UNLV GAMING LAW JOURNAL

Volume 14  Fall 2023  Number 1

ARTICLES

THE SEMINOLE TRIBE’S LEGAL BATTLE FOR ONLINE SPORTS BETTING RIGHTS IN FLORIDA
Zac Brodney................................................................................................................1

MOBILE SPORTS BETTING ON COLLEGE CAMPUSES: LIMITING THE RISKS
Ronald J. Rychlak.....................................................................................................25

ORAL HISTORIES

THE ORAL HISTORY OF SANDRA DOUGLASS MORGAN
Sandra Douglass Morgan, President of the Las Vegas Raiders of the National Football League.................................................................49

NOTES

GAMBLING AWAY STUDENTS’ FUTURES: A JURISDICTIONAL COMPARISON OF EDUCATION FUNDING AND THE ROLE GAMING TAXES PLAY
Kathryn Hayes........................................................................................................67

DEsertING DESERT DESSERTS: HOW ABANDONING OUTDATED BUFFET-STYLE RESTAURANTS COULD AIDE IN NEVADA’S STATEWIDE GHG-EMISSION REDUCTION GOALS
Emily Espinosa........................................................................................................103

A RISK GREATER THAN THE SPORTS BET ITSELF: DEATH BEFORE COLLECTION OF WINNINGS
Allyson Sieck............................................................................................................131
UNLV GAMING LAW JOURNAL
Published by the
William S. Boyd School of Law
University of Nevada, Las Vegas
in conjunction with the
International Masters of Gaming Law
and the
Gaming Law Section of the State Bar of Nevada

BOARD OF EDITORS

Editor-in-Chief
EMILY ESPINOSA

Managing Editor
BRIANNA DOUGHERTY

Lead Articles Editor
CHARLES CAHILLANE

Lead Notes Editor
LYDIA ANDERSON

Articles Editors
FELIZ ARANA
NATHAN GRUBIN
KATHRYN HAYES

Notes Editors
RILEY HELGREN
ERIN LUTES
DAKOTA PETERSON
**William S. Boyd School of Law, UNLV**
**Faculty and Administration for 2023–24**

**ADMINISTRATION**

Leah Chan Grinvald, *Dean; Richard J. Morgan Professor of Law*

Nikki Harris, *Assistant Dean of Career Development*

Eve Hanan, *Associate Dean for Faculty Development and Research; Co-Director, Misdemeanor Clinic; Associate Professor of Law*

Cameron Lue-Sang, *Interim Assistant Dean of Admissions and Financial Aid*

Lydia Nussbaum, *Associate Dean for Experiential Legal Education Program; Director, Mediation Clinic and Saltman Center for Conflict Resolution; Professor of Law*

Stewart Chang, *Associate Dean for Academic Affairs; Louis Wiener, Jr. Law Library Professor of Law; Director, Wiener-Rogers Law Library*

Juanita V. Saucedo, *Assistant Dean for Business and Finance*

Monte Smith, *Associate Dean for Student Affairs; Professor of Law*

**FULL TIME FACULTY**

Rachel J. Anderson, J.D., University of California, Berkeley, School of Law, *Professor of Law*

Ian C. Bartrum, LL.M., Yale Law School; J.D., Vermont Law School, *Associate Dean for Faculty Development and Research; Professor of Law*

Mary Beth Beazley, J.D. University of Notre Dame Law School, *Professor of Law*

Bret C. Birdsong, J.D., University of California, Hastings College of the Law, *Professor of Law*

Stewart Chang, J.D., Georgetown University Law Center, *Professor of Law*

Frank Rudy Cooper, J.D. Duke Law School, *Director, Program on Race, Gender, and Policing; William S. Boyd Professor of Law*

Robert I. Correales, LL.M., Georgetown University Law Center; J.D., University of Kansas School of Law, *Professor of Law*

Courtney K. Cross, LL.M, Georgetown University Law Center; J.D., New York University School of Law, *Director of the Survivor Representation & Advocacy Clinic; Professor of Law*

