



Focus On Gambling

Charitable / Nonprofit Gambling Report

During the past several years, the Commissioners have received an increasing number of questions about charitable/nonprofit gambling activities.

Although gambling has increased overall in the state, the charitable/nonprofit segment has decreased.

Some bingo operations have had difficulty meeting the minimum returns required to their stated purpose. There have also been a series of rule changes dealing with these minimum returns, as well as other operational and accounting

standards, new types of pull-tab games, etc.

In the fall of 2003, the Commissioners decided to have a more comprehensive research report done of charitable/nonprofit gambling. Sally Perkins, of Practical Solutions, was selected as the contractor to complete this report.

Ms. Perkins' report is available on our website. It's over 70 pages long with an additional 70 pages of Appendix.

In the report, Ms. Perkins makes several recommendations. In September,

Commission staff held three meetings across the state with the industry to gather additional input about the report.

The Commissioners plan to have a work session to discuss the report at the end of October or middle of November. Once a date has been selected, we will post it on our website.

If you have questions about the report, you may contact Amy Blume Hunter, Communications and Legal Division Administrator at: (360) 486-3463; (800) 345-2529, ext. 3463; or e-mail amyb@wsgc.wa.gov.

October Meeting Rescheduled

The October 14 & 15, 2004, Commission meeting has been cancelled due to scheduling conflicts and the inability to achieve a quorum on those dates. A Special Meeting, via conference telephone call, will be conducted at 9:00 a.m. on Tuesday, October 19. This replaces the cancelled October 14-15 meeting. The three agenda items anticipated for discussion are: New licenses and tribal certifications, house-banked card room review(s), and Initiative 892.



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Commercial Licensees

New Activity Reports

By: Kathy Mills, Supervisor, Financial Reporting Services

We have some exciting news for our commercial licensees! Your 3rd quarter 2004 activity report now asks for considerably less information than in the past.

The reports were revised in response to your requests to make them easier to fill out. In order to do this, we asked our field agents what information they needed in order to meet our regulatory requirements. We eliminated fields that we could generate ourselves (totals and license fees) and also incorporated some input from licensees. Ultimately, we were able to significantly condense the activity reports for the following three commercial licensees:

Punchboard/Pull-tabs:

Reduced fields from 36 to 19;

Card Rooms:

Reduced fields from 38 to 13; and

Amusement Games:

Reduced fields from 27 to 3.

We receive over 1500 punchboard/pull-tab and 100 card room reports each quarter, and about 70 amusement game reports each year. Therefore, we hope these changes will assist many licensees by reducing the time it takes to fill out reports.

It would be helpful to know if you find the report easier to fill out, saves time, and other ideas you have on how to make it even better. Send your comments to FinancialReporting@wsgc.wa.gov; or P.O. Box 42400, Lacey, WA 98504, Attention: FRS.

In the future, you'll see changes in the statistical booklets we create each quarter. These booklets summarize activity reports. Look for the revised reports on our website in January 2005.



The last Commission Meeting of 2004 will be held:

**November 17 and 18
Red Lion Hotel—Yakima Center
607 East Yakima Avenue
Yakima, Wa 98901
(509) 248-5900**

Recent Rule Interpretations

Following are rule interpretations made during the past three months. These have been circulated to all agents and are the guidelines we are operating under.

Please note that these are guidelines and not policies, and are subject to review and change. Many may become rule changes, as we review our regulatory role in the future.

For questions, please contact Cally Cass-Healy, Assistant Director at (360)486-3579; (800) 345-3539, ext. 3579; or e-mail callyc@wsgc.wa.gov.

Promotions for Gambling Activities Match Play Coupons WAC 230-12-045

A promotion may offer cash, merchandise, and/or discounted coupons to encourage a player to begin or continue play in a gambling activity, as stated in WAC 230-12-045 (1).

A typical coupon offered as a promotion is “Match Play” coupons. The “Match Play” offers the player the opportunity to be paid more for a winning wager, but does not require them to wager more than the maximum bet allowed. Match Play coupons have **no monetary value** and a player cannot “double down” on that portion of the wager. The player, however, can still “double down” on the chips wagered. The coupon is **not** considered part of the player’s wagering in determining the amount wagered by the player.



Poker cannot be played at Recreational Gaming Activities or Fund-Raising Events. WAC 230-25-050, 230-02-505

Poker **cannot** be played at a Fund-Raising Event (FRE) or a Recreational Gaming Activity (RGA). All gambling activities where one player wagers against another player are prohibited at FREs. Therefore, poker and poker tournaments cannot be played at FREs.

A RGA is a non-gambling event which can only offer gambling activities authorized for use in a FRE. Since poker is not authorized at a FRE, it is not authorized at a RGA.

Count Team Members WAC 230-40-885 (2)

Any licensed employee can be a Count Team Member as long as they are not in the surveillance department or have duties in the accounting department that include reviewing, approving, or preparing records used in the count process. There is no limitation on how many of the count staff are from one department.

All surveillance employees are excluded because of their access to the recording equipment and tapes of the count.

Accounting staff are excluded because they would be in a position to alter documents recording the count.

Changing Table Layouts WAC 230-40-815 (4)

Any changes to the licensee’s system of internal controls must be submitted to commission staff and be approved prior to implementation.

The licensee must send the layout changes prior to approval. After the changes have been sent, the agent has the option of verbal or written approval. The agent will verify the changes on their next visit to the licensee.

When the licensee wants to add a new game that has not yet been approved by staff, the agent must wait to approve the layout changes until the **game** has been approved.

I.D. Stamps for Electronic Pull-tab Dispensing Machines

By: Ben McDonald, Special Agent

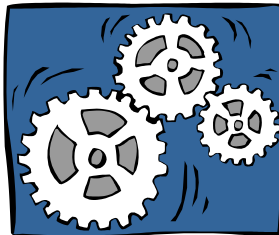
The Commission issues Identification and Inspection (I.D.) Stamps to licensees operating the following gambling related items: Electronic or Mechanical pull-tab dispensing devices; Electronic bingo daubers; Punchboard and pull-tab series; Disposable bingo cards; Electronic card facsimile tables; Coin or token activated amusement games operated at any Class A amusement game license location; or any other equipment as determined by the director.

I.D. Stamps are valid for different lengths of time, depending on the gambling item. The cost for each type of stamp is listed in WAC 230-08-017. This rule also lists where on the device the stamp must be attached.

