

## Electronic Pull-Tab Dispensing Devices



A proposed rule change to no longer allow pull-tab dispensing devices that feature slot like video displays and read barcodes on pull-tabs was filed for discussion at the October 2007 Commission meeting. At the meeting, the Commission asked staff to work with the industry to develop an alternative that would clarify requirements for the dispensers. If you would like to comment on this proposed rule change, please see page 7.



There are two different types of video pull-tab dispensing devices that open and/or read encoded data on a pull-tab, Gold Crown and the VIP dispensing devices. These machines were approved by the Commission in 1997 and are being operated at pull-tab licensees. ZDI is licensed and manufactures the VIP device. In 2004, ZDI petitioned for a rule change to allow pull-tabs to be stored electronically on a CD in the dispensing device in lieu of the actual paper pull-tab. The Commission voted not to file this petition.

Then in September 2005, ZDI filed a petition for a declaratory ruling with the Commission seeking approval to add a gift card acceptor to the dispensing device to allow players to purchase pull-tabs and for prizes under \$20 to be awarded as additional credits on the gift card.

*(Continued on page 7)*

## Renewing Your License Reinstatement Period No Longer Allowed

By: Philette Hamakua-Ling, Licensing Supervisor

The New Year is soon upon us and with the New Year comes changes you need to be aware of. Currently, you can submit a renewal application 14 days after your license expires. Next year, the 14 day reinstatement period will be going away completely.

*(Continued on page 5)*

# Focus on Gambling

### Commissioners

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Peggy Ann Bierbaum, Vice Chair  
John Ellis  
Alan Parker  
Keven Rojecki

### Ex-Officio Members

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Senator Jerome Delvin  
Representative Geoff Simpson  
Representative Richard Curtis

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## **New Ex-Officio Members Appointed**



Richard Curtis (18<sup>th</sup> District) was appointed as an Ex-Officio member of the Gambling Commission in January 2007.

Representative Curtis is a New Mexico native and second-term state representative; Mr. Curtis and his family make their home in La Center. He replaces Representative John Serben (6<sup>th</sup> District).



Geoff Simpson (47<sup>th</sup> District) was appointed as an Ex-Officio member of the Gambling Commission in June 2007.

Representative Simpson is a professional fire fighter and lives in Covington. He replaces Representative Alex Wood (3<sup>rd</sup> District).

Ex Officio members act as liaisons to the rest of the legislature on gambling issues. They only vote on tribal/state gaming compacts and amendments to compacts.

## **Rules Simplification Project Training**

By: Susan Blanchett, Special Agent Supervisor, Southwest Region Field Office

The rules simplification project is winding down. We have rewritten all of our rules to be easier to use and to understand by using “plain language.” In total, we have reduced the number of words in the rules by more than 63,700 words or thirty-seven percent!

The new, simplified manual will be mailed to licensees in January 2008. Optional training sessions will be conducted by agency staff in November to help you understand the substantive rule changes and the new format of the rules manual.

House-banked card games will not be covered in these sessions. If you have a house-banked card room license, you do not need to attend these sessions as your training will be conducted on site by your field agent. During this training you will learn:

- How the new manual is different from the old one;
- The new format of the manual;
- Which rules have been removed;
- Which rules have been added; and
- Any important changes to the rules.

The training sessions, which should last about an hour, will be conducted at multiple locations across the state. The training schedule is on page 3. You may attend any session without making a reservation. We hope you will join us!

## Rules Simplification Project Training Schedule

Date	Location	Class Start Time
Nov. 5	Dept. of Transportation 900 East Selah Road Yakima, WA 98901	9:00 a.m.
Nov. 6	Spokane Public Library- Main Auditorium 906 W. Main Spokane, WA 99201	1:30 p.m.
Nov. 13	Shoreline Conference Center Ballinger Room 18560 1 <sup>st</sup> Ave N.E. Shoreline, WA 98155	1:30 p.m.
Nov. 16	South Park Community Center Studio Room 4851 So. Tacoma Way Tacoma, WA 98409	9:00 a.m.
Nov. 20	Renton Community Center Banquet Room 1715 Maple Valley Hwy Renton, WA 98057	12:30 p.m.
Nov. 26	Cowlitz County P.U.D. Auditorium 961-12 <sup>th</sup> Avenue Longview, WA 98632	9:00 a.m.

## Applicants Can Now Be Fingerprinted in our Lacey Office

By: Tina Griffin,  
Tribal Certification Program Manager

Beginning September 18, 2007, applicants for a gambling license can now be fingerprinted at our Lacey office. We are offering this service so you don't have to go to a local law enforcement agency to get fingerprints.



Fingerprinting services are available Tuesday through Friday from 9 a.m. to 4:30 p.m. We charge \$13 for each person being fingerprinted. The fee is non-refundable and must be paid before you get fingerprinted. Please have the exact amount, \$13, in cash or check. We do not accept credit or debit cards. You will be asked to show photo identification.

Individual license applicants (dealers, managers, representatives, etc.) must drop off their application for a gambling license when they get fingerprinted. If you are part of an organization or business, you must know the license number for the entity you are associated with.

We will not fingerprint you if your hands are bleeding, have open wounds, or if any of your fingers are bandaged. It takes approximately 20 minutes to get fingerprinted. Neither the fingerprints nor the results will be returned to you.

Only the person being fingerprinted is allowed in the fingerprinting room. Children are not allowed in the fingerprinting room and must be supervised at all times. Commission staff will not be able to supervise your children while you are being fingerprinted.

We are located at 4565 7<sup>th</sup> Avenue Southeast, Lacey, Washington 98503. If you have questions, please call us in-state toll free at 800.345.2529, or 360.486.3440, or e-mail TinaG@wsgc.wa.gov.

# Businesses Operating at the Correct License Class

By: Jessica Quiles, Customer Service Specialist

The Commission recognizes how important licensing fees are to you. Every business (commercial or charitable/nonprofit) and individual employee involved in the gambling industry is affected by the laws and rules governing how these fees are handled.

The following outlines how a business can maintain a proper license class and how to upgrade a license, when required. It also explains how and when businesses and individuals may receive a partial refund of license fees.

## Monitoring your Business License Class

Businesses must operate within their license class. You are responsible for monitoring your level of gross gambling receipts. If gross gambling receipts calculations show you will likely exceed your license class before your license year ends, you must immediately upgrade your license. This way you'll avoid paying an exceeding class penalty.

## How to Upgrade your Business License Class

If you properly upgrade your license you will remain in compliance with gambling rules. You must upgrade your license to the class level of your anticipated gross gambling receipts.

Complete the License Upgrade form posted on our website at [www.wsgc.wa.gov/Forms/Applications/Miscellaneous](http://www.wsgc.wa.gov/Forms/Applications/Miscellaneous) and have the owner, LLC manager, or corporate president sign it. Send the form along with the fee difference between the old and new license class (fee schedule located in WAC 230-04-202 or 230-04-203), plus a \$26 application fee to the address at the end of this article.

## Activity Report Due Dates

With the exception of Bingo (class D and above) and licensees that report annually (raffles, amusement games, etc.) all activity reports are due twice a year:

1<sup>st</sup> and 2<sup>nd</sup> quarters are due July 30

3<sup>rd</sup> and 4<sup>th</sup> quarters are due January 30

This means some licensees may not be required to report their earnings for several months after their license expires. If you find you went over your license class during your previous license year, you will need to upgrade immediately and not wait until your report is due. If you wait until your report is due to upgrade your previous year's license, you may have to pay an exceeding class penalty.

## Refunds

### Businesses

What happens if you don't reach your license class? If a review of gross gambling receipts at the end of your annual license period shows you didn't reach your license class, you may be eligible for a refund of the difference in license class fees. For example, if you held a class C license, but at the end of the year, your gross receipts fell under the class B license, you may be eligible to receive a refund of the difference in license fees between the two license classes.