Patience Crowder, J.D., Rutgers Law School, *Professor of Law*

Benjamin Edwards, J.D., Columbia Law School, *Director of the Public Policy Clinic; Associate Professor of Law*
Danielle Finn, LL.M, University of Oklahoma College of Law; J.D., Arizona State University College of Law, Assistant Professor in Residence
Ruben J. Garcia, LL.M., University of Wisconsin Law School; J.D., University of California, Los Angeles, School of Law, Co-Director, UNLV Workplace Law Program; Professor of Law
Leslie C. Griffin, M.A, M. Phil., Ph.D. Yale University, J.D., Stanford Law School, William S. Boyd Professor of Law
Nachman Gutowski, J.D., University of Miami School of Law; M.M, University of Miami, Assistant Professor in Residence
Eve Hanan, J.D., University of Michigan Law School, Co-Director of the Misdemeanor Clinic; Associate Professor of Law
Joan Howarth, J.D., University of Southern California, Distinguished Visiting Professor; Dean Emerita, Michigan State University College of Law
Lori D. Johnson, J.D., Northwestern University School of Law, Associate Professor of Law
Michael Kagan, J.D., University of Michigan Law School, Director of the Immigration Clinic; Joyce Mack Professor of Law
Kay P. Kindred, J.D., Columbia University School of Law, Professor of Law
Mary LaFrance, J.D., Duke University School of Law, IGT Professor of Intellectual Property Law
Sylvia Lazos, J.D., University of Michigan Law School, Justice Myron Leavitt Professor of Law
Francine J. Lipman, LL.M., New York University School of Law; J.D., University of California, Davis, School of Law, William S. Boyd Professor of Law
Thomas O. Main, J.D., Northeastern University School of Law, William S. Boyd Professor of Law
Ann C. McGinley, J.D., University of Pennsylvania Law School, Co-Director, UNLV Workplace Law Program; William S. Boyd Professor of Law
Rebecca Nathanson, Ph.D., University of California, Santa Barbara, Director of Education Advocacy Clinic and Kids’ Court School; James E. Rogers Professor of Education and Law
Dawn Nielsen, J.D., UNLV William S. Boyd School of Law, Director of Externships; Assistant Professor in Residence
Lydia Nussbaum, J.D., University of Maryland Francis King Carey School of Law, Director, Mediation Clinic; Director, Saltman Center for Conflict Resolution; Professor of Law
David Orentlicher, J.D., Harvard Law School, M.D., Harvard Medical School, Director, UNLV Health Law Program; Judge Jack and Lulu Lehman Professor of Law
Jeanne Frazier Price, J.D., University of Texas School of Law, Director of the Wiener-Rogers Law Library; Louis Wiener, Jr. Law Library Professor of Law
Nancy B. Rapoport, J.D., Stanford Law School, Garman Turner Gordon Professor of Law; William S. Boyd School of Law Affiliate Professor of Business Law and Ethics, Lee Business School
Joe Regalia, J.D., University of Michigan Law School, *Associate Professor of Law*
Addie C. Rolnick, J.D., University of California, Los Angeles, School of Law, *San Manuel Band of Mission Indians Professor of Law; Faculty Director, Indian Nations Gaming & Governance Program; Associate Director, Program on Race, Gender & Policing*
Keith A. Rowley, J.D., University of Texas School of Law, *William S. Boyd Professor of Law*
Nantiya Ruan, J.D., University of Denver College of Law; M.S.W., University of Denver School of Social Work, *Professor of Law*
Rebecca L. Scharf, J.D., Harvard Law School, *Professor of Law*
Kathryn M. Stanchi, J.D., Boston University School of Law, *E.L. Cord Professor of Law*
Jeffrey W. Stempel, J.D., Yale Law School, *Doris S. and Theodore B. Lee Professor of Law*
Jean Sternlight, J.D., Harvard Law School, *Founding Director of the Saltman Center for Conflict Resolution; Michael and Sonja Saltman Professor of Law*
David Tanenhaus, Ph.D., University of Chicago Law School, *James E. Rogers Professor of History and Law*
Marketa Trimble, J.S.D. and J.S.M., Stanford Law School; JUDr., Ph.D., Law School of Charles University in Prague, *Samuel S. Lionel Professor of Intellectual Property Law*
John V. White, J.D., Yale Law School, *Ralph Denton Professor of Law*

**DISTINGUISHED FELLOWS**

Jennifer Carleton, J.D., University of Wisconsin Law School, *Distinguished Fellow*
Justice Michael Cherry, J.D. Washington University School of Law, *Distinguished Fellow*
Senator Harry Reid (In Memoriam), J.D., George Washington University Law School, *Distinguished Fellow in Law and Policy*
Brian Sandoval, J.D., The Ohio State University College of Law, *Distinguished Fellow in Law and Leadership*
John Tashuda III, J.D., Cornell Law School, *Distinguished Fellow*

**EMERITI FACULTY**

Peter Brandon Bayer, LL.M., Harvard Law School, J.D., New York University School of Law; *Emeritus Professor of Law*
Linda L. Berger, J.D., Case Western Reserve University, *Emerita Professor of Law*
Mary E. Berkheiser, J.D., University of Arizona College of Law, *Emerita Professor of Law*
Christopher L. Blakesley, J.S.D., and LL.M., Columbia University School of Law; J.D., University of Utah College of Law, *Emeritus Professor of Law*
Linda Edwards, J.D., University of Tennessee College of Law, Emerita Professor of Law
Douglas Grant, J.D., University of Colorado School of Law, Emeritus Professor of Law
Lynne Henderson, J.D., Stanford Law School, Emerita Professor of Law
Thomas B. McAffee, J.D., University of Utah, S.J. Quinney College of Law, Emeritus Professor of Law
Richard J. Morgan, J.D., University of California, Los Angeles, School of Law, Dean Emeritus
Terrill Pollman, J.D., University of Arizona College of Law, Emerita Professor of Law
Elaine Shoben, J.D., Hastings College of the Law, Emerita Professor of Law
Anne Traum, J.D., University of California, Hastings College of the Law, Emerita Professor of Law
Jean M. Whitney, J.D., William Mitchell College of Law, Emerita Professor of Law