What purpose do I.D. Stamps serve?

I.D. Stamps are part of our regulatory program and are used for inventory purposes. The stamps identify items as gambling related and subject to testing and/or approval by the Gambling Commission. Licensees must maintain close control over all gambling equipment in their possession.

An I.D. stamp must be attached to all pull-tab dispensing devices in Washington State. Following is information to help you differentiate between the different types of pull-tab dispensing devices and the type of I.D. Stamp needed for each.



What are Electronic Pull-tab Dispensing Devices?

Electronic pull-tab dispensing devices are machines that read encoded data on paper pull-tabs (bar code reader) when a ticket is dispensed. These machines require initial and ongoing evaluation of electronic components and/or functions, such as a bar code reader or accounting software. These machines require an I.D. Stamp which is valid for one year. A new stamp must be attached on each dispensing device on or before December 31, each year.

What are Mechanical Pull-tab Dispensing Devices?

Mechanical pull-tab dispensing devices are machines that dispense pull-tabs like an old fashioned cigarette dispensing machine. Sometimes these machines are plugged into the wall to provide electricity to light up the machine (electro-mechanical). However, these machines do not have any of the functions found in an electronic pull-tab dispensing device, such as a bar code reader or accounting software. Basically, they have electricity but no circuitry.

Mechanical dispensing devices only require a one time I.D. stamp that does not need to be renewed.

If you have questions about I.D. Stamps or pull-tab dispensing devices, please call your local field agent or the field office closest to you. Contact information is listed on the back page.

Answers On-Line

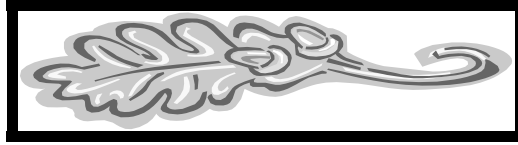
By: Collene Keifer, Licensing Supervisor

If you have questions regarding licensing, you may be able to find the answers on our website under FAQ's (frequently asked questions). Here you will find answers to questions asked most frequently by licensees and applicants for a license.

Visit our website at www.wsgc.wa.gov and select FAQ (left menu bar) then select Licensing. You can review FAQs that pertain to both individuals (card room employees, representatives, etc.) and organizations (commercial and charitable/nonprofit businesses).

If you would like to see something added to FAQ's, please let us know. We would be happy to hear how we can serve you better. Please contact Collene Kiefer at (360) 486-3539; (800) 345-2529, ext. 3539; or e-mail collenek@wsgc.wa.gov.





REGULATING TRIBAL LOTTERY SYSTEMS MACHINES

By Robert Zaher, Tribal Electronic Gaming Coordinator

“What is the minimum payout for these machines? Are they “rigged”? Who regulates these machines, anyway? What’s the trick to winning?”

Tribal Lottery Systems Machines (TLS) were first introduced in 1999. They are in all tribal casinos, having replaced traditional table games as the most popular gambling activity offered by Washington tribes. Many gamblers are curious about these hybrid machines that are unique to our state. Loyal fans of gaming activities can easily tell you how blackjack works, and they can spend hours schooling you on the ins and outs of craps, but they may come up dry if you ask them how a TLS machine operates. Following are answers to frequently asked questions:

Q. How do they work?

A. The quick answer is that they are linked lottery terminals where a central computer delivers a virtual “scratch ticket” to a player terminal, at the press of a button. Ever wonder why the button must be pressed twice to play? On the first press, the ticket is purchased, and on the second the outcome is revealed (opening the ticket).

Q. Am I playing by myself against the player terminal?

A. No. The virtual scratch tickets are dispensed from a finite “game set” that delivers tickets randomly to two or more terminals. The most common scenario is that players on the same bank (group) of machines are playing from the same game set.

Q. What is a bonus round?

A. A bonus round is extra play associated with a winning ticket.

Q. How do the bonus rounds work?

A. Generally, bonus rounds are for entertainment purposes only, and your interaction with the machine in

these rounds has no impact on the outcome of the ticket that had already been delivered to your player terminal. Certain newer games (such as Monopoly) allow you to play more than one scratch ticket at the same time, or gives you, as a prize, the opportunity to play from a different game set.

Q. What is the minimum payout for the machines?

A. Seventy-five percent of the wagers received must be paid back to players for every game set put into play. Most casinos set the payouts much higher.

Q. Who regulates the machines?

A. The primary regulators at the casino are the Tribal Gaming Agencies (TGA’s) of each Tribe. Each casino is required to have at least one TGA agent on duty during gaming hours. In addition to their regulation of other casino activities, the TGA will be called in to settle player disputes over machines, if a casino employee is unable to resolve the issue. The Gambling Commission’s Tribal Gaming Unit agents also conduct regular on-site

visits that involve testing the machines for compliance.

Q. How are the machines tested?

A. Samples of each component in play are approved by an independent lab which test machines worldwide.

The machines are also tested by the Gambling Commission’s Electronic Gambling Lab. The machines in the casinos must exactly match those tested. TGA agents and state agents test the machines to ensure they are identical to approved prototypes.

Many people wonder whether there is a strategy to winning on the TLS machines. Unlike some other casino games where there may be a small element of skill involved, the machines are designed to be truly random.

If you have any questions, visit our website and select *Tribal Gaming* or e-mail: Tribalgamingunit@wsgc.wa.gov, or contact the Tribes’ TGA.

