



STATE OF WASHINGTON  
**GAMBLING COMMISSION**

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

**Special Gambling Commission Meeting Minutes**

Gambling Commission Headquarters

**Virtual Meeting**

**\*July 28, 2021**

**Commissioners Present:**

**Bud Sizemore, Chair (Present)**

**Julia Patterson (Via Teams)**

**Alicia Levy (Via Teams)**

**Kristine Reeves (Via Teams)**

**Ex Officio Members Present:**

**Senator Steve Conway (Via Teams)**

**Representative Shelley Kloba (Via Teams)**

**Staff Present - Olympia:**

Tina Griffin, Interim Director; Rashida Robbins, Administrative Assistant and Julie Anderson, Executive Assistant.

**Staff Present-Virtual:**

Brian Considine, Legal and Legislative Manager (LLM); Julie Lies, Tribal Liaison (TL); Ashlie Laydon, Rules Coordinator (RC); and Suzanne Becker, Assistant Attorney General.

**Chair Sizemore** asked Interim Director to call the roll to ensure a quorum. Chair Sizemore asked for a moment of silence, and especially to keep in mind the family and friends of Clark County Sheriff's Department for their loss.

**Tab 1**

**Sports Wagering Rules**

**Brian Considine, Legal and Legislative Manager (LLM)** presented the materials for this tab. LLM Considine reviewed the materials in the Commissioners' special meeting packet for their awareness. At the June 10, 2021 meeting, Commissioners approved filing of draft language for further discussion. At the July 8, 2021 public meeting, Commissioners indicated a desire to have options on which rules that they could approve to be filed at the special meeting. LLM Considine identified technical, nonsubstantive changes made to rules in WAC 230-03; WAC 230-05; and WAC 230-06 related to major vendor licensing fees and creation of the term "sports wagering equipment" instead of adding sports wagering into the current "gambling equipment" definition. These changes reflect a reduction in the major vendor licensing fee from \$85,000 to \$65,000 and the use of "sports wagering equipment" in several rules in WAC 230-06. These changes were incorporated in both rule package options being presented to the Commissioners at the special meeting.

The proposed rules, including the latest changes, were sent out to stakeholders with only two additional comments. Most comments related to rules in WAC 230-19 and would not be addressed at this meeting unless Commissioners decide to consider filing WAC 230-19 rules at this time. Two specific comments asked for a reduction in mid-level and ancillary vendor

\* Governor Inslee issued [Proclamation 20-28.4](#) et al that suspended certain Open Public Meeting requirements, including in-person public meetings requirements for this Commission Meeting.

licensing fees and changes to language in vendor representative licensing requirements. Staff did not feel these changes were needed because staff had addressed these issues previously and further change would be a detriment to agency funding and regulation of representatives in this new activity.

**Tina Griffin, Interim Director** presented a short PowerPoint for the fee discussion providing the explanation and background resulting in the reduction for major vendor licensing fees to \$65,000.

Commission staff provided Commissioners with two options for consideration and possible final action at our special meeting. Option A: only includes rules changes in WAC 230-03; WAC 230-05; and WAC 230-06 previously filed with the Code Reviser. The omission of proposed rules in WAC 230-19 would result in those rules being held over for decision at a future commission meeting. Option B: includes all proposed rules in WAC 230-03; WAC 230-05; WAC 230-06; and WAC 230-19.

Both rule options include the technical nonsubstantive previously discussed.

Chair Sizemore asked for public comment. Ryan Butler, a reporter with Action Network asked for a brief explanation of why WAC 230-19 was left out of the vote. LLM Considine explained that the rules in WAC 230-19 could wait and didn't impact moving forward with Option A rules allowing for the licensing requirements to go into effect at the end of August.

***Commissioner Reeves moved to approve Option A- to file proposed sports wagering rule language for rules in WAC 230-03; WAC 230-05; and WAC 230-06 and hold proposed rules in WAC 230-19 for consideration at a later public meeting to be effective 31 days after filing with the code revisor's office.***

***Commissioner Levy seconded the motion.***

***The motion passed. 4:0***

**Commissioner Patterson** said, *"it was really a testament to democracy because we listened and really tried hard to make things work for everyone here. So, I want to complement our staff, very flexible, creative staff work. Thank you. And I want to compliment the tribes for, they very directly expressed their concerns, but then they also came up with a suggestion on how to fix things"*.

### **Public Comment**

**Chair Sizemore** announced that this would be LLM Considine's last meeting with the Gambling Commission and asked if anyone would like to say a few words.

**Senator Conway** said, *"I was shocked to hear that Brian was leaving us, I don't know how Representative Kloba feels, but I was shocked. Brian has done a superb job in keeping the legislature in the know of the needs of the Gambling Commission. And, he has been a great bird dog of many of the Gambling Commission request bills. And, beyond that, he's been a great resource for the legislative team here, both Senate and House, in answering questions and working with Senate members, and I'm sure also the House members. Brian, I've worked with a lot of legislative liaisons in my many years here, but you have done a great job. And I am so sorry to see you go. This sport betting probably would never have occurred without your input, you know that. And legislative liaisons are often not appreciated for what they're doing, but Brian, you have done a great job. I know in the middle of the night, there were times when I*

*needed you and you were there. It wasn't like, a lot of legislative liaisons, we work until 11, sometimes 12, sometimes two, sometimes four in the morning. And, in making bills, we sometimes have questions, and we need these liaisons to help us, and you were there, Brian. I really thank you for your role. The Problem Gambling Task Force was a big one, that we were working on some of the bills dealing with the issues around the problem gaming were your, some of your great accomplishments. And I just can't say how sorry I am to see you go, but happy that you're moving up. And, happy that your skills have been recognized by other agencies as well. Thank you.*