Your request must be made in writing *after* the end of your current license period, but within one year. You do not need to wait until your activity reports are due; you may complete the refund request form and send it to the address listed at the end of this article.

### Individuals

Individuals, such as card room employees and non-profit gambling managers, are not eligible for a refund if they have performed any of the duties that they were licensed for.

### Applicants

If a license application is denied or withdrawn, a portion of the licensing fee may be refundable. However, you will only receive a refund if there is money left over after our costs to process and investigate your application are paid for from the fee (RCW 9.46.070(5)). This applies to both businesses and individuals.

### No Refunds

You will not receive a refund if you:

1. Discontinue your business; or
2. Voluntarily surrender your license; or
3. Have your license suspended, revoked, or otherwise cancelled.

If a proper refund request is submitted, you'll receive a letter stating the refund dollar amount and an estimated date you'll receive it. For questions, please call us in-state toll free at 800.345.2529; or 360.486.3440; or e-mail [RobertaC@wsgc.wa.gov](mailto:RobertaC@wsgc.wa.gov).

### Mailing Address

WSGC

Attn: Licensing Operations Division

PO Box 42400

Olympia WA 98504-2400

## Card Room Barring List

Yakima Field Team

There are no rules requiring card room operators to maintain a customer barring list. However, many card room operators are maintaining a list of customers who have been either long term or permanently barred.

Patrons are placed on a barring list for a variety of reasons, including disruptive behavior and writing NSF checks. At times, problem gamblers will voluntarily request to be barred "self-barring".

Suggested information on a barring list includes the name of the customer, their date of birth, the reason barred, the date added to the list, and the duration of the bar.

If the patron is barred because of suspicious activity, you should complete an incident report, and depending on the situation, notify your local gambling agent.

If you are maintaining a barring list, let your staff know about it and the procedures they need to follow to prohibit customers on the list from gambling.

If a person requests to be barred for problem gambling reasons, you should refer them to the Washington State Council on Problem Gambling at 800.547.6133.



## Renewing Your License Continued

*(Continued from page 1)*

Beginning January 1, 2008, you must have your properly completed renewal application and fees to us at least 15 days **before** your license expires.



You will no longer have 14 days after your license expires to submit a renewal application and renewal fees. The 15 days gives us time to process your renewal application and for you to receive a new license in the mail.

It is your responsibility to make sure you have a current license in your possession at all times. If your license expires before you receive a new license, you must not operate any gambling activity until a new license is in your possession.

If you allow your license to expire, you must submit a new application and fees for a new license (rather than a renewal application and renewal fees).

We will continue to mail your renewal notice and application at least 45 days before your license expires. The renewal application will have a due date, which will be 15 days before your license expires. Applications received by this due date will ensure you have a new license before your current license expires.

If you have questions, please contact Licensing Operations in-state toll free at 800.345.2529 or 360.486.3440.

## Recently Adopted Rule Changes

### **Card Games - Petition for Rule Change** WAC 230-40-010 Effective 1/1/08

Shuffle Master's request to increase the number of games that can be played within a single hand of cards from two to three was approved.

### **Pull-Tabs – Petition for Rule Change** WAC 230-30-080 Effective 1/1/08

The Washington Charitable and Civic Gaming Association's request to increase pull-tab payouts from \$750 to \$2,500 and the tab count from 10,000 to 25,000 was approved.



### **Pull-Tabs**

#### **Petition for Rule Change**

WAC 230-30-045 Effective 8/16/07

The Washington Charitable and Civic Gaming Association's request to increase carry-over jackpot pull-tab payouts from \$2,000 to \$5,000 and the tab count from 6,000 to 10,000 was approved.

### **Amusement Game Target Area - Staff Proposal**

WAC 230-20-508, WAC 230-20-650  
Effective 1/1/08

A definition of "four square inches" was added to the rule to ensure the size of the target areas in coin/token toss amusement games allows players a fair chance to win.

### **Bingo – Petition for Rule Change** WAC 230-20-102 Effective 8/16/07



Tacoma American Veterans Bingo's request that bingo licensees no longer be required to record the address of winners of cash or merchandise bingo prizes of \$20 or less was approved. Licensees now have the option to record bingo winners, both cash and merchandise, under \$20 on a prize log, rather than on a separate prize receipt.

### **Bingo-Petition for Rule Change** WAC 230-20-244 Effective 1/1/08

The Washington Charitable and Civic Gaming Association's request that paper bingo cards, for electronic bingo card daubers, no longer be distributed to players was approved. Bingo cards can now be printed, placed in a master index at the bingo operation and made available upon request.

### **Chip Destruction - Staff Proposal** WAC 230-40-817 Effective 1/1/08

This new rule will help control logo chips when a card room closes or needs to dispose of logo chips. The new rule will require the following to be included in a card room's Internal Controls:

- Chip destruction log;
- Method of destruction;
- Designate the departments responsible for overseeing chip destruction. At least one licensed employee must be from the accounting department; and
- Procedures to be followed if the licensee's chip inventory becomes obsolete (i.e. card room changes its name, or its license is revoked, expired, or voluntarily surrendered).

## Petitions for Rule Change Denied

### **Card Games - Petition for Rule Change** WAC 230-40-800

A licensed card room employee's request to deal Pai Gow games by hand, rather than from a shoe was denied.

### **Amusement Games - Petition for Rule Change** WAC 230-20-685

Nickels and Dimes, Inc., a licensed amusement game operator, request to increase wager limits for amusement games from \$0.50 to \$2.00 was denied.

## How to Comment on Proposed Rule Changes

If you would like to comment on a proposed rule change under review, you are encouraged to attend a Commission meeting. If you can't attend a meeting, please send your comments to:

Washington State Gambling Commission  
Attention: Rules Team  
P.O. Box 42400, Olympia, WA 98504;  
or E-mail: [Rulesteam@wsgc.wa.gov](mailto:Rulesteam@wsgc.wa.gov)



For detailed information about proposed rule changes, visit our website at [www.wsgc.wa.gov](http://www.wsgc.wa.gov) and select Public Meetings, October 2007, Commission meeting. For a brief outline of proposed and adopted rule changes select Rules and Laws, Rules under Review.

## Electronic Pull-Tab Dispensing Devices Continued

*(Continued from page 1)*

In 2006, an Administrative Law Judge and the Commission found that such a device did not meet WAC requirements.

ZDI appealed the Commission's ruling that ZDI's device did not meet WAC requirements to Thurston County Superior Court. On August 17, 2007, the Superior Court issued an order approving the gift card technology and remanding the case back to the Commission for action in compliance with the order. The judge also entered a finding of fact that "the VIP display is intentionally designed to emulate a video slot machine."

In 2006, ZDI filed a separate Petition for Rule Change to allow punch board or pull-tab winnings to be paid in the form of a gift certificate or gift card if the prize was \$20 or less. ZDI also requested that players be able to use gift certificates and gift cards to participate in gambling activities.

As a result, Commissioners expressed concerns about the potential impact of the court's ruling. Staff was asked to bring these amendments forward to start a discussion on whether these electronic video pull-tab dispensing devices:

1. Are consistent with the Commission's legislative authorization to define a pull-tab game.
2. Are consistent with the original authorizing rules.
3. Authorized by the court increase the possibility of an unintentional expansion of electronic machine gambling in Washington.

## These Proposed Changes will be up for Final Action at the November 16, 2007, Commission meeting.

Forward your comments by November 5, 2007, to the address at the left of the page.

### License Fee and ID Stamp Fee Increase

The proposed change will increase license fees by approximately 5% beginning December 31, 2007.

### Minimum Bankroll for House-Banked Card Rooms

This new rule would require house-banked card rooms to maintain a minimum amount of cash in their cage before opening for the business day.