Late Activity Reporting—Administrative Update

By: Robin Brown, Paralegal, Communications and Legal Division

Name	Violation	Case Outcome
5-T's Restaurant & Lounge, East Wenatchee; Cascade Pizza & Italian Cuisine, Sedro Woolley;	Failure to timely submit Quarterly Activity Report (QAR) for the fourth quarter of 2003.	The licensees agreed to a fifteen-day suspension. Five days were deferred for two years. The remaining ten days were vacated by payment of a \$750 fine and \$300 costs.
Tall Man's Saloon, Yacolt	Failure to timely submit QAR for the fourth quarter of 2003.	The licensee agreed to a fifteen-day suspension. Five days were deferred for two years. At the licensee's request, the remaining ten days were served. The licensee also agreed to reimburse the Commission for its costs of \$300.
Red Fir Inn, Yacolt	Failure to timely submit QARs for the fourth quarter of 2003, and the first quarter of 2004	The licensee failed to respond; therefore, an Order of Default, revoking the license, was entered at the July Commission meeting.
Harold's Gay 90's Pizza, Freeland; Old Mill Tavern, Spokane	Failure to timely submit QARs for the fourth quarter of 2003, and the first quarter of 2004.	The licensees agreed to a fifteen-day suspension. Five days were deferred for two years. The remaining ten days were vacated by payment of a \$750 fine and \$300 costs.
Clearwater Steakhouse & Saloon, East Wenatchee; Stewart's Place, Snohomish	Failure to timely submit QAR for the first quarter of 2004.	The licensees agreed to a fifteen-day suspension. Five days were deferred for two years. The remaining ten days were vacated by payment of a \$750 fine and \$300 costs.
Last Resort, Ronald	Failure to submit QARs for the second, third and fourth quarters of 2003, and the first quarter of 2004.	The licensee agreed to a fifteen-day suspension. Five days were deferred for two years. The remaining ten days were vacated by payment of a \$750 fine and \$300 costs.
Mel's, Seattle	Failure to submit QARs for the fourth quarter of 2003 and first quarter of 2004.	A hearing was held. The licensee failed to appear; therefore, the ALJ issued an Order of Default, revoking the license.
Dollars Corner Tavern, Battleground	Failure to submit QARs for the fourth quarter of 2003 and first quarter of 2004, and operating with an expired license.	A hearing was held. The licensee failed to appear; therefore, the ALJ issued an Order of Default, revoking the license.
Joe's Place Tavern, Monroe	Failure to timely submit QARs for the second and third quarters of 2003.	A hearing was held, and the ALJ ordered a twenty-day suspension of the license, with ten days credited for time served.
Cue & Cushion, Tacoma	Failure to timely submit QAR for the third quarter of 2003, and past history of failing to timely submit reports.	A hearing was held, and the ALJ ordered a thirty-day suspension of the license.

Late Activity Reporting Continued.

Name	Violation	Case Outcome
Dawg Tagz Tavern, Seattle	Failure to submit QARs for the third and fourth quarters of 2003, and past history of failing to timely submit reports.	A hearing was held. The licensee failed to appear. Therefore, the ALJ ordered a minimum of forty-five days suspended, and thereafter, until all delinquent QARs were submitted.
Peerless Restaurant & Lounge, Oroville	Failure to timely submit QAR for the third quarter of 2003, and violation of a previous Agreed Order.	The licensee agreed to a twenty-day suspension. Eight days were deferred for two years. The remaining twelve days were vacated by payment of a \$1,000 fine and \$300 costs. The licensee was also required to serve the five-day suspension deferred by the previous Agreed Order.
Kelly's Tavern, Seattle	Failure to timely submit QAR for the fourth quarter of 2003, and the first quarter of 2004, and violation of a previous Agreed Order.	The licensee agreed to a twenty-day suspension. Eight days were deferred for two years. The remaining twelve days were vacated by payment of a \$1,000 fine and \$300 costs. The licensee was also required to serve the five-day suspension deferred by the previous Agreed Order.
Tucan's Restaurant & Lounge, Quincy	Failure to timely submit QAR for the first quarter of 2004, and violation of a previous Agreed Order.	The licensee agreed to a twenty-day suspension. Eight days were deferred for two years. At the licensee's request, the remaining twelve days were served consecutively with the five-day suspension deferred by the previous Agreed Order. The licensee also agreed to reimburse the Commission for its costs of \$300.
Fraternal Order of Eagles #204, Wenatchee; Palace of China, Seattle	Failure to timely submit QAR for the first quarter of 2004, and violation of a previous Agreed Order.	The remaining twelve days were vacated by a \$1,000 fine, and \$300 costs. The licensees were also required to serve the five-day suspension deferred by the previous Agreed Order.
Original Rome Restaurant, Arlington	Failure to timely submit QAR for the first quarter of 2004, and violation of a previous Agreed Order.	The licensee agreed to a twenty-two day suspension, with an additional eight days served consecutively as provided in the previous Agreed Order, for a total of thirty days. The licensee also agreed to reimburse the Commission for its costs of \$300.



Administrative Case Update

By: Robin Brown, Paralegal, Communications and Legal Division

Name	Violation	Case Outcome
Café Arizona, Federal Way	Failure to maintain accrual basis of accounting, failure to report loans, and failure to maintain accounting records. Agreed Order violation.	The licensee agreed to a ten-day suspension. Five days were vacated by payment of a \$1,025 fine. The remaining five days will be served at the Commission discretion, in the event that the licensee reopens. The licensee also agreed to serve two days of the previously deferred suspension. This suspension will be served consecutively with the current five day suspension, in the event the business reopens.
Los Arcos, Hoquiam	Failure to delete flare, failure to initial and date winning pull-tabs. Agreed Order violation.	The licensee agreed to a twenty-day suspension. Five days were deferred for one year. The remaining fifteen days were vacated by payment of a \$460 fine, and costs of \$412. The licensee was also required to serve the five-day suspension deferred in the previous Agreed Order. The suspension was served between June 1 and 5, 2004.
BC MacDonalds, Bothell	Conducting gambling activities without a fully operational closed circuit television system, and failure to maintain a complete surveillance sign-in log.	The licensee agreed to a five-day suspension. Four days were deferred for one year. The remaining day was vacated by payment of a \$2,842 fine, and \$525 costs.
Gaming Consultants, Inc., Tukwila	Conducting gambling activities without a fully operational closed circuit television system, and failure to maintain a complete surveillance sign-in log, while providing management services to BC MacDonalds.	The licensee agreed to a fourteen-day suspension. Nine days were deferred for one year. The remaining five days were vacated by payment of a \$5,000 fine, and \$2,175 costs.
Fraternal Order of Eagles, #4226, Belfair	Internal control violations.	A hearing was held. The ALJ ordered a thirty-day suspension of the license.
Paramount Games, Wheatland, PA	Manufacturer and distribution of defective pull-tabs.	The licensee agreed to a three-day suspension. Two days were deferred for one year. The remaining day was vacated by payment of a \$557 fine, and costs of \$2,888.
Benjamin Medina, Card Room Employee (CRE), formerly employed by Jimmy G's Casino, Lakewood	Failure to provide information regarding an active warrant; failure to quash the warrant.	A hearing was held, and the ALJ ordered the license revoked. The licensee filed a Petition for Review, which was heard at the May Commission Meeting. The Commissioners upheld the ALJ's ruling, and ordered the license revoked.
Leo Quintos, CRE, formerly employed by Christos Card Room, Bellingham	Criminal history; willful disregard for complying with court orders.	A hearing was held, and the ALJ ordered the license revoked. The licensee filed a Petition for Review, which was heard at the May Commission Meeting. The Commissioners upheld the ALJ's ruling, and ordered the license revoked.