**Commissioner Patterson** said, *"I just simply want to thank Brian and tell him that I learned a great deal from you. I appreciate so much how professional and how professional and discrete you are. I appreciate your desire to express things in terms, difficult, complicated things, in terms that average people can understand. And I also appreciate the loyalty that you showed to the agency. And so, I just want to wish so much happiness in your new profession. I hope that you find happiness there and I just know that they are going to greatly appreciate all those attributes moving forward. So, it's a personal thank you.*

**Representative Kloba** said, *"I'm probably not going to say anything too different than my colleagues Senator Conway and Commissioner Patterson. But I really have enjoyed very much working with Brian and unlike the perspective that Senator Conway brings where he's worked with many, many legislative liaisons. When I came in, babe in the woods, had no idea, got put on the gambling, the Commerce and Gaming Committee, Brian really provided a lot of great education, was able to break down complicated topics or long histories behind the actions that we were taking. Really helped lay the groundwork for future information that I would learn and absorb. And I appreciate his ability to teach someone new who is, I hope you found me an eager student and not too much of a thick. But I really, you made it very interesting and engaging, and fun, I think it's a special set of skills to be able to do that. And of course, you're not only all the things you are as a professional, but having the little opportunity, he happened have his kids on campus one day when we had a personal delivery device. I have passed a bill about them and the delivery device was there, and the kids were kind of tentatively approaching it. Anyway, I got to see him in his role as a dad too. And I know that the ways that you taught me, I'm sure you do, you've practiced them well on your children, patience and explaining things. And so, I've enjoyed working with you very much and I know that I will enjoy working with you in the Commissioner Public Lands office as well. I may just come up with a bill to run that has to do with that, just so we can still hang out together. You're always welcome in my office. I know my LA enjoys having the two Brian thing going on, so really, really wanted to appreciate you.*

**Commissioner Reeves** said, *"I would tell you that I've also gotten to know Brian as a fellow legislative director. It's kind of ironic, I feel like we're swapping jobs, Brian, so wishing you the best of luck in your new role. You're going to do great at that agency. But now I'll get to see you in a role as a commissioner and get the opportunity like Representative Kloba said, to really benefit from your technical knowledge. And so, I'll just say, in all those capacities, in all of those positions that I've had the opportunity to work with you, I've been consistently inspired by your honesty and your integrity, especially in a profession, quite frankly, where blowing smoke I think up folks behind is often rewarded. You have always been someone who tells people what they need to know, not what they want to know, and I think that is a skill that you do with integrity and with compassion. And, I just have been really, really impressed by your ability to do that in all the roles in which I've gotten to know you. And so, just really excited for your next adventure. Thank you, I hope that I can continue to text you in the middle of the night, much like Senator*

*Conway, and ask you all the really hard questions. But wishing you the best of luck in your next endeavor, I know you're going to do great.*

**Rion Ramirez, CEO for Port Madison Enterprises** said, *“from the other side of the table, I just want to say thank you to Brian for his zealous advocacy on behalf of the Washington State Gambling Commission. Brian and I, I would say don't always agree in that regard, regarding things, but I would say that you're very passionate, you're very committed. You're somebody who's heart is committed to doing what you think is right on behalf of your client. I thank you for always being willing to talk, didn't mean we agreed all that much at times, but I really appreciate your willingness to talk and your willingness to sit down and try to find compromises where we could. And, honestly, I'm going to miss you on this side of the table. I wish you and your family the absolute best. I think as everybody has echoed, it's really an inspiring thing to see anybody with small children continuing to do the work, whether that's a woman navigating it like Commissioner Reeves was talking about, as well as a father. It's an incredibly important task that we all share as parents and it's admirable and awesome to see you navigating that and making your kids a priority. But, coming from the other side of the table, you've always been somebody that's a formidable opponent or friend on difficult obstacles at times. But I really appreciated working with you, and I wish you the absolute best, and I'm sure we will see you over there as well. So, thank you for your time, thank you for your willingness to tolerate me at times. And I look forward to seeing you later down the road, so thank you, sir.*

**Christopher Stanley** private citizen said, *“I really enjoyed being part of the public comment period here just to defeat Brian. He's a straight shooter. I've worked with a lot of legislative liaisons and I really appreciate the directness that Brian brings. In these jobs, we have limited time to make decisions and Brian cuts right to the chase. I appreciated working with him when I was working there. We got a lot done in a short period of time together and I found him just to be a straight shooter. And I really enjoyed working with you, Brian. You represented the agency well. So, I just wanted to go on the record and say that. I've got a lot of forestry ideas to gin up and send to your email address, so looking forward to continuing to work with you. But, just wanted to chime in and I wish you the best.*

**Chair Sizemore** said, *“I have more of a story about Brian's beginning with us. So, I think I had been a commissioner for maybe a year or two and I had been advocating for maybe a little more proactive approach to our legislative work. So, as any good deputy director would, Amy, who was in charge of the hiring and in charge of the lobbying up to that point, made me join in on the interview panels for the leg job. So, Brian was head and shoulders above the other candidates. They were all good, but it was obvious that Brian shared my vision of being proactive of engaging with folks. The only problem and I think Brian will probably remember this is, "Okay, Brian. I see the energy. I see the logic in your arguments. Can you say that in 30 seconds?" And, to this day, I don't know that Brian's gotten his elevator speech down to 30 seconds. But he's always compelling and I think that out of all the hiring type decisions or participation that I've had in my career, yours rises to the top. So, thank you and I wish you well.*

The Commissioners adjourned to Executive Session at 1:51 PM to discuss potential agency litigation with legal counsel, including tribal negotiations.

The July Special Commission meeting reconvened for adjournment purposes only at 3:31 PM.

There were 75 people that joined the meeting.