LIBRARY FACULTY

Youngwoo Ban, J.D., Oklahoma City University School of Law; M.L.I.S. University of Arizona; LL.M. University of Nevada, Las Vegas, William S. Boyd School of Law, Research Librarian; Assistant Professor
Justin Iverson, Savannah Law School, M.L.S., Emporia State University, Research Librarian and Assistant Professor
Jim Rich, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law, M.L.I.S., University of Washington, Research Librarian and Assistant Professor
Lena Rieke, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law, M.L.I.S., University of Washington, Research Librarian and Assistant Professor

VISITING FACULTY

Kristin Gerdy Kyle, J.D., Brigham Young University, Distinguished Visiting Professor of Lawyering Process
Steven Light, Ph.D., Northwestern University
Kathryn R. L. Rand, J.D., University of Michigan Law School

SENIOR FELLOWS

Nancy E. Brune, Ph.D., Yale University, Executive Director, Kenny Guinn Center for Policy Priorities, Nevada; Adjunct Instructor, Nevada System of Higher Education; Senior Fellow
The Honorable Jay S. Bybee, J.D., Brigham Young University Law School, Judge, U.S. Court of Appeals for the Ninth Circuit; Senior Fellow in Constitutional Law
Frank Fritz, J.D., Columbia University School of Law, **Senior Fellow**
Patricia Mulroy, M.A., University of Nevada, Las Vegas, **Senior Fellow, Practitioner in Residence Saltman Center for Conflict Resolution**

**SALTMAN SENIOR FELLOWS**

Harold Abramson, LL.M., Harvard Law School; J.D., Syracuse University College of Law, **Saltman Senior Scholar; Visiting Professor**
Lisa Blomgren Amsler, J.D., University of Connecticut School of Law, **Saltman Senior Scholar; Visiting Professor**

**ADJUNCT FACULTY**

Sam Castor, J.D., Catholic University School of Law
Patrick Chapin, J.D., Capital University Law School
Thomas Chittum, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
Nell Christensen, J.D., University of Minnesota Law School
Angela Cook, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
The Honorable Christy Craig, J.D., California Western School of Law
Margaret Crowley, J.D., University of California, Davis
Jennifer Cutshall, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
John Delikanakis, LL.M, King’s College London; J.D., Chicago-Kent College of Law
Daron Dorsey, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
The Honorable Jennifer Dorsey, J.D., Pepperdine University School of Law
Riana Durrett, J.D., University of Nevada, Las Vegas William S. Boyd School of Law
Randolph Fiedler, J.D., George Washington University Law School
Osvaldo Fumo, J.D., Whittier Law School
The Honorable Maria Gall, J.D., University of Kentucky College of Law; M.S. London School of Economics and Political Science
Greg Gemignani, J.D., University of Wisconsin Law School
The Honorable Maria Gall, J.D., University of Kentucky College of Law; M.S. London School of Economics and Political Science
John R. Harney, J.D., University of Wisconsin Law School
Becky Harris, LL.M., University of Nevada, Las Vegas, William S. Boyd School of Law, J.D., Brigham Young University, J. Reuben Clark Law School
Gayle Hyman, J.D., New York Law School; M.B.A., University of Chicago School of Business
Terry Johnson, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
Scott Knight, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
John Lambrose, J.D., University of Idaho College of Law
Eleissa Lavelle, LL.M., Pepperdine University School of Law; J.D., University of Utah College of Law
Nancy Lemcke, J.D., Pepperdine University School of Law
Alexis Michaud, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
Joanna Myers, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
The Honorable Mike K. Nakagawa, J.D., University of California, Davis, School of Law
Stanford B. Owen, J.D., Stanford Law School
Binu Palal, J.D., University of Wisconsin Law School
Susan Pitz, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
Richard Rawson, LL.M., University of Alabama School of Law; J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
Jennifer Roberts, J.D., University of Utah S.J. Quinney College of Law
Marisa Rodriguez, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
David P. Schwartz, J.D., Brooklyn Law School
Howard Siegel, J.D., Syracuse University College of Law
Charles Stanton, J.D., New York Law School
The Honorable Frank Sullivan, J.D., DePaul University School of Law
Gerald Tan, J.D., John Marshall Law School
Rene Valladares, LL.M., University of Miami School of Law; J.D., University of Florida School of Law
Brittnie Watkins, Ph.D., University of Nevada, Las Vegas; LL.M & J.D., University of Nevada, Las Vegas, William S. Boyd School of Law; M.A., University of Nevada, Las Vegas
The Honorable Brenda Weksler, J.D., University of Nevada, Las Vegas, William S. Boyd School of Law
Jay Young, J.D., Brigham Young University J. Reuben Clark Law School
GAMING LAW ADVISORY BOARD
2023-2024