**Washington State Council on Problem Gambling
(800) 547-6133**

Administrative Case Update Continued.

Name	Violation	Case Outcome
Jeffrey Lewis, Applicant, Silver Dollar Casino, Tukwila	Criminal History.	A hearing was held, and the ALJ ordered the application denied.
Saem Choup, Applicant, Freddie's Club of Fife, Fife	Criminal History.	The applicant failed to respond; therefore, an Order of Default, denying the application, was entered at the July Commission meeting.
Tamara Cayou, Class III Employee, formerly employed by Swinomish Northern Lights Casino, Anacortes	Criminal History.	The licensee agreed to surrender her class III certification on June 28, 2004, and not reapply until after October 31, 2004. The licensee also agreed not to transfer her certification or apply for any other gambling license with a commercial operator for five years from the date of entry of the Agreed Order.
Lee David Thompson, CRE, formerly employed by Silver Dollar Casino, Mountlake Terrace	Removal of \$1,800 worth of chips from gaming tables, and giving the chips to patrons and cleaning personnel.	The licensee agreed to surrender his license for a period of one year.
Stacey Segerman, CRE, formerly employed by 11 th Frame, a/k/a Bremerton Lanes, Bremerton	Theft.	The licensee failed to respond; therefore, an Order of Default, revoking the license, was entered at the May Commission meeting.
Aja Johnson, Class III Employee, formerly employed by Muckleshoot Casino, Auburn	Theft.	The licensee failed to respond; therefore, an Order of Default, revoking the license, was entered at the July Commission meeting.
Archie Lobehan, Class III Employee, formerly employed by Muckleshoot Casino, Auburn	Theft.	The licensee failed to respond; therefore, and Order of Default, revoking the license, was entered at the August Commission meeting.
George Jurkowski, CRE, formerly employed by Silver Dollar Casino, Tacoma	Cheating.	The licensee agreed to the revocation of his license, and also agreed not to reapply for any type of gambling license in Washington State or elsewhere.
Pamela Wilson, CRE, formerly employed by Big Daddy's CBG, Spokane	Alleged Cheating.	The licensee agreed to surrender her license for a period of one year.
Loung Lam, CRE, formerly employed by Midway Casino, Des Moines, Freddie's Club, Everett, and Luciano's Casino, Tacoma	Bookmaking.	The licensee agreed to surrender his license.



Rules

Rule Changes adopted at the September Commission Meeting

They are included on pages 13 –22 of this newsletter.

Betting Rounds

Effective October 17, 2004

WAC 230-40-120

Clarifies that a single wager may be placed for each decision made by a player before additional cards are dealt or revealed. Decisions include whether to fold, discard, draw additional cards, or raise the wager. The amendment provides regulatory consistency regarding betting round limits between house-banked

card rooms and tribal casinos. Tribal casinos already set betting round limits based on separate wagers for separate decisions.



Following is an example using the game Caribbean Stud: This game requires an ante and a call wager in each betting round. The call wager must be twice the ante wager. Under the current rule, with \$100 betting limits, the maximum wager would be \$33 for the ante, and \$66 for the call wager. The proposed change allows the same round at \$50 for the ante and \$100 for the call because they are both separate decisions during the round.

Digital Surveillance in Card Rooms

Effective October 22, 2004

WAC 230-40-625 and WAC 230-40-825

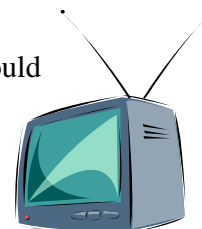
Updated to match current industry practice.

Licensure of Digital Surveillance Installers

Effective January 1, 2005

WAC 230-02-205

Recorded surveillance is an integral part of a card room's security and control features. Individuals and businesses with *direct access* to a digital surveillance system's operating system or data files are in a position to manipulate the system. As of January 1, 2005, businesses and individuals having direct access to digital surveillance operating systems or data files must be licensed as a service supplier. This would not require persons installing cameras or running electrical wires to obtain a license, unless they have direct access to the surveillance system data files.



Up for Adoption at the November 19, 2004, Commission Meeting

Problem Gambling Fee

WAC 230-04-208

During the 2004 legislative session the Governor vetoed a transfer of \$500,000 from our budget for problem gambling and requested the Commission resume its contributions to problem gambling. The proposed rule would provide a stable funding source and raise approximately \$232,000 for use toward problem gambling training and awareness services. The fee would be assessed on licensed charitable/nonprofit and commercial organizations and would not be assessed until June 30, 2005.

Card Room Supervision

WAC 230-40-554

Change would allow the Chief Executive Officer or Chief Operations Officer (sometimes referred to as the General Manager) to also act as the Gaming Operations Department Manager in a house-banked card room. Currently, agency rules require these positions to be held by two separate people.



Verification of winning hands in player-supported jackpots

WAC 230-40-610

At the August meeting, the Commission adopted an amendment to WAC 230-40-070 allowing poker games to be played with non-logo cards. In conjunction with that change, staff recommended an amendment to WAC 230-40-610 requiring dealers to verify, under surveillance, that the correct cards are in the deck when a player-supported jackpot is paid out. Changes to both rules will become effective January 1, 2005.

Rules

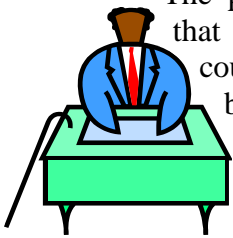
Up for Discussion at the November 19, 2004, Commission Meeting

Petition for Rule Change Recreational Gaming Assoc.

Service Supplier WAC 230-02-205

This rule requires persons providing gambling related services to obtain a service supplier license.

The petitioner is requesting that certified public accountants providing gambling related services not have to hold a service supplier license.



The petitioner is also requesting that mortgage companies no longer be required to obtain a service supplier license.

