



# Texas Lottery Commission

June 21, 2018

9:00 a.m.

I.	The Texas Lottery Commission will call the meeting to order. Pledge of Allegiance to the U.S. and Texas flags. Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."	J. Winston Krause, Chairman
II.	Consideration of and possible discussion and/or action regarding the Bingo Advisory Committee.	Ed Rogers, Acting Charitable Bingo Operations Division Director
III.	Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §402.102 (Bingo Advisory Committee), 16 TAC §402.300 (Pull-Tab Bingo), and 16 TAC §402.402 (Registry of Bingo Workers).	Robert F. Biard, General Counsel
IV.	Consideration of and possible discussion and/or action, including proposal, on new 16 TAC §402.443 (Transfer of a Grandfathered Lessor's Commercial Lessor License).	Robert F. Biard, General Counsel
V.	Report, possible discussion and/or action on the agency's comprehensive business plan pursuant to State Lottery Act §466.028.	Ryan Mindell, Lottery Operations Director
VI.	Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §401.308 ("Cash Five" Draw Game Rule).	Deanne Rienstra, Special Counsel
VII.	Report, possible discussion and/or action on lottery sales and revenue, game performance, new game opportunities, advertising, promotional activities, market research, trends, and game contracts, agreements, and procedures.	Katheryn J. Pyka, Controller
VIII.	Report, possible discussion and/or action on transfers to the State and the agency's budget status.	Katheryn J. Pyka, Controller
IX.	Report, possible discussion and/or action on the FY 2019 Operating Budget.	Katheryn J. Pyka, Controller
X.	Report, possible discussion and/or action on external and internal audits and/or reviews relating to the Texas Lottery Commission, and/or on Internal Audit activities, including approval of the amended FY 2018 Annual Internal Audit Plan and audit reports on the CBOD Education Program, Unclaimed Prizes, Personal Identifiable Information, and Enforcement Division Background Check and Case Investigation Process.	Darlene Brown, McConnell Jones Lanier & Murphy LLP
XI.	Report by the Acting Charitable Bingo Operations Director and possible discussion and/or action on the Charitable Bingo Operations Division's activities,	Ed Rogers, Acting Charitable Bingo Operations Division Director



Dallas Co. District Court Cause No. DC-14-14838, Fifth District Court of Appeals Cause No. 05-15-01559-CV (Nettles v. GTECH Corp. and Texas Lottery Commission).

Julam Investments, Inc. v. Texas Lottery Commission (Travis Co. District Court Cause No. D-1-GN-16-006124)

State of Texas v. Equal Employment Opportunity Commission et al.

Legal advice regarding Texas Government Code Chapters 466 (State Lottery Act) and 467, the Bingo Enabling Act, the Open Meetings Act, the Public Information Act, the Administrative Procedure Act, employment and personnel law, procurement and contract law, evidentiary and procedural law, ethics laws, and general government law.

Legal advice regarding any item on this open meeting agenda.

XVI. Return to open session for further deliberation and possible action on any matter posted for discussion in Executive Session. Any matter posted for Executive Session also may be the subject of discussion and/or action in open session prior to Executive Session.

J. Winston Krause, Chairman

XVII. Adjournment.

J. Winston Krause, Chairman

Notice of Assistance at Public Meetings. Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, should contact Debbie Jamieson at (512) 344-5038 at least four (4) work days prior to the meeting so that appropriate arrangements can be made.

**Simpson, MaryBeth**

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**From:** Jamieson, Debbie  
**Sent:** Wednesday, June 13, 2018 12:05 PM  
**To:** Sanchez, Sheila; Simpson, MaryBeth  
**Subject:** FW: S.O.S. Acknowledgment of Receipt  
**Attachments:** 06212018.doc

-----Original Message-----

From: TexReg@sos.texas.gov [mailto:TexReg@sos.texas.gov]  
Sent: Wednesday, June 13, 2018 12:04 PM  
To: Jamieson, Debbie <Debbie.Jamieson@lottery.state.tx.us>  
Subject: S.O.S. Acknowledgment of Receipt

Acknowledgment of Receipt

Agency: Texas Lottery Commission

Liaison: Debbie L. Jamieson

The Office of the Secretary of State has posted

notice of the following meeting:

Board: Texas Lottery Commission

Committee: Texas Lottery Commission

Date: 06/21/2018 09:00 AM "TRD# 2018005981"

Notice posted: 06/13/18 12:03 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z\\_TRD=2018005981](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2018005981)

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- XI. Report by the Acting Charitable Bingo Operations Director and possible discussion and/or action on the Charitable Bingo Operations Division’s activities, including licensing, accounting and audit activities, pull-tab review, and special projects.
- XII. Report by the Executive Director and possible discussion and/or action on the agency’s operational status, major contracts, agency procedures, awards, and FTE status.
- XIII. Consideration of the status and possible approval of orders in enforcement cases:

Lottery NSF License Revocation Cases (Default)

- A. Docket No. 362-18-2178 – Brazos Bend Home & Ranch
- B. Docket No. 362-18-2179 – Ferry Mobil
- C. Docket No. 362-18-2578 – Mt. Selman Mart
- D. Docket No. 362-18-2828 – Cowboy #11

Lottery Agreed Orders

- E. Case No. 2018-300 – Beer Barn
- F. Case No. 2018-301 – Ricks Quick Stop
- G. Case No. 2018-393 – HEB Food Store #591

Bingo Agreed Orders

- H. Case No. 2018-432 – Sergio A. Vargas (Bingo Worker)
- I. Case No. 2018-456 – Kristen Lee Ketchum (Bingo Worker)
- J. Case No. 2018-487 – Kara Diaz (Bingo Worker)

XIV. Public comment.

XV. Commission may meet in Executive Session:

- A. To deliberate personnel matters, including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, Charitable Bingo Operations Director, and/or Acting Charitable Bingo Operations Director pursuant to §551.074 of the Texas Government Code.
- B. To deliberate the duties of the General Counsel and/or the Human Resources Director pursuant to §551.074 of the Texas Government Code.
- C. To receive legal advice regarding pending or contemplated litigation or settlement offers, or other legal advice, pursuant to §§551.071(1) and (2) of the Texas Government Code, including but not limited to legal advice regarding the following items:

Pending and potential litigation regarding Fun 5's Scratch Ticket Game #1592, including Travis Co. District Court Cause No. D-1-GN-14-005114, Third District Court of Appeals Cause No. 03-16-00172-CV (Steele, et al. v. GTECH Corp.); and Dallas Co. District Court Cause No. DC-14-14838, Fifth District Court of Appeals Cause No. 05-15-01559-CV (Nettles v. GTECH Corp. and Texas Lottery Commission).

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