House-banked card rooms would need to have the following amount of cash in their cage before opening the card room:

1. \$1,000 for each table licensed to operate; plus
2. The amount of the largest prize available, but not more than \$20,000.



For example: A house-banked card room that is licensed for 15 tables and its largest single prize is \$23,000 is required to have at least \$35,000 in their cage before opening for the business day ( $15 \times \$1,000 = \$15,000 + \$20,000 = \$35,000$ ).

There is a **penalty** for not turning in your report on time. The penalty ranges from a warning letter, a Notice of Violation and Settlement, or Administrative Charges for suspension or revocation of your license. Questions? Contact Financial Reporting at 800-345-2529, ext.3476 or ext. 3477.

**ACTIVITY REPORT DUE DATES**

**1<sup>st</sup> and 2<sup>nd</sup> quarters July 30**

**3<sup>rd</sup> and 4<sup>th</sup> quarters January 30**

**Late Activity Reporting**

A Statement of Administrative Charges was issued to the following licensees.

By: Haila Silvertrees, Paralegal, Communications and Legal Division

<b>Name</b>	<b>Violation</b>	<b>Case Outcome</b>
Bob's Rubattino Restaurant, Renton	Failure to submit its Punchboard/Pull-Tab Activity Report for the third and fourth quarters of 2006.	The licensee agreed to a 15-day suspension, with three days deferred for two years, and 12 days vacated by a fine and costs totaling \$1,300.
China Sea, Des Moines	Failure to timely submit its Punchboard/Pull-Tab Activity Report for the third and fourth quarters of 2006. This also violated a previous Settlement Order.	The licensee agreed to a 30-day suspension, with ten days deferred for two years, and 20 days served. In addition, the licensee agreed to serve eight days that were deferred from the previous Settlement Order.
Golden Pheasant Café & Lounge, Shelton	Failure to timely submit its Punchboard/Pull-Tab Activity Report for the third and fourth quarters of 2006, despite previously entering into two Settlement Orders for the same violation.	The Administrative Law Judge (ALJ) issued an Initial Order revoking Golden Pheasant's license.
Sharkeys Pub, Sumner	Failure to timely submit its Punchboard/Pull-Tab Activity Report for the third and fourth quarters of 2006. This also violated of a previous Settlement Order.	The licensee agreed to a 30-day suspension, with ten days deferred for two years, and 20 days vacated by a fine and costs totaling \$1,500.
White Spot Tavern, Tacoma	Failure to timely submit its Punchboard/Pull-Tab Activity Reports for all four quarters of 2006.	The licensee agreed to a 15-day suspension, with three days deferred and 12 days vacated by a fine and costs (which included scheduling an administrative hearing) totaling \$1,600.

## Administrative Case Update

By: Haila Silvertrees, Paralegal, Communications and Legal Division

Name	Violation	Case Outcome
Skyway Park Bowl Restaurant & Lounge, Seattle	Allowed a minor to participate in a card game. Previously staff issued a NOVAS to the licensee for the same violation.	The licensee agreed to a five-day suspension, with four days deferred and one day vacated by a fine in the amount of \$500.
Bally Technologies, Manufacturer, Las Vegas	Allowed a representative to work with an expired license.	The licensee agreed to a one-day suspension, vacated by a fine and costs of \$987.
China Clipper, Applicant, Shoreline	Conducted punchboard/pull-tab activity while using an invalid license held by the previous owners. The applicant also failed to submit supplemental information related to its new application for a license.	The applicant agreed to withdraw its application.
Runner Runner, Service Supplier, Okanogan	Failure to provide sufficient cash for The Club to pay prizes.	The ALJ issued an Initial Order for a 14-day suspension.
Thunderbird Casino & Lounge, Yakima	Failure to timely submit its financial statement.	The licensee agreed to a 15-day suspension, with 13 days deferred for one year and two days vacated by a fine and costs in the amount of \$6,433.
Café Donna, Spokane	Failure to upgrade its punchboard/pull-tab license and to pay the associated exceeding class fee for the year between 2005 and 2006.	The licensee agreed to a five-day suspension, and agreed to pay the exceeding class fee of \$1,166.
E & J Reyes Subic Bay Restaurant, Applicant, Bremerton	Operating without a valid license.	The Applicant agreed (after obtaining licensure) to a 30-day suspension, with ten days deferred for two years, 13 days vacated by a fine, costs totaling \$5,506, and seven days served.
Robert Barker, Card Room Employee (CRE), (employed by Westside Lanes Restaurant & Lounge), Olympia	Criminal History.	The ALJ issued an Initial Order revoking Mr. Barker's license.

## Administrative Case Update

By: Haila Silvertrees, Paralegal, Communications and Legal Division

Name	Violation	Case Outcome
Ryan S. Daniels, CRE, (formerly employed by Freddie's Club of Fife), Fife	Criminal History.	The ALJ issued an Initial Order revoking Mr. Daniels' license.
Charles C. Jarrett, CRE, (employed by Great American Casino/Tukwila), Seattle	Criminal History.	The ALJ issued an Initial Order revoking Mr. Jarrett's license. Mr. Jarrett filed a Petition for Review. The Commission overturned the Initial Order and suspended Mr. Jarrett's license until his license expires.
Donald E. Knutson, Class III employee, (employed by Puyallup Tribe of Indians), Puyallup	Criminal History.	The certified employee surrendered his Class III certification.
Monica N. Nguyen, CRE, (employed by Silver Dollar Casino/SeaTac), SeaTac	Criminal History.	The ALJ issued an Order of Dismissal with Prejudice.
Manuel Rocha, CRE (formerly employed by Casino Caribbean), Yakima	Criminal History.	The ALJ issued an Order revoking license.
Matthew T. Schindler, CRE, (formerly employed by 11th Frame Restaurant & Lounge), Bremerton	Criminal History.	The ALJ issued an Initial Order revoking the license.
Dawn I. Soulinh, Class III employee, (employed by Shoalwater Bay Tribe), Raymond	Criminal History.	The licensee agreed to a 14-day suspension.
Frank S. Nakayama, CRE, (employed by Ringo's Little Vegas Casino), Spokane Valley	Member of career offender cartel. The association is inimical to the proper operation of gambling.	The licensee agreed to surrender his license.
Tracy M. Fugate, CRE, (formerly employed by Crazy Moose Casino), Mountlake Terrace	Placed additional bet after play began.	The licensee agreed to surrender her license.

## Administrative Case Update

By: Haila Silvertrees, Paralegal, Communications and Legal Division

Name	Violation	Case Outcome
Fay Lee, CRE, (formerly employed by Royal Casino), Kent	Set aside a portion of a player's winning wager and dropped it in his tip box.	The licensee did not respond to charges, and a default order was entered.
John Ford, CRE, (formerly employed by Iron Horse Casino), Auburn	Theft of chips worth \$100 each.	The licensee did not respond to charges, and a default order was entered revoking his license.
Brian A. Long, CRE, (formerly employed at Classic Rock Casino), Spokane	Theft of \$100.	The ALJ issued an Initial Order revoking Mr. Long's license.
Robert L. Pacheco, Class III employee, (formerly employed by Muckleshoot Indian Tribe), Auburn	Allegedly took a ticket worth \$118.10.	The certified employee did not respond to charges, and a default order was entered revoking his certification.
Dave G. Swyter, CRE, (formerly employed at Ringo's Little Vegas, and Classic Rock Casino), Spokane	Theft of \$104.	The ALJ issued an Initial Order revoking Mr. Swyter's license. Mr. Swyter filed a Petition for Review of the Order, which the Commissioners upheld. Mr. Swyter also filed a Petition for Reconsideration, which the Commissioners denied. Mr. Swyter then filed a Petition for Declaratory Order, which was denied. Mr. Swyter next filed a Petition for Reconsideration on the Final Order Denying the Petition for Declaratory Order, which was also denied.
Derek Vanweerdhuizen, CRE, (formerly employed by Chips Casino & The Palace), La Center	Took money from unsecured drop boxes.	The licensee did not respond to charges, and a default order was entered.
Marcus C. Matthews, CRE, (formerly employed by Happy Days Casino), Lakewood	Unauthorized use of credit card, charged \$800.	The licensee did not respond to charges, and a default order was entered.

