



STATE OF WASHINGTON
GAMBLING COMMISSION

"Protect the Public by Ensuring that Gambling is Legal and Honest"

April Gambling Commission Meeting Minutes
Hybrid Meeting held at the
Washington Liquor and Cannabis Board
April 13 , 2023

Commissioners Present:

Chair Alicia Levy
Vice Chair Julia Patterson
Bud Sizemore
Sarah Lawson
Anders Ibsen

Ex Officio Members Present:

Representative Shelley Kloba (Via Teams)

Staff Present:

Tina Griffin, Director
Lisa McLean, Legislative and Policy Manager
Tommy Oakes, Interim Legislative Liaison
Matt Kernutt, Assistant Attorney General (AAG)
Suzanne Becker, Assistant Attorney General (AAG)
Julie Lies, Tribal Liaison
George Schultz, IT
Julie Anderson, Executive Assistant

Staff Present Virtually:

Gary Drumheller, Assistant Director; Julie Lies, Tribal Liaison; Kriscinda Hansen, CFO; Jess Lohse, Special Agent, Dan Wegenast, Agent in Charge, Jeanine Sugimoto, Special Agent,

There were 9 people in the audience and 49 people attended virtually.

Chair Levy welcomed everyone to the Washington State Liquor and Cannabis Board for the Washington State Gambling Commission's April 13th, 2023, meeting. The meeting began at 10:09 AM and she called the roll to ensure a quorum. Chair Levy introduced our new Commissioner Anders Ibsen and asked him to tell us about himself.

Tab 1

Petition for Review – Chanmalaty Touch, Case No. CR 2021-01221

Doug Van de Brake, AAG represented Commission Staff. Mr. Francis Huguenin, attorney, represented Petitioner Touch.

*Following oral argument and review of the parties' pleadings, the Commission Grants Commission Staff's Motion to Strike. 4:0
Commissioner Ibsen recused himself from this review.*

The matter to Deny the Petition for Review came before the Commissioners on April 13, 2023, on Petitioner Chanmalaty Touch's Petition for Review & Request for New Evidentiary Hearing of the Administrative Law Judge's December 22, 2022, Initial Order.

The Commission had before them the record of the prior proceedings relating to this matter, as well as additional pleadings prepared for this Petition for Review. Oral argument was held.

*Following oral argument and review of the record, the Commission DENIES Petitioner Chanmalaty Touch's Petition for Review. 4:0
Commissioner Ibsen recused himself from this matter.*

Tab 2

Presentation - Rocky Mountain Elk Foundation

Jim Melville, Special Agent and Kurt Murphy, Director of Field Operations for the Northwest Region presented the materials for this tab.

Commissioner Patterson inquired about the amount of funds spent on lobbying.

*Commissioner Lawson moved to approve that the Rocky Mountain Elk Foundation offer raffle prizes in excess of \$300,000 for their license year.
Commission Sizemore seconded the motion.
The motion passed unanimously. 5:0*

Tab 3

Consent Agenda

Chair Levy asked the Commissioners if they had any changes to the consent agenda. Commissioners had no changes.

Chair Levy asked for public comment. There was no public comment.

*Commissioner Patterson moved to approve the March minutes as presented by staff.
Commissioner Sizemore seconded the motion.
The motion passed unanimously. 4:0
Commissioner Ibsen abstained.*

*Commissioner Sizemore moved to approve the New License and the Class III Employee list, the 2023 WSGC meeting dates and location, and the nonprofit officers.
Commissioner Patterson seconded the motion.
The motion passed unanimously. 5:0*

The Director's Report

Director Griffin gave a brief announcement about the Agencies 50th year in Gambling. She mentioned that staff will prepare a presentation that will be given at the May Commission Meeting. She also mentioned that there would be a presentation on Self-Exclusion at the July Commission Meeting. Among the other handouts in the packet was the 2022 Employee Satisfaction Survey Results. Noting that the Gambling Commission rated well. Lastly, she said that Tulalip Tribe is the 3rd casino in the state to have the mobile app for Sports Wagering.