Petition for Rule Change Recreational Gaming Assoc.

Prize Payouts WAC 230-40-610

This rule limits cash payouts of prizes to \$500 and any remaining winnings must be paid by check. This rule also prohibits players from cashing checks from winnings at the card room where the check was issued.

The petitioner requests that cash payouts be increased from \$500 to \$2500 and that players be allowed to cash checks at the card room where the check was issued.

Petition for Rule Change Charitable Nonprofit Voice

Event Pull-Tab Series WAC 230-30-033

Petitioner requests that the name "Event Pull-Tab Series" be changed to "Event Bingo Tickets".



Up for Filing at the November 19, 2004, Commission Meeting

Verification of Winning Hands For House-Banked Card Rooms

At the August Meeting, the Commission filed a Petition for Rule Change submitted by Mr. Dayton to amend WAC 230-40-825. This rule sets closed circuit television surveillance requirements for house-banked card rooms. Currently, winning hands in excess of \$500 must be verified by surveillance.

Mr. Dayton requested the amount be increased to \$1,000.

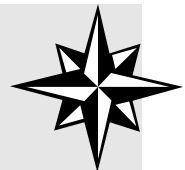
Staff have no regulatory concerns and support the increase. Mr. Dayton agreed to withdraw his formal petition to allow staff time to research the issue more fully and to determine whether the limit should also be increased for poker games. We anticipate an amendment to WAC 230-40-825 will be up for filing November 19, 2004, meeting.



New rule Change to be Discussed at the November 18, 2004, Study Session

Gift Certificates: WAC 230-20-115

This rule needs be updated to reflect a new law prohibiting expiration dates on gift certificates.



Adjusted Cash Flow for Bingo

By: Melinda Froud, Staff Attorney

Now that the fourth quarter of 2004 has arrived, it's a good time to take a closer look at the changes made to bingo adjusted cash flow requirements (WAC 230-20-059), which became effective April 17, 2004.

The measurement of cash flow now occurs at the end of the calendar year, rather than every quarter. This means that after we receive your fourth quarter report in January, your compliance for 2004 will be measured.

Although the rule still requires the Commission to revoke your bingo license when you don't meet annual adjusted cash flow requirements, the recent change allows the director to authorize a limited 25% reduction to the annual dollar requirement for your adjusted cash flow.

If this relief brings you into compliance, you may continue to operate your bingo game. Otherwise, the director will issue charges to revoke your bingo license. The 25% reduction is only available once every five years.

The reduction granted by the director is automatic, so you do not need to make a request. You will be notified by mail that the relief was granted. For questions, please contact Kathy Mills at: (360) 486-3473; (800) 345-2529, ext. 3473; or e-mail kathym@wsgc.wa.gov.

New Rules Manuals

A new agency rules manual will be mailed to licensed organizations October 20. New manuals will not be mailed to the following licensees:

Individuals. With over 6500 licensed individuals, printing and mailing costs are high. Additionally, some employers make their rules manual available to their employees.

Class A Amusement Game. With almost 900 locations licensed to allow amusement games to be placed at their premises, the cost is substantial. No changes have been made to amusement game rules since the September 2001 Rules Manual was published. Therefore, the amusement game rules in the Sept. 2001 manual are current.

Raffles: Though raffle rules were amended in 2002, only a few pages in the rules manual relate to raffles. Many raffle questions are answered in our Raffle Brochure, which is posted on our website. This will save costs relating to over 700 rules manuals.

If we did not mail you a manual, we would be happy to send you one. Please call (360) 486-3606 or e-mail: receptionist@wsgc.wa.gov



Merchandise Prizes

As you may know, removing pricing and credit restrictions from merchandise prizes for punch board and pull-tab games has been under discussion since last May.

Three distributors opposed the changes. After much discussion, the Commission voted to keep current credit and pricing restrictions in place.

The Commission also asked staff to review restrictions for both merchandise and cash pull-tab games and provide an analysis and recommendation as to whether credit and pricing restrictions should remain part of our regulatory program.



Visit our Website at www.wsgc.wa.gov

AMENDATORY SECTION

WAC 230-02-205 Gambling service supplier defined.

A "gambling service supplier" is any person who provides gambling related services for compensation, whether directly or indirectly.

(1) Gambling related services include at least the following:

(a) Providing consulting or advisory services regarding gambling activities;

(b) Providing gambling related management services;

(c) Providing financing for purchases or leases of gambling equipment or for providing infrastructure that supports gambling operations for more than one licensee. For purposes of this section, financing by any bank, mutual savings bank, or credit union regulated by the department of financial institutions or any federally regulated commercial lending institution shall not be deemed as providing gambling related services;

(d) Providing any other service or activity where influence may be exerted over any gambling activity licensed by the commission;

(e) Providing assembly of components for gambling equipment under a contract with a licensed manufacturer; ((or))

(f) Providing installation, integration, maintenance, or any other service of digital surveillance systems that allows direct access to the operating system; or

(g) Training individuals to conduct authorized gambling activities.

(2) The term "gambling services supplier" does not include the following:

(a) Universities and colleges that are regulated by the Washington state board of community and technical colleges and the higher education coordinating board which train individuals to conduct authorized gambling activities;

(b) Licensed manufacturers or distributors who service and repair pull-tab dispensing devices, bingo equipment or any other authorized gambling equipment;

(c) Attorneys, accountants, and governmental affairs consultants whose primary business is providing professional services that are unrelated to the management or operation of gambling activities; and

(d) Persons that only provide nonmanagement related recordkeeping services for punch board and pull-tab operators, when the combined total gross billings from such services does not exceed twenty thousand dollars during any calendar year.

Administrative Order #436 Effective Date 1/1/2005

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Remove these Updated Rules and insert them into your Rules Manual.

AMENDATORY SECTION

WAC 230-40-120 Limits on wagers in card games.

Social and public card room licensees shall not allow wagering limits set by the commission to be exceeded in any card game. The number and value of wagers in card games are limited as follows:

Nonhouse-banked card games.