## Administrative Case Update

By: Haila Silvertrees, Paralegal, Communications and Legal Division

<b>Name</b>	<b>Violation</b>	<b>Case Outcome</b>
Kathy R. Douglas, Class III employee, (formerly employed by Swinomish Indian Tribal Community), Anacortes	Allegedly used approximately \$8,500 of Tribe's assets for personal benefit.	The certified employee surrendered her Class III certification.
Christine D. Knott, Class III employee, (formerly employed by Swinomish Indian Tribal Community), Anacortes	Allegedly used approximately \$1,510 of Tribe's assets for personal benefit.	The certified employee surrendered her Class III certification.
Brian L. Wilbur, Class III employee, (formerly employed by Swinomish Indian Tribal Community), Anacortes	Allegedly used approximately \$6,138 of Tribe's assets for personal benefit.	The certified employee surrendered his Class III certification.
Nga T. Tran, CRE, (formerly employed at Silver Dollar Casino/Renton and Benny's Riverside Inn/Tukwila), Renton	Used marked cards to cheat card room while employed as a floor supervisor.	A Summary Suspension was served, but Ms. Tran did not respond. A default order was entered, and Ms. Tran submitted a Petition for Reconsideration, which the Commission denied.

## AMENDATORY SECTION

**WAC 230-20-102 Bingo prizes--Record of winners.**

All payments of prizes for bingo games shall be accounted for and documented in a manner that affords independent verification of the amount paid and the fact of distribution to winners: Provided, That Class A and B bingo licensees, organizations conducting bingo under the provisions of RCW 9.46.0321, and bingo activities conducted at a qualified agricultural fair are exempt from all portions of this rule if the requirements of WAC 230-08-015 are followed. Payment of all prizes shall be documented using the following procedures:

(1) A prize receipt shall be completed for each prize awarded at bingo games: Provided, That ~~cash and~~ merchandise prizes with a cost or fair market value of (~~fifteen~~) twenty dollars or less may be receipted on a single log sheet as allowed in subsection (4) of this section. The following minimum information shall be recorded for each prize awarded:

- (a) The date;
- (b) The game number;
- (c) The complete name and address of the winner.

The following provision does not apply to linked bingo prizes: Provided, That an address of the winner is not required if prizes less than twenty dollars or greater than \$300 are paid by check or a combination of cash or check and:

- (i) Checks are drawn on the licensee's gambling bank account;
- (ii) Checks are made payable only to the winner: Provided, That checks for prizes won by players under age eighteen may be made payable to the guardian or immediate family member accompanying the player;
- (iii) The game number and prize receipt number are noted on the check;
- (iv) Checks used are of a type that provides a duplicate copy. The copies become a part of the daily bingo records and must be maintained as such;
- (v) All original checks are returned by the bank to the licensee. Original checks shall be available for inspection upon demand by the commission; and
- (vi) Checks drawn on the licensee's gambling account are not cashed or otherwise redeemed by the licensee or on the licensee's premises.

(d) The dollar amount of the prize or the licensee's cost of noncash prizes;

- (e) A full description of all noncash prizes;
- (f) The check number, if any portion of the prize is paid by check; and
- (g) The initials of the bingo worker making the payout and the cashier making the payment.

(2) Prize receipts shall be consecutively issued in an ascending order. Prize receipts bearing a number below the highest number issued during a session shall be voided and retained with the daily records.

(3) The original of each prize receipt shall be given to the winner and a duplicate copy shall be retained by the licensee as a part of its records for a period of not less than three years.

(4) ~~Cash and~~ merchandise prizes with a cost or fair market value of (~~fifteen~~) twenty dollars or less may be receipted on a (~~merchandise~~) prize receipt log. A separate (~~merchandise~~) prize receipt log shall be maintained for each session used, and retained as a part of the

bingo daily records. At a minimum, the following information must be recorded on the log:

- (a) The date and session;
  - (b) The game number;
  - (c) The complete name of the winner printed;
  - (d) The cost of the prize or fair market value of the prize if donated;
  - (e) A full description of the prize;
  - (f) The initials of the person distributing the prize; and
  - (g) The criteria for awarding the prizes.
- (5) Prize receipts shall be printed by a commercial printer and meet the following standards:
- (a) Manufactured of two-part, self-duplicating paper that provides for an original and a duplicate copy;
  - (b) Imprinted with the name of the licensee and a consecutive ascending number that does not repeat in at least 100,000 occurrences: Provided, That Class E and smaller licensees may utilize receipts that are not imprinted with the licensee's name and which the consecutive number does not repeat in at least 1,000 occurrences; and
  - (c) Provide space for the licensee to record the information required by subsection (1) (~~above~~) of this section.
- (6) All prize receipts purchased or otherwise obtained must be accounted for by the licensee. Prize receipts purchased or otherwise obtained by the licensee shall be documented on a vendor's invoice. This invoice, or a photocopy thereof, shall be maintained on the premises and available for inspection by commission staff. The following information shall be documented on the purchase invoice:
- (a) Name of the vendor;
  - (b) Name of the purchasing organization;
  - (c) Date of purchase;
  - (d) Number of receipts purchased; and
  - (e) The beginning and ending receipt number.
- (7) Licensees may establish an accrued prize fund for any game or set of games that have a progressive prize or offer a jackpot prize if special conditions are met during the game. Contributions to the accrued prize fund shall be treated as prizes awarded during the current session if the following conditions are met:
- (a) Each game or set of games that offers a prize included in the accrued prize fund must be identified by the licensee prior to making contributions for such games;
  - (b) The licensee shall maintain a record, in an approved format, of all such games with at least the following information:
    - (i) The name of the game or set of games;
    - (ii) The sessions at which the game or set of games is played;
    - (iii) The game number's at each of the sessions the game or set of games is played;
    - (iv) The amount that will be added to the accrued prize fund each time the game or set of games is played;
    - (v) A description of how the contribution amount was determined;
    - (vi) The maximum accrued prize fund balance that will be reached for all games; and
    - (vii) The date of the most recent changes to this record;
  - (c) Prize receipts will be issued only when the prize is actually awarded;
  - (d) Once an election is made to accrue prizes for a particular

game or set of games, the predetermined contribution amount must be added to the accrued prize fund each time the game or set of games is played, until the accrued prize fund reaches the maximum balance;

(e) Once the maximum is reached, no contributions will be made until the accrued prize fund balance has been decreased for a prize paid;

(f) Full details of accrued prizes outstanding at the end of each calendar quarter will be furnished on the licensee's activity report;

(g) A reconciliation of the prize fund shall be made on each "Daily summary-Cash control" record;

(h) The amount of prize accrued shall be deposited in the gambling receipts account per WAC 230-12-020;(i) The balance of the gambling receipts banking account shall not be reduced at any time below the amount of prizes accrued and currently being offered: Provided, That accrued prizes may be transferred to a special bank account, for this purpose, if the balance is maintained at a level equal to or greater than the amount of prizes accrued and currently being offered;

(j) At no time shall the total accrued prize balance exceed two times the total amount of prizes available on the games identified in (a) of this subsection; and

(k) The accrued prize fund shall not be utilized for any purpose other than accumulating bingo prizes and the balance shall not be reduced except under the following circumstances:

(i) When prizes are actually awarded;

(ii) If management elects to discontinue games for which prizes were accrued. In this event, the operator shall amend all activity reports and tax returns that are affected by the action and which have been filed.

