent feedback on the education sessions and networking opportunities that were provided.

Chair Nathan commended Director Hartman's achievement of the "Regulator of the Year" award that was given at G2E by the International Masters of Gaming Law (IMGL). He stated that the IMGL is one of the largest group of lawyers and advisors in gaming law and the recognition is greatly distinguished. He thanked Director Hartman for his service to the Division and Commission while spearheading projects like the introduction of sports betting in May 2020 and the responsible gaming program that was currently being created.

Commissioner Davis stated that Director Hartman's Regulator of the Year award reflected the success of the Division of Gaming as a whole.

Director Hartman thanked the Commissioners and stated that one does not become regulator of the year without the regulator staff of the year.

### **XI. Opportunity for the Industry Members to Address the Commission**

The Chair gave an opportunity for anyone from the industry to address the Commission regarding any current issues or events.

No members of the public came forward to address the Commission.

### **XII. Adjournment**

The Commission voted unanimously to adjourn the October 20, 2022 meeting of the Colorado Limited Gaming Control Commission at 12:05 p.m.

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Breanne Nolan, Secretary to the Colorado Limited Gaming Control Commission