(1) Poker:

(a) There shall be no more than five betting rounds in any one game;

(b) The maximum number of wagers in any betting round shall be four, comprised of an initial wager plus three raises; and

(c) The maximum amount of a single wager shall not exceed twenty-five dollars;

(2) Games based on achieving a specific number of points - each point shall not exceed five cents in value;

(3) An ante, except for panguingue (pan), shall not be more than the maximum wager allowed for the first betting round for any game. The ante may, by house rule, be made by one or more players, but the total ante may not exceed the maximum wager allowed for the first betting round. An ante, by house rule, may be used as part of a player's wager;

(4) Panguingue (pan) - the maximum value of a chip for a payoff shall not exceed ten dollars. An ante will not exceed one chip. Doubling of conditions is prohibited. Players going out may collect not more than two chips from each participating player;

House-banked card games.

(5) Licensees authorized to conduct house-banked card games shall not allow a single wager to exceed one hundred dollars, except that such licensees may allow a single wager of up to two hundred dollars on a limited number of tables as follows:

(a) Licensees authorized to operate five tables or fewer may operate one table at the two hundred dollar limit;

(b) Licensees authorized to operate from six to ten tables may operate two tables at the two hundred dollar limit; and

(c) Licensees authorized to operate more than ten tables may operate three tables at the two hundred dollar limit;

(6) A single wager may be made ~~((on))~~ for each ~~((separate element of chance))~~ decision made by the player before additional cards are dealt or revealed. In addition, for blackjack, an additional wager may be placed for doubling down or splitting pairs; and

(7) Bonus wagers for house-banked progressive jackpots shall not exceed one dollar. Bonus wagers with a predetermined prize amount based upon a separate element of chance within the same game shall not exceed the authorized maximum table limits as described in subsection (5) of this section.

AMENDATORY SECTION

WAC 230-40-625 Closed circuit television system--Class F card rooms.

Critical activities related to the operation of a player-supported jackpot (PSJ) and assessment of fees based on amounts wagered (rake method) shall be closely monitored by the use of a closed circuit television (CCTV) system and recorded using analog and/or digital recording equipment. If a licensee is conducting both Class F and house-banked activities, the licensee shall be required to meet the surveillance requirements set forth in WAC 230-40-825. Each Class F card room licensee shall install and maintain a CCTV system that meets the following requirements:

Camera coverage.

- (1) The following areas are required to be viewed by the CCTV system:
 - (a) All gaming at each table including, but not limited to, the:
 - (i) Cards;
 - (ii) Wagers;
 - (iii) Chip tray;
 - (iv) Drop box openings; and
 - (v) Players and dealers.
 - (b) All activity in the count room or count area including, but not limited to, the:
 - (i) Count table;
 - (ii) Floor;
 - (iii) Drop boxes; and
 - (iv) Drop box storage shelves/cabinets.

Camera requirements.

- (2) The CCTV system shall consist of light sensitive cameras that have the ability to determine card and chip values at each gaming table. Each video camera shall be capable of having its images displayed on a video monitor and recorded. Cameras shall be installed in a manner that will prevent them from being readily obstructed, tampered with, or disabled by patrons or employees. Installed cameras shall cover the areas required by this rule and shall include, at a minimum, the following:
 - (a) At least one fixed camera focused over each gaming table covering the entire layout;
 - (b) At least one fixed camera focused over the dealer area covering the chip rack, all drop box openings, and the community card area;
 - (c) At least one fixed or pan, tilt, and zoom (PTZ) camera permanently programmed for the purposes of monitoring players and dealers at each gaming table. This camera must be capable of viewing each patron and dealer at each gaming position at least once every five minutes;
 - (d) A sufficient number of fixed and/or PTZ cameras in the cage only if the count process is conducted there;
 - (e) A sufficient number of fixed and/or PTZ cameras in the count area; and
 - (f) Any other location as deemed necessary by commission staff.

Video recording equipment requirements.

- (3) Video recording equipment shall meet the following requirements:

(a) **Analog recording**, including audio recording where required, using a video cassette recorder, shall comply with the following requirements:

(i) Images shall be recorded at a rate of not less than twenty frames per second on standard VHS format; and

(ii) Recorded images shall accurately reflect the time and date of the video recording. If multiple time and date generators are used, they shall be synchronized to the same time and date; or

(b) **Digital recording**, including audio recording where required, using a ((hard drive)) digital storage system, shall comply with the following requirements:

(i) All images shall be recorded on a hard drive;

(ii) Recording systems shall be locked ((by the manufacturer to disable)) so that access to the erase and reformat functions ((to prevent access to)), and system data files is restricted to persons authorized in the internal controls;

(iii) The system must provide uninterrupted recording of surveillance((, this shall include)) during playback or copying: Provided, That motion-activated recording may be used;

(iv) Recording systems shall be capable of copying original images maintaining the original native format;

(v) Images shall be stored at a rate of not less than twenty-five images per second;

(vi) ((Resolution shall be)) Images shall be recorded at a minimum resolution of 320 x 240 and displayed during playback at a minimum resolution of 640 x 480 ((or higher));

(vii) Images shall be stored in a format that is readable by commission computer equipment;

(viii) Images shall be stored in a format that ((contains a method to verify the authenticity of the original recording and copies)) can be verified and authenticated by commission staff;

(ix) Recorded images shall include the accurate time and date the video was originally recorded;

(x) Previously recorded material may be overwritten after seven continuous days of gaming; and

(xi) Recording systems shall be equipped with an uninterruptible power source to allow a proper system shutdown.

~~((Use of))~~ **Multiplexing and quad recording devices.**

(4) Multiplexing(~~(/)~~) and quad recording devices may ((only)) not be used for ((external)) required surveillance((, movement of drop boxes between tables and the count room, and on entrances and exits: Provided, That split screen devices may be utilized for areas not required to have surveillance coverage)).

(a) **Multiplex recording** means combining multiple video inputs into a single signal by quickly cycling through the separate video inputs (i.e., the view rotates among different cameras) in a predetermined order, recording each video input sequentially in the cycle. Multiplex recording does not provide continuous recording of each video input and the amount of time lapse is dependant upon the number of video inputs in the sequence.

(b) **Quad recording** means four separate video inputs which are continuously recorded and combined into a single signal displayed on one monitor with a view of each video input.

Recording of illegal or suspicious activities.

(5) Illegal or suspicious activities within the monitored portion of the licensed premises shall be reported to commission staff, pursuant to WAC 230-40-815 (3)(a)(v) through (vi). Additionally, licen-

(Continued on page 18)

(Continued from page 17)

sees shall ensure two copies of the entire recorded image sequence are made reflecting the questioned activity. One copy shall be provided to commission staff or other law enforcement representatives upon demand and the other copy maintained by the licensee for a period of thirty days.