(8) Contributions made to an approved linked bingo prize shall be deposited into a separate account from the licensee's main gambling receipts account and shall be treated as prizes awarded during the session accrued.

(9) Linked bingo main and bonus prizes awarded during a session may not be treated as a prize awarded during the current session.

## AMENDATORY SECTION

**WAC 230-20-244 Electronic bingo card daubers--Definition--Operating restrictions--Standards.**

The commission deems that any device, apparatus, or scheme that allows a player in any gambling activity a material advantage over other players is against public policy and restriction of such is in the public's interest. Electronic bingo card marking devices or daubers are deemed to provide a player a material advantage unless operated in accordance with subsection (2) of this section. For purposes of this title, the following definitions, restrictions, and standards apply to such devices:

**Definition.**

(1) Electronic bingo card daubers are defined as electronic appliances used by players to identify bingo cards that contain numbers or symbols input by a player. These devices electronically store preprinted bingo cards purchased by a player, provide a means for players to input numbers or symbols called by the operator, compare the numbers or symbols input by the player to bingo cards previously stored in an electronic data base, and identify to the player those stored bingo cards that contain the numbers or symbols input by the player: Provided, That player-owned devices, which are not directly interfaced with or connected to equipment used to conduct bingo games or the electronic data base in which electronically generated bingo cards are stored in any manner, are not "electronic bingo card daubers" for purposes of this title;

**Operating restrictions.**

(2) Electronic bingo card daubers will not be deemed to provide players a material advantage and may be used by players in bingo games when operated in the following manner:

**Player responsibilities.**

- (a) The player must perform at least the following functions:
- (i) Input each number or symbol called by the operator into the memory of the dauber unit by use of a separate input function for each number symbol. Automatic or global marking of numbers or symbols is prohibited;
  - (ii) Notify the operator when a winning pattern or "bingo" occurs by means that do not utilize the dauber unit or the associated system; and
  - (iii) Identify the winning card and display the card to the operator;

**Maximum number of cards to be played during each game.**

- (b) Each electronic dauber unit shall not allow a player to play more than sixty-six cards at one time.
- (c) Each player shall not use more than one electronic dauber at any point in time. Provided, That a player can play an unlimited amount of disposable or hard bingo cards in addition to using one electronic dauber unit.

**Reserving electronic bingo card daubers.**

(d) Operators shall not reserve electronic daubers for any player. An operator must devise and disclose to players a scheme for assignment of dauber units to players during each session. Such schemes shall allow all players an equal opportunity to utilize the available dauber units. If a drawing is used to assign dauber units to players, the operator shall ensure that each player participating in the drawing has an equal chance to win: Provided, That operators that offer electronic dauber units shall reserve at least one device for players with disabilities that would restrict their ability to mark cards and such disabilities are consistent with definitions set forth in the Americans with Disabilities Act (ADA). If there are no requests for

use of this unit prior to fifteen minutes before the scheduled start of the session, it may be made available for use by any players;

**Fees.**

(e) If operators charge players a fee for use of the electronic daubers, such fees must be a flat fee and shall not be based on the number or dollar value of cards purchased. Rental fees shall be considered bingo receipts for purposes of WAC 230-12-020: Provided, That players with disabilities that would restrict their ability to mark cards and such disabilities are consistent with the ADA shall not be required to pay a rental fee or to comply with minimum purchase requirements imposed on all players utilizing electronic daubers. Such players are required to comply with any minimum purchase requirement imposed on all players by an operator;

**Card requirements.**

(f) ~~(Each player)~~ Any organization utilizing ~~((an))~~ electronic daubers must have ~~((in their possession cards))~~ the cards printed, placed in a master index and available on-site for inspection at the request of a customer or agent of the Washington State Gambling Commission that meet all requirements of WAC 230-20-240 and 230-20-106. Electronic images of cards or faces stored in such devices are for player convenience only and are not bingo cards for purposes of this title;

**Leasing by an operator.**

(g) If the electronic daubers are leased to an operator, the lease cannot be based in whole or part on the amount of bingo card sales or rental income derived from such devices. Except that fees may be based on the number of cards sold to a device only for player selection games as described in WAC 230-20-241; and

**Discounts and marketing schemes.**

(h) The use of electronic daubers is prohibited when a licensee utilizes any marketing scheme for cards that results in a decrease in the per unit price of each card as the number of cards purchased increases: Provided, That a single discount level is authorized for each type of card sold if:

- (i) The licensee has a minimum purchase requirement;
- (ii) The discount applies to all additional cards purchased; and
- (iii) "All you can play" schemes are prohibited;

**Standards.**

- (3) Electronic bingo card daubers must meet the following standards:
- (a) Be manufactured by licensed manufacturers;
  - (b) Be sold, leased, and serviced by licensed distributors or manufacturers: Provided, That operators may perform routine maintenance on devices under their control;
  - (c) Not be capable of accessing the electronic computer system in any manner that would allow modification of the program which operates and controls the dauber units or the cards stored in the electronic data base; and
  - (d) Be capable of complying with applicable requirements of WAC 230-20-106.

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## AMENDATORY SECTION

**WAC 230-20-508 Authorized amusement games-Types, standards and classifications.**

The commission hereby authorizes the following amusement games, whether coin operated or not, to be operated by persons possessing a commercial amusement game license, or bona fide charitable or nonprofit organizations possessing a license issued by the gambling commission or when conducted as authorized by RCW 9.46.0321 at an authorized location.

(1) In all amusement games, a merchandise prize must be awarded to the player, if the player is successful at achieving the objective of the game, with one cost of play.

(2) All amusement games operated within the state of Washington must meet the standards of at least one of the following classifications:

(a) Group I - Ball toss/kick games: The player throws or kicks a ball or balls in order to achieve a specified goal. Upon achieving the goal of the game, the player is awarded a prize.

(i) All balls for each game must be uniform in size and weight.

(ii) All targets for each game must be of the same weight and size or the operator must color code the target and advise the player of the difference in targets if the difference is not visible to the player.

(iii) No target may have a loose or floating weight.

(iv) The weight of any target will not exceed seven and one-half pounds.

(v) When the goal is to estimate the speed of the ball thrown or kicked, a minimum of three balls will be used to estimate the speed by the player and one ball for the actual throw or kick.

(vi) When ping pong or similar light weight balls are utilized in games requiring the ball to be tossed into a dish, saucer, cup or similar container, water must be placed in the bottom of each such container.

(b) Group II - Dart games: The player throws one or more darts into a target or target area. Upon successfully achieving a predetermined score, pattern, penetrating and/or breaking a target, or just sticking in the target, the player is awarded a prize.

(i) All darts must be uniform in size and in original condition with the point sharp or functional suction-cup darts and all feathers or tail sections intact.

(ii) The targets and target area for all dart games must be of a material capable of being penetrated and retaining a metal tip dart; or holding a suction-cup dart.

(iii) The target area will be in the rear of the stand and will be at least three feet but not more than fifteen feet from a foul line.

(iv) In "add em up games," when the player must achieve a predetermined score, all darts stuck on the lines will receive another throw. The player has the right to add up the score of the darts thrown.

(c) Group III - Hoop or ring toss games: The player must toss one or more hoops or rings over one or more targets which may consist of bottles, pegs, blocks, prizes, or any item capable of having a ring or hoop tossed over it.

(i) The operator must specifically advise the player as to the degree that the hoop(s) or ring(s) must go over the target.

(ii) All hoops or rings for each game must be uniform in size and shape and must be capable of going over the target.

(iii) All targets used at an individual stand must be the same size or the operator must disclose to the player by posting signs

or using color codes to denote the different sizes.