CHAIRPERSON—PHYLLIS GILLAND—Golden Entertainment
BRET T A BARBAN E L— International Gaming Institute, UNLV
BO BERNHARD— UNLV International Gaming Institute
JAN J ON E S BLACKHURST— International Gaming Institute, UNLV
A.G. BURN ETT—McDonald Carano LLP
ANTHONY CABOT— William S. Boyd School of Law, UNLV (ret.)
JENNIFER CARLETON—Sightline Payments LLC
JACOB COIN—San Manuel Band of Mission Indians
DARON DORSEY—Association of Gaming Equipment Manufacturers
MARK DUNN—Baha Mar
GREG GEMIGNANI—Dickinson Wright PLLC
BECKY HARRIS—International Center for Gaming Regulation, UNLV
JEFF IFRAH—Ifrah PLLC
TERRY JOHNSON—Formerly Nevada Gaming Control Board
KATIE LEVER—Great Canadian
MARK LIPPA RE LLI—Galaxy Gaming
MARTIN LYCCA—Entain
JOHN McMANUS—MGM Resorts International
ERICA OKERBERG—Greenberg Traurig
MAREN PARRY—Ballard Spahr LLP
ANTHONY PEARL—Crown Resorts
JEFFREY RODEFER—State Bar of Nevada, Gaming Law Section
KARL RUTLEDGE—Lewis Roca
FRANK SCHRECK—Brownstein Hyatt Farber Schreck
SYLVIA TISCAREÑO—GAN
BRITT NIE WATKINS—Nevada Gaming Control Board
ELLEN WHIT TEMORE—Wynn Resorts
UNLV GAMING LAW JOURNAL
EDITORIAL BOARD ADVISORY COMMITTEE
2023-24

JENNIFER CARLETON
Sightline Payments LLC, UNLV

Steven Light
University of North Dakota, UNLV

Kathryn Rand
University of North Dakota, UNLV

JENNIFER ROBERTS
WynnBET, UNLV
UNLV Gaming Law Journal
Alumni Advisory Board
2023–24

Ariana Reed
Editor-in-Chief, 2018–19

Michael Linton
Editor-in-Chief, 2017–18

Adam Ellis
Editor-in-Chief, 2016–17

Andrew Dunning
Articles Editor, 2014–15

Elijah Tredup
Lead Articles Editor, 2015–16

Eric Walther
Editor-in-Chief, 2013–14

Erica Okerberg
Editor-in-Chief, 2012–13

Kerry E. Kleiman
Editor-in-Chief, 2014–15
The *UNLV Gaming Law Journal* would like to recognize the following sponsors for their generous contributions to the *Journal*.

**LEAD SPONSORS**

- **KONAMI**
- **Ifrah Law**
- **Lewis Roca**
- **Gaming Counsel Professional Corporation**
SUPPORTING SPONSORS

Nicholas Casiello, Jr. of Fox Rothschild LLP

Fox Rothschild LLP
ATTORNEYS AT LAW

ASENSI
ABOGADOS

GEVISSE LAW LLP

McDONALD CARANO
YOUR NEVADA LAW FIRM SINCE 1949

BOSE McKinney & EVANS LLP
ATTORNEYS AT LAW
BENEFACTORS

Brownstein Hyatt Farber Schreck

Poovey Law Firm, PLLC

BLANKROME

RMC

Katie Lever
Mark Lipparelli
Anthony Cabot

INDIVIDUAL BENEFACTORS

Bo Bernhard
Tony Coles
Daron Dorsey
Michael D. Fabius
Mary Magnuson
Stephen Martino
Heidi Staudenmaier
Tammy Malvin

A special thanks to Jeff Rodefer for his continued support.
The UNLV Gaming Law Journal would like to give special recognition to the Executive Committee of the Gaming Law Section of the State Bar of Nevada for its unwavering support throughout the years.

Jeffrey R. Rodefer – Chairman
P. Gregory Giordano – Vice Chairman
A.C. Ansani
Jaime K. Black
Michael R. Brunet
Lou Dorn
Erica L. Okerberg
Maren Parry
Jennifer Roberts
Karl F. Rutledge
Scott Scherer
Robert B. Ziems