Activities to be recorded.

- (6) Video signals from all cameras shall be recorded when:
- (a) Gaming tables are in operation;
 - (b) Drop boxes or chip trays are stored on the gaming tables;
 - (c) Drop boxes are being transported; or
 - (d) Drop box contents are being counted.

Surveillance activity log.

- (7) The licensee shall maintain a record of all surveillance activities in the surveillance room. A surveillance log shall be maintained by surveillance personnel and shall include, at a minimum, the following:
- (a) Date and time of surveillance;
 - (b) Person initiating surveillance;
 - (c) Time of termination of surveillance;
 - (d) Summary of the results of the surveillance; and
 - (e) A record of any equipment or camera malfunctions.

Employee sign-in log.

- (8) A surveillance room sign-in log shall be maintained to document the time each surveillance employee monitors the card room. The surveillance sign-in log shall be available for inspection at any time by commission staff or law enforcement personnel.

Labeling and storing video and audio recordings.

- (9) Video and audio recordings shall be marked to denote the activity recorded and retained for a period necessary to afford commission staff or law enforcement personnel reasonable access. The following minimum retention periods apply to recordings:
- (a) Recordings shall be retained for a minimum of seven complete gaming days.
 - (b) Recordings of evidentiary value shall be maintained as requested by commission staff; and
 - (c) Tapes documenting jackpot payouts of five hundred dollars or more shall be retained for at least thirty days; and
 - (d) Commission staff may increase any of the retention requirements noted in this section by notifying the licensee.

Dispute resolution.

- (10) In the event there is not sufficient clarity due to violations of the above requirements, the burden will be on the licensee to prove any action taken was warranted. Otherwise, all disputes shall be resolved in favor of the player: Provided, That a review by commission staff may be requested if the licensee feels circumstances warrant, for example, cheating has occurred.

AMENDATORY SECTION

WAC 230-40-825 Closed circuit television system--House-banking.

Critical activities related to the operation of house-banked card games shall be closely monitored by the use of a closed circuit television (CCTV) system and recorded using analog and/or digital recording equipment. Each house-banked card room licensee shall install and maintain a CCTV system that meets the following requirements.

Camera coverage.

- (1) The following areas are required to be viewed by the CCTV system:
 - (a) All gaming at each table including, but not limited to, the following:
 - (i) Cards;
 - (ii) Wagers;
 - (iii) Chip tray;
 - (iv) Drop box openings;
 - (v) Card shoe;
 - (vi) Shuffling devices; and
 - (vii) Players and dealers.
 - (b) All activity in the pits.
 - (c) All activity in the cashier's cage including, but not limited to, the:
 - (i) Outside entrance;
 - (ii) Fill/credit dispenser;
 - (iii) Customer transactions;
 - (iv) Cash and chip drawers;
 - (v) Vault/safe;
 - (vi) Storage cabinets;
 - (vii) Fill or credit transactions; and
 - (viii) Floor.
 - (d) All activity in the count room including, but not limited to, the:
 - (i) Count table;
 - (ii) Floor;
 - (iii) Counting devices;
 - (iv) Trolley;
 - (v) Drop boxes;
 - (vi) Storage shelves/cabinets; and
 - (vii) Entrance and exits.
 - (e) The movement of cash, gaming chips, and drop boxes.
 - (f) Entrances and exits to the card room.

Camera requirements.

(2) The CCTV system shall consist of light sensitive cameras including those with pan, tilt, and zoom (PTZ) capabilities having the ability to determine card and chip values and the configuration of wagers at each gaming table. Each video camera shall be capable of having its images displayed on a video monitor and recorded. Cameras shall be installed in a manner that will prevent them from being readily obstructed, tampered with, or disabled by patrons or employees. PTZ cameras shall be placed behind a smoked dome, one-way mirror or similar materials that conceal the camera from

areas required by this rule and shall include at a minimum:

- (a) At least one fixed camera focused over each gaming table covering the entire layout;
- (b) A sufficient number of fixed and/or PTZ cameras permanently programmed for the purposes of monitoring players and dealers at each gaming table. The PTZ cameras must be capable of viewing each patron and dealer at each gaming position at least once every five minutes;
- (c) A sufficient number of PTZ cameras for the purpose of determining the configuration of wagers and card values at each gaming table. Any time a winning wager, including jackpot or bonus payouts in excess of five hundred dollars are won, surveillance shall utilize this camera to verify the winning hand, the amount of the wager, and the player who won the prize. Each licensee shall have documented procedures in their internal controls stipulating the manner in which this will be carried out;
- (d) A sufficient number of fixed and/or PTZ cameras in the cage(s);
- (e) A sufficient number of fixed and/or PTZ cameras in the count room; and
- (f) Any other location as deemed necessary by commission staff.

Video recording equipment requirements.

(3) Video recording equipment shall meet the following requirements:

(a) **Analog recording**, including audio recording where required, using a video cassette recorder, shall comply with the following requirements:

(i) Images shall be recorded at a rate of not less than twenty frames per second on standard VHS format; and

(ii) Recorded images shall accurately reflect the time and date of the video recording. If multiple time and date generators are used, they shall be synchronized to the same time and date; or

(b) **Digital recording**, including audio recording where required, using a ~~((hard drive))~~ digital storage system, shall comply with the following requirements:

(i) All images shall be recorded on a hard drive;

(ii) Recording systems shall be locked ~~((by the manufacturer to disable))~~ so that access to the erase and reformat functions ((to prevent access to)), and system data files is restricted to persons authorized in the internal controls;

(iii) The system must provide uninterrupted recording of surveillance, ~~((this shall include))~~ during playback or copying: Provided, That motion-activated recording may be used;

(iv) Recording systems shall be capable of copying original images maintaining the original native format;

(v) Images shall be stored at a rate of not less than twenty-five images per second;

(vi) ~~((Resolution shall be))~~ Images shall be recorded at a minimum resolution of 320 x 240 and displayed during playback at a minimum resolution of 640 x 480 ((or higher));

(vii) Images shall be stored in a format that is readable by commission computer equipment;

(viii) Images shall be stored in a format that ~~((contains a method to verify the authenticity of the original recording and copies))~~ can be verified and authenticated by commission staff;

(ix) Recorded images shall include the accurate time and date the video was originally recorded;

(x) Previously recorded material may be overwritten after seven continuous days of gaming; and

(xi) Recording systems shall be equipped with an uninterruptible power source to allow a proper system shutdown.