(d) Group IV - Coin/token toss games: The player or players toss one or more coins or tokens onto a surface or into a target or target area. The game must have a clear and unobstructed thirty-six inch vertical airspace above the target, target area, or surface. The target, target area, or surface must be level. Any game which has a target or target area of four square inches or less must award a prize if any part of the coin or token is within the target or target area. "Four square inches" means a two-inch by two-inch square. The target area, at a minimum, must include a two-inch by two-inch square area. If the target does not include a two-inch by two-inch square area, such as a rainbow or star, a prize must be awarded if any part of the coin or token lands on any portion of the target area.

(e) Group V - Eye/hand coordination games: The player or players perform a task or tasks which requires the player to use the coordination between their hand(s) and eye(s) to successfully complete the task or tasks. The task or tasks may include one or a combination of the following:

(i) Striking a moving or fixed object or target to include a sequence of moving or fixed objects or targets;

(ii) Causing object(s) to be launched at target(s) from a device. The objects are aimed so they may land in, on, or through a target(s) to include catching or having the object(s) caught in the target(s);

(iii) Dropping object(s) onto target(s) or target area(s) or surface(s), to include covering the target(s), target area(s), or surface(s) with the object(s);

(iv) Capturing, lassoing, hooking, or getting a hold of an object(s) and causing them to move or change position;

(v) Guiding object(s) or images through a pattern, maze, or task;

(vi) Climbing on, over, through, or around object(s); or

(vii) Similar tasks.

(A) If a player is required to cover a spot or specific target area, then the target or target area must be a circular spot.

(I) The player must receive at least five circular discs to drop on the target or target area.

(II) The diameter of the circular discs used to cover the target or target area must be at least sixty-four percent of the diameter of the target spot or area.

(III) The target spot or area must be permanently affixed to a solid surface.

(B) A regulation billiard table, balls, and cue must be used for any game requiring a player to perform any task or tasks normally associated with playing billiards or pool.

(C) In games where objects are launched, tossed, or catapulted at target(s), the launching device shall respond in an identical manner on repetitive uses when an equal amount of force is applied or selected by the player.

(f) Group VI - Strength test games: The player(s) tests their own strength in performing a task or tasks for a predetermined number of times or length of time. This may include hand, arm, or whole body strength and may also require the player to use a tool or instrument to strike an object or target, which may cause the object to be propelled or travel a specific distance. The task(s) may require the object(s) to strike another object(s) to achieve the objective.

(g) Group VII - Crane games: The player, using one or more of a variety of control methods, maneuvers a crane or claw device into a position to attempt to retrieve a prize. All games must meet the following conditions:

- (i) At least twenty seconds playing time per operation.
- (ii) Crane or claw must be capable of reaching, picking up, and dispensing all prizes contained within the machine.
- (iii) The controls for the machine must be clearly labeled as to their function.
- (iv) Prizes must be loose and shall not be packed, arranged, lodged, or intertwined in the machine in any way which would prevent the prize from being picked up by the crane or claw and dispensed.
- (h) Group VIII - Penny fall games: Penny fall games are electronic or electro-mechanical games in which:
  - (i) The player inserts a coin or token into a chute;
  - (ii) The player controls the direction the coin or token falls by aiming the chute;
  - (iii) The coin or token will land on a flat surface or surfaces which have a sweeper(s) and/or a pusher arm moving across the surface or surfaces;
  - (iv) The surfaces shall be level and contain similar coins or tokens;
  - (v) A carefully aimed coin or token will cause coins or tokens on the flat surface(s) to be pushed or swept into holes or chutes dispensing the tokens or awarding a set number of tickets to the player;
  - (vi) The game may contain additional factors which if properly negotiated or struck by a coin or token, will award additional tickets to the player;
  - (vii) The additional factor may be in the form of targets that when lit, grant the player bonus tickets when the coin or token passes over the target;
  - (viii) Any such additional targets or bonus opportunities must be activated prior to the player inserting the coin or token to start play and must remain activated for a period of time sufficient to allow the player to attempt to strike or negotiate the targets or bonus opportunities;
  - (ix) The skill of the player must be the determining factor in the outcome of the game; and
  - (x) Merchandise prizes may be placed on the coins, tokens, or other surfaces in the game and if the prize is pushed into a hole or chute then it is awarded to the player. All such prizes must fit into or down the hole or chute in the game which awards prizes to the player.

(i) Group IX - Ball roll down games: The player rolls one or more balls to a target or target area. Upon achieving the objective of the game, the player is awarded a prize.

(i) Ball roll down games may be either one player attempting to score a predetermined number of points by landing in a target or target area, or striking and/or knocking down a target or targets.

(ii) Ball roll down games may be more than one player attempting to score a predetermined number of points, striking and/or knocking down a target(s), or landing in a target area. The first player to accomplish the goal is awarded a prize.

(j) Group X - Shooting games: A game in which the player or players use a device to fire a projectile or projectiles to hit a target or targets. The projectiles may include pellets, BB's, corks, water, electronic beams, light beams, balls, or suction-cup darts. The targets may be stationary or mobile. The player or players may be required to:

- (i) Completely shoot out or obliterate a target or portion thereof;
- (ii) Hit a target or specific portion thereof; or
- (iii) Hold an electronic beam, light beam, or water stream on a target or portion thereof to achieve a specific result.
  - (A) All safety requirements of the local city or county ordinances must be observed by the operator and player(s).
  - (B) A short range shooting gallery must give a player at least four shots to shoot out a target which has a diameter of one-quarter inch or less, or at least one shot per target which must be struck. Targets must be at least one-half inch square and may include a bullseye section which the player must shoot out without touching the outside of the target.
  - (C) Shoot-out-the-star games must give the player at least one hundred projectiles in an automatic type device to shoot out a star which is no more than one and one-quarter inch from point to point.
  - (D) Games may award a prize based upon the number of players participating and use a combined score to determine the winner.
  - (E) If suction-cup darts are used in the game, a player must receive another turn if the dart does not stick to the target area.
  - (F) If targets must be knocked over or off of a shelf, then the bases of the targets must be uniform front and rear.
  - (G) If a player is required to destroy or obliterate all or part of a target, then the player must have the right to visually inspect the target at the conclusion of the game.
- (k) Group XI - Cake walks and fish pond games: Cake walks and fish ponds, as commonly known, are amusement games. Cake walks involve a number of players walking on a numbered or color-coded circle while music is played. When the music stops, the player's prize is determined by the number or color of the portion of the circle they are standing on. Fish ponds are games where players receive a prize every time they compete, by either hooking or capturing a fish or similar object floating in a pool of water with a number or symbol on the bottom of the fish or object which corresponds to a prize or the operator may place a prize directly onto the "line" or catching device of the player from behind a curtain or similar obstruction.
  - (3) All classifications of amusement games must be operated as either an attended amusement game as defined by WAC 230-02-511 or as a coin or token activated amusement game as defined by WAC 230-02-514.
  - (4) No amusement game shall award additional plays as a prize.
  - (5) Operators may introduce new games that meet the standards of the applicable classification without prior approval of the commission: Provided, That an operator must provide to the commission at least sixty days prior to such introduction a description of the game, the rules of play, and a justification for the classification selected: Provided, further, That upon notification by the director that the proposed game does not meet the selected classification, or otherwise violates a provision of law or commission rule, the game may not be introduced, or if already introduced, must be removed from play until its operation is brought into compliance with such law or rules. New games not falling within the classifications of this rule may be approved by the director for a twelve-month test period pending submission of a petition to amend the rule.

[Statutory Authority: RCW 9.46.070. 94-01-036, § 230-20-508, filed 12/6/93, effective 1/6/94.]

## AMENDATORY SECTION

**WAC 230-20-650 Amusement games--Coin toss games.**

No person licensed to conduct amusement games shall conduct any such game within the state of Washington wherein the ability of a player to win a prize depends upon causing a coin to land within the confines of a space unless the following conditions exist with respect to said game:

(1) There must exist an unobstructed air space, of at least thirty-six inches in height, above any surface upon which the landing of a coin will result in the awarding of a prize.

