

Minutes for the Colorado Lottery Commission

Call to Order

An emergency Commission Meeting for the Colorado Lottery was held on Tuesday, April 13, 2020, via video and telephone conference. Chairman Bensberg called the meeting to order at 3:30 p.m.

Attendees

In attendance were the following:

Jim Bensberg, Chairman	Tom Cargal, Lottery
Bill Clayton, Commissioner	Diane Boddicker, Lottery
Stan Podolski, Commissioner	Carol Sanchez, Lottery
Dennis Maes, Commissioner	Chris Schroll, Lottery
Stella Peterson, Vice Chair	David Aldag, Lottery
Tom Seaver, Lottery	Emily Stewart, Lottery
Jennifer Anderson, Lottery	Jay Sisson, Lottery
Trisha Macias, Lottery	Jessica Ross, AGO
Christian Hawley, Lottery	

Certification of Need for Emergency Meeting

A motion to certify that an emergency situation existed and exigencies of time required the Lottery Commission to meet without delay, in compliance with C.R.S. 44-40-108(7)(a), was made by Commissioner Clayton and seconded by Commissioner Podolski. The motion passed unanimously.

Approval of Emergency Rule 14.C.8. - Mega Millions Game Change and Justification for Emergency Rule Making

Trisha Macias informed the Commission that the Mega Millions Product Group voted on a rule to reset the Mega Millions jackpot and increases to the jackpot based on sales, as the Powerball Product Group voted to do last week, because of the decrease in sales due to COVID19. Colorado Lottery Rules specifically state that the Mega Millions jackpot will be reset at \$40M and increase by \$10M between drawings. Approval from the Lottery Commission to file an Emergency Rule, effective for 120 days from adoption by the Commission, is required to reset the minimum jackpot and jackpot increases per the Mega Millions Product Group rule change.

Vice Chair Peterson asked if there was any reason to not approve the emergency rule. Mr. Seaver responded that the Mega Millions rule change is necessary so that jackpots are fully funded and in order to ethically promote the game.

Commissioner Clayton asked of the net result if the emergency rule is not approved. Mr. Seaver responded that the Lottery would be advertising dramatically unfunded Mega Millions jackpots if the emergency rule is not approved.

Chairman Bensberg asked how many other states have acted on the rule and what happens if a state does not approve the rule. Mr. Seaver responded that every state has a different process but many have already adopted the change to be effective in advance of the next drawing. State lotteries that do not approve the rule change would be in violation of MUSL rules.

A motion for the need for an emergency rule, including findings that it is imperatively necessary to comply with state law and for the preservation of public health, safety or welfare and that compliance with the requirements of the Administrative Procedures Act (APA) would be contrary to the public interest, was made by Vice Chair Peterson and seconded by Commissioner Clayton. The motion passed unanimously.

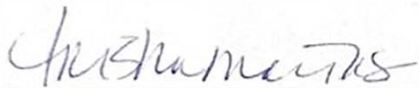
A motion to approve the emergency rule amendment to Rule 14.C.8, the Mega Millions rule change, was made by Vice Chair Peterson and seconded by Commissioner Clayton. The motion passed unanimously.

Public Comment

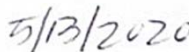
Chairman Bensberg asked for Public Comment. There was none.

Adjournment

Chairman Bensberg adjourned the meeting at 3:42 p.m.



Completed by: Trisha Macias



Date of Approval