~~((Use of))~~ Multiplexing and quad recording devices.

(4) Multiplexing~~((/))~~ and quad recording devices may ((only)) not be used for ((external)) required

the following circumstances:

(a) Multiplexing or quad recording devices may be used on entrances and exits; and

(b) Quad recording devices may be used to record the movement of drop boxes between tables and the count room.

Multiplexing and quad recording devices defined.

(c) **Multiplex recording** means combining multiple video inputs into a single signal by quickly cycling through the separate video inputs (i.e., the view rotates among different cameras) in a predetermined order, recording each video input sequentially in the cycle. Multiplex recording does not provide continuous recording of each video input and the amount of time lapse is dependant upon the number of video inputs in the sequence.

(d) **Quad recording** means four separate video inputs are continuously recorded and combined into a single signal displayed on one monitor with a view of each video input.

Recording of illegal or suspicious activities.

(5) Illegal or suspicious activities within the monitored portion of the licensed premises shall be reported to commission staff, pursuant to WAC 230-40-815 (3)(a)(v) through (vi). Additionally, licensees shall ensure two copies of the entire recorded image sequence are made reflecting the questioned activity. One copy shall be provided to commission staff or other law enforcement representatives upon demand and the other copy maintained by the licensee for a period of thirty days.

Activities to be recorded.

(6) Video signals from all cameras shall be recorded when:

- (a) Gaming tables are in operation;
- (b) Drop boxes or chip trays are stored on the gaming tables;
- (c) Drop boxes are being transported; or
- (d) Drop box contents are being counted.

Video monitors.

(7) The CCTV system shall include a sufficient number of video monitors to simultaneously view multiple gaming tables, the cashier's cage, and count room activities.

Surveillance room.

(8) The licensee shall maintain one or more surveillance rooms with the following minimum requirements:

- (a) The surveillance room shall have controlled access and be used solely by the employees of the surveillance department assigned to monitor activities: Provided, That this restriction does not apply to owners or approved supervisory or management personnel.
- (b) Commission agents and law enforcement personnel shall be provided immediate access to the surveillance room upon request.
- (c) Entrances to surveillance rooms shall not be readily observable from the gaming operation area.
- (d) The licensee shall ensure a surveillance employee is present in the surveillance room and monitoring the activities of the operation, via the surveillance room equipment, any time the card room is

(Continued on page 22)

(Continued from page 21)

open to conduct gaming and during the count process: Provided, That the licensee may allow the surveillance room to operate without staff for a period not to exceed thirty minutes per shift for the purpose of routine breaks.

Surveillance activity log.

(9) The licensee shall maintain a record of all surveillance activities in the surveillance room. A surveillance log shall be maintained by surveillance personnel and shall include, at a minimum, the following:

- (a) Date and time of surveillance;
- (b) Person initiating surveillance;
- (c) Time of termination of surveillance;
- (d) Summary of the results of the surveillance; and
- (e) A record of any equipment or camera malfunctions.

Employee sign-in log.

(10) A surveillance room sign-in log shall be maintained to document the time each surveillance employee monitors the card room. The surveillance sign-in log shall be available for inspection at any time by commission staff or law enforcement personnel.

Labeling and storing video and audio recordings.

(11) Video and audio recordings shall be marked to denote the activity recorded and retained for a period necessary to afford commission staff or law enforcement personnel reasonable access. The following minimum retention periods apply to recordings:

- (a) Recordings shall be retained for a minimum of seven complete gaming days;
- (b) Recordings of evidentiary value shall be maintained as requested by commission staff; and
- (c) Tapes documenting jackpot payouts over three thousand dollars shall be retained for at least thirty days; and
- (d) Commission staff may increase any of the retention requirements noted in this section by notifying the licensee.

Dispute resolution.

(12) In the event there is not sufficient clarity due to violations of the above requirements, the burden will be on the licensee to prove any action taken was warranted. Otherwise, all disputes shall be resolved in favor of the player: Provided, That a review by commission staff may be requested if the licensee feels circumstances warrant, for example, cheating has occurred

2005 Commission Meeting Schedule

January 13th & 14th	DoubleTree Guest Suites 16500 Southcenter Parkway Seattle, WA 98188 – (206) 575-8220
February 10th & 11th	Red Lion Hotel - Olympia 2300 Evergreen Park Drive Olympia, WA 98502 – (360) 943-4000
March 10th & 11th	DoubleTree Guest Suites - TENTATIVE 16500 Southcenter Parkway Seattle, WA 98188 – (206) 575-8220
April 14th & 15th	Sheraton Tacoma Hotel - TENTATIVE 1320 Broadway Plaza Tacoma, WA 98402 – (253) 572-3200
May 12th & 13th	Red Lion Hotel at the Park 303 W. North River Drive Spokane, WA 99201 -- (509) 326-8000
June 9th & 10th	LaConner Maple Hall 108 Commercial Street LaConner, WA 98257 Lodging at the Country Inn (360) 466-3101
July 14th & 15th	No Meeting!
August 11th & 12th	The Heathman Lodge 7801 NE Greenwood Drive Vancouver, WA 98662 – (360) 254-3100
September 8th & 9th	Red Lion Hotel Pasco 2525 N. 20 th Avenue Pasco, WA 99301 – (509) 544-3910
October 13th & 14th	Vancouver Area—Location to be Announced
November 17th & 18th	DoubleTree Guest Suites 16500 Southcenter Parkway Seattle, WA 98188 – (206) 575-8220
December	No Meeting!

**Our Mission:
Protect the Public By Ensuring that Gambling is Legal and Honest.**

For Operational or Regulatory Questions, please call our field office closest to you.

Bellingham (360) 738-6203	Spokane (509) 329-3666
Everett (425) 339-1728	Tacoma (253) 471-5312
Kennewick (509) 734-7412	Wenatchee (509) 665-3300
Renton (425) 277-7014	Yakima (509) 575-2820

**Headquarters – Lacey
(800) 345-2529 (360) 486-3440 TDD: (360) 486-3637**

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Washington State Gambling Commission

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