(2) Plates, spots, targets, etc. will not be inclined so as to give an advantage to the operator.

(3) If the area of an enclosed surface upon which the landing of a coin will result in the awarding of a prize is four square inches, or less, a prize must be awarded to any participant who causes a coin to land so that any part of said coin is within any part of said area. "Four square inches" means a two-inch by two-inch square. The target area, at a minimum, must include a two-inch by two-inch square area. If the target does not include a two-inch by two-inch square area, such as a rainbow or star, a prize must be awarded if any part of the coin or token lands on any portion of the target area.

[Statutory Authority: RCW 9.46.030(5). 81-21-033 (Order 114), § 230-20-650, filed 10/15/81; Order 55, § 230-20-650, filed 6/25/76.]

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**AMENDATORY SECTION****WAC 230-30-045 Carry-over jackpot pull-tab series-Definitions--Requirements.**

Operators may utilize pull-tab series that are specifically designed to include carry-over jackpots. The following definitions and requirements shall apply to these series:

**Definitions.**

- (1) The following definitions apply to pull-tab series with carry-over jackpots:
- (a) "Carry-over jackpot" means a prize pool that is composed of accumulated contribution amounts from pull-tab series which, if not won, are carried over to other pull-tab series;
- (b) "Contribution amount" means the amount from each series which is added to the carry-over jackpot; and
- (c) "Guaranteed prizes" means all prizes available to be won, excluding the contribution amount or carry-over jackpot;

**Prize payout requirements.**

- (2) The following requirements apply to prizes and prize payout calculations for carry-over jackpots:
- (a) Guaranteed prizes must be 60% or more of gross receipts available from the pull-tab series;
- (b) The contribution amount for each series may not be more than five hundred dollars;
- (c) The contribution amount and the method of play shall be determined by the manufacturer and disclosed on the flare;

**Maximum jackpot amount.**

- (d) At no time shall an accumulated carry-over jackpot exceed ~~((two))~~ five thousand dollars. If the carry-over jackpot is awarded, the sum of the advance-level prize and the carry-over jackpot prize shall not exceed ~~((two))~~ five thousand dollars.

**Jackpot must be carried over until won.**

- (e) Accumulated carry-over jackpots shall be carried over to subsequent series until won;

**Jackpot must be paid out.**

- (f) The carry-over jackpot must be awarded. Failure to have sufficient funds available, or any attempt by an operator to utilize carry-over jackpots for personal or organizational purposes, shall be *prima facie* evidence of defrauding the players in violation of RCW 9.46.190;

**Maximum prize amounts for series when jackpots are not awarded.**

- (g) If the jackpot is not awarded and is carried over to a new series, the sum of the advance-level prize and the consolation prize shall not exceed five hundred dollars;

**Distribution of jackpots when a licensee ceases to operate.**

- (3) If a licensee ceases to operate gambling activities due to a sale, closure, or failure to maintain a valid gambling license, the carry-over jackpot shall be:
- (a) Transferred to the new licensee, which has a valid gambling license. The new licensee shall operate the carry-over jackpot game until the prize is awarded;
- (b) Awarded to a player by playing out the game prior to closure;
- (c) Distributed to the Washington state council on problem gambling; or
- (d) Distributed to a charitable or nonprofit organization licensed by the Washington state gambling commission;

**Bonus pull-tab series.**

- (4) The following additional requirements apply to bonus pull-tab series with carry-over jackpots:
- (a) The odds of winning the carry-over jackpot shall not exceed one winner out of ten chances, or the probability of winning the carry-over jackpot shall be .10 or higher, at the jackpot level;
- (b) There may only be one advance level on the flare;
- (c) There shall be at least one guaranteed chance to win the carry-over jackpot;
- (d) All chances that are included on the flare shall be covered in a manner that prevents determination of the concealed numbers or symbols prior to being opened by the player. If perforated windows are used, the numbers or symbols must be covered by latex, foil, or other approved means; and
- (e) Standards for bonus pull-tab flares, as set forth in WAC 230-30-106, shall apply;

**Maximum number of tickets.**

- (5) The maximum ticket count for pull-tab series with carry-over jackpots shall be ~~((six))~~ ten thousand tickets;

**Secondary win codes.**

- (6) The secondary win codes on pull-tab series with carry-over jackpots must not repeat within a three-year period;

**Replacing series.**

- (7) Once it has been determined that no chances to win the carry-over jackpot remain in a series and the jackpot has not been won, the series shall be removed from play and replaced with a new series within seven operating days;

**Transferring a jackpot to another game.**

- (8) If a carry-over jackpot is not won prior to removing a series from play, it shall be carried over to a new series within one operating day from when the series was removed from play. The accrued contribution amounts from all previous series shall be added to the contribution amount from the new series, up to two thousand dollars;

**Recording names of winners.**

- (9) For carry-over jackpots in the amount of six hundred dollars and over, the winner's full name, address, and Social Security number shall be recorded on a separate form for income tax purposes;

**Retention requirements.**

- (10) Each pull-tab series contributing to a specific carry-over jackpot must be retained as one series. The retention period for these series shall be as required by WAC 230-30-072(3): Provided, That the retention period shall start on the last day of the month in which the carry-over jackpot was awarded rather than when the series was removed from play; and

**Documenting the flow of jackpots.**

- (11) Operators are required to maintain a separate record documenting the flow of carry-over jackpots from one game to another in a format prescribed by the commission;

**Recordkeeping on cash basis only - exception.**

- (12) For the purposes of monthly records set forth in WAC 230-08-010, all operators shall record carry-over jackpots on a

cash basis. This means that carry-over jackpot contribution amounts shall not be recorded on monthly records until the prize is awarded: Provided, That punch board/pull-tab licensees who also hold a Class F or above bingo license may accrue carry-over jackpot contribution amounts on their monthly records if the following conditions are met:

- (a) Prior approval is received from the director;
- (b) The contribution amounts, up to the point where the jackpot reaches the maximum, shall be recorded as prizes paid on the monthly records;
- (c) When the jackpot is awarded, only amounts not previously accrued, if any, shall be recorded as a prize paid;
- (d) No more than five carry-over jackpot series shall be in play at once; and
- (e) If the contribution amount is not deposited with the net receipts (required by WAC 230-12-020), a proper audit trail and adequate security over the funds must be maintained; and

**Director approval required.**

(13) The director shall approve the following aspects of all pull-tab games with carry-over jackpots prior to sale in Washington state:

- (a) The design, payout, method of play, and flare for each pull-tab series;
  - (b) The manufacturing process for the pull-tab series and flares;
- and
- (c) The secondary win code system for the pull-tab series.