Chair Levy announced at 11:47AM that the Commissioners would be adjourning to

Executive Session, which will last approximately one and a half hours to discuss current potential agency litigation with legal counsel, including travel negotiations.

Chair Levy reconvened the commission meeting at 1:15PM and called the roll to ensure a quorum.

Tab 4

Petition for Discussion Only– Debit Card Rules AToM

Lisa C. McLean, Legislative/Policy Manager and Rules Coordinator (LPM) presented the materials for this tab. This petition was submitted in April 2022, and it was proposing to amend WAC 230-15-150 to allow chips to be sold using debit cards. In May 2022, the Commission agreed to initiate rulemaking, and at the time staff noted that other rules in addition to WAC 230-15-150 needed to be amended. Staff brought some draft language for amending rules, and in addition to that adding new rules.

This petition was up for discussion only.

Chair Levy asked for comments from the Commissioners, and they had none. She asked for public comment, and there was none.

Tab 7

Petition for Discussion and Possible Filing – Wagering Limits for House-Banked Card Games

Lisa C. McLean, Legislative/Policy Manager and Rules Coordinator (LPM) presented the materials for this tab. This tab is about increasing the maximum single wager limit from \$300 to \$500 for all house-banked gaming tables.

Commissioner Lawson stated her concerns. Commissioner Sizemore indicated that he didn't approve of the \$500.00 dollar wager but would consider \$400.00.

Chair Levy asked for public comment.

Victor Mena, from Frontier Casino, spoke about the industry being highly regulated.

Commissioner Patterson moved to approve the Wagering Limits for House Banked Card Games to \$400.00 to be effective 31 days after filing with the code revisor.

Commissioner Sizemore seconded the motion.

The motion passed 3:0

Commissioner Lawson voted no.

Commissioner Ibsen abstained.

Tab 5

Petition for Discussion Only – Progress Jackpot

Lisa C. McLean, Legislative/Policy Manager and Rules Coordinator (LPM) presented the materials for this tab. In February, we received a petition from Tiffini Cox, representing Galaxy Gaming from Las Vegas, Nevada, who was proposing to amend WAC 230-15-685(4)(b) to allow house-banked card rooms licensees to connect more than one progressive jackpot of different

card games. Currently, the rule only allows licensees to connect a progressive jackpot on different card games, so they are asking to connect more than one to different card games. **Chair Levy** asked for further comment from the Commissioners. They had none. She asked for public comment. There was none.

Tab 6

Petition for Discussion Only – Staff proposed License Fee and Sports Wagering Vendor License Fee Adjustments

Lisa C. McLean, Legislative/Policy Manager and Rules Coordinator (LPM) and Kriscinda Hansen, Chief Financial Officer (CFO) presented the material for this tab. At the January Meeting the Commissioners accepted a staff recommendation to initiate rulemaking to address licensees. **LPM McLean** gave an overview of the stakeholdering by staff by holding separate meetings with tribal partners and stakeholders, both on February 13, 2023, and on February 27, 2023.

Chair Levy asked for further comment from the Commissioners. They had none. She asked for public comment. There was none.

Tab 8

2023 Legislative Update

Tommy Oakes, Interim Legislative Liaison (ILL) presented the materials for this tab. ILL Oakes gave an update on the our agency request legislation SHB 1132 Relating to the oversight and training requirements for limited authority peace officers. He also updated the Commissioners on bills with direct gambling industry impacts.

- HB 1824, Authorizing bona fide charitable or nonprofit organizations. **2SHB 1681 did not make it to a floor vote.**
- 2SHB 1681/2SSB5634 Relating to Problem Gambling. **2SSB 5634 has passed the Legislature and is being sent to the Governor.**
- HB 1707 Relating to bingo conducted by bona fide charitable or nonprofit organizations. **This bill has been passed by the Legislature and is being sent to the Governor.**

ILL Oakes will be back at the May Commission meeting to provide a wrap up of the 2023 legislative session.

Chair Levy adjourned the meeting at 3:06 PM.