## AMENDATORY SECTION

**WAC 230-30-080 Punch board and pull-tab series restrictions-Prizes, size of game, and location of winners.**

No operator, distributor, or manufacturer, or representative thereof shall possess, display, put out for play, sell, or otherwise transfer to any person in this state, or for use in this state, any punch board or pull-tab series which:

(1) Does not offer prizes that are equal to or greater than sixty percent of the total gross receipts available from the punch board or pull-tab series. The following applies to the sixty percent calculation:

(a) For the purposes of determining the percentage of prizes offered on any punch board, or in any pull-tab series, total merchandise prizes shall be computed at the amount actually paid by the licensed operator plus fifty percent of that actual cost. ~~((For any merchandise prize with an actual cost over five hundred dollars, the total cost plus markup in this subsection shall not exceed seven hundred fifty dollars;))~~ The actual merchandise cost plus the markup must not exceed two thousand five hundred dollars; and

(b) Prize and percentage requirements for progressive pull-tab series shall be calculated as set forth in WAC 230-30-025;

(2) Offers a single prize that exceeds:

~~((a))~~ Two thousand five hundred dollars in cash:

Provided, That progressive jackpot pull-tab prizes, as authorized in WAC 230-30-025, and pull-tab series with carry-over jackpots, as authorized in WAC 230-30-045 shall be exempt from this requirement and shall be subject to the limits defined in those rules ~~(- Provided further, That the cash limit may be increased from five hundred dollars to seven hundred fifty dollars only on pull tab series with a cost per tab of one dollar after approval by the director; or~~

~~(b) A merchandise prize for which the operator has expended more than five hundred dollars: Provided, That operators may expend more than five hundred dollars, not to exceed seven hundred fifty dollars, subject to the limitations set forth in subsection (1)(a) of this section);~~

(3) Has multiple winners on an individual pull-tab or punch that combined values exceed the single cash or merchandise prize limit in subsection (2) of this section;

(4) Offers prizes for purchasing the last ticket or last punch that exceeds:

(a) One hundred dollars cash; or

(b) Merchandise for which the licensee has expended more than one hundred dollars; or

(c) The highest prize offered, whichever is less;

(5) Contains more than ~~((ten))~~ twenty-five thousand individual pull-tabs: Provided, That progressive jackpot pull-tab series, as authorized by WAC 230-30-025, may contain up to fifty thousand individual pull-tabs;

(6) Utilizes a flare which does not meet the requirements of WAC 230-30-106;

(7) The winning punches or tabs have not been randomly distributed and mixed among all other punches or tabs in the board or series;

(8) The location, or approximate location, of any winning punches or tabs can be determined in advance of punching the punch board or opening the tabs in any manner or by any device, by markings on the board, tabs, or container, or by use of a light;

(9) There exists a key to any winning numbers or symbols; or

(10) Does not conform in any other respect to the requirements of WAC rules as to the manufacture, assembly, or packaging of punch boards or pull-tabs.

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Remove these updated rules from the newsletter  
and put them in your  
Washington State Gambling Commission Rules Manual

## AMENDATORY SECTION

**WAC 230-40-010 Social card games--Rules of play--Types of card games authorized.**

Social card games shall be played using rules and procedures as set forth in this section. Only card games that have been specifically authorized are allowed to be played in public or social card rooms.

**Rules of play for all card games.**

(1) Social card games shall be played in the following manner:

(a) The game must be played with one or more standard decks of playing cards or with approved electronic card facsimiles which meet the requirements of WAC 230-40-070 (1) (c): Provided, That cards may be removed to comply with rules of a specific game, such as pinochle;

(b) Players shall compete against all other players on an equal basis for nonhouse-banked games or against the licensee for house-banked games;

(c) Each player shall receive their own hand of cards and be responsible for decisions regarding such hand, such as whether to fold, discard, draw additional cards, or raise the wager;

(d) Players shall not place wagers on any other player's or the house's hand and no side bets between players are allowed: Provided, That the following shall not be in violation of this section:

(i) An insurance bet placed in the game of blackjack;

(ii) A tip wager made on behalf of a dealer; or

(iii) "Envy" provisions which allow a player to receive a prize if another player wins a jackpot or odds wager; and

(e) A player's win or loss shall be determined during the course of play of a single card game; and

(f) No more than ~~((two))~~ three separate games shall be played with a single hand of cards. For purposes of this section, bonus features and progressive jackpots are considered a game: Provided, That bonus features that allow a player to receive an additional prize if another player achieves a specific hand, such as "envy" or "share the wealth" features, shall not be considered a separate game if the player does not have to place a separate wager to participate.

**Nonhouse-banked card games authorized.**

(2) Nonhouse-banked card games shall only be played in the manner set forth in *The New Complete Hoyle, Revised, Hoyle's Modern Encyclopedia of Card Games*, or a similar authoritative book on card games approved by the director: Provided, That each licensee may make immaterial modifications to each authorized game set out in Hoyle.

The following nonhouse-banked card games are authorized:

(a) Poker;

(b) Hearts;

(c) Pinochle;

(d) Cribbage;

(e) Rummy;

(f) Panguingue (Pan);

(g) Pitch;

(h) Bid Whist;

(i) Other games or modifications to approved games may be approved by the director, or the director's designee, on a case-by-case basis. Requests for approval of a game must be submitted in writing, and include the rules of play and all wagering schemes.

**House-banked card games authorized.**

(3) House-banked card games shall be approved by the director, or the director's designee, on a case-by-case basis. Request for approval of a house-banked card game must be submitted in writing, including the rules of play and all wagering schemes. A list of all approved games, modifications to games, and rules of play shall be available at all commission offices. The director may approve games in which the determination of whether a player wins or loses depends upon one or more of the following:

(a) The player's hand is a specific:

(i) Pattern or ranking of cards (pair, straight, flush, royal flush, etc.);

(ii) Combination of cards (two queens of hearts, ace and jack of spades, three sevens, etc.); or

(iii) Value of the cards (seventeen, twenty-one, etc.); and/or

(b) The player has a higher ranking or value hand than the house/dealer/banker.

**Removing an approved game from play.**

(4) Once a game is approved for play, the director shall not remove it from the authorized list of games without providing licensees written notice. Licensees shall be afforded an opportunity to object to the director's decision. If an objection is filed, an administrative law judge shall review the director's decision utilizing the brief adjudicative procedures set forth in WAC 230-50-010.

**Procedures for when a proposed game is denied.**

(5) The licensee shall be notified in writing when the director denies a request for a new game or modification of a game. The notification shall include reasons for the denial and provide the petitioner all information necessary for a formal petition to the commission for rule making, amendments, or repeal, as set forth in WAC 230-50-800.

**NEW SECTION****WAC 230-40-817 Destruction and disposal of gambling chips.**

Licensees must submit internal controls to us outlining the procedures for destroying or disposing of gambling logo chips.

(1) Licensees' internal controls must set out the method for destroying logo chips that are damaged or worn. The internal controls must include, at least:

(a) That chips must be destroyed or mutilated in such a way that they are unusable for play; and

(b) The two departments, one of which must be the accounting department, that will be responsible for overseeing chip destruction; and

(c) Only licensed employees may perform chip destruction.

(2) Licensees must record all gambling chips they destroyed on a chip destruction log in the format we require.

(3) If a card room closes, the licensee or former licensee must:

(a) Sell or otherwise transfer gambling equipment to a licensed manufacturer or distributor; or

(b) Destroy the chips according to the established internal controls and provide the chip destruction log to us.

**WASHINGTON STATE GAMBLING COMMISSION**  
**2008 COMMISSION MEETING SCHEDULE**

**January 10 & 11**

DoubleTree Guest Suites - Seattle  
16500 Southcenter Parkway  
Seattle, WA 98188 – (206) 575-8220

**February 14 & 15**

Best Western – Tacoma Dome Hotel  
2611 East E Street  
Tacoma, WA 98421 – (253) 272-7737

**March 13 & 14**

Red Lion Hotel – Olympia  
2300 Evergreen Park Drive  
Olympia, WA 98502 – (360) 943-4000

**April 10 & 11**

Red Lion Hotel – Olympia  
2300 Evergreen Park Drive  
Olympia, WA 98502 – (360) 943-0400

**May 8 & 9**

Red Lion Hotel - Pasco  
2525 N. 20<sup>th</sup> Avenue  
Pasco, WA 99301 – (509) 547-0701

**June 12 & 13**

No Meeting

**July 10 & 11**

The Heathman Lodge - Vancouver  
7801 NE Greenwood Drive  
Vancouver, WA 98662 – (360) 254-3100

Dates and locations for the remaining 2008 Commission meetings  
were not available at the time of publication.

A full 2008 meeting schedule will be in the next edition of this newsletter.

# 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	360.676.2012	Spokane	509.325.7900
Everett	425.304.6300	Tacoma	253.671.6280
Kennewick	509.734.7412	Wenatchee	509.886.6230
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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