



STATE OF WASHINGTON  
**GAMBLING COMMISSION**

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

**July Gambling Commission Meeting Minutes**

Gambling Commission Headquarters

**Virtual Meeting**

**\*July 8, 2021**

**Commissioners Present:**

**Bud Sizemore, Chair (Present)**  
**Julia Patterson (Fed. Way 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; and Julie Anderson, Executive Assistant.

**Staff Present - Federal Way:**

Dan Frey, Special Agent Supervisor; and Rashida Robbins, Administrative 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** called the virtual meeting to order at 9:33AM and asked Interim Director Griffin to call the roll to ensure a quorum. Commissioners then went into Executive Session to discuss potential agency litigation with legal counsel, including tribal negotiations. Executive Session adjourned at 12:32PM. Commissioners had a short break from 12:32 PM to 1:02 PM.

The public meeting adjourned at 1:02. **Chair Sizemore** asked Interim Director, Tina Griffin to call the roll to ensure a quorum after Executive Session. Chair Sizemore mentioned that TVW would be live streaming the meeting. He asked for a moment of silence to recognize the fallen law enforcement officers that lost their lives since the commission last met.

**Tab 1**

**Consent Agenda**

*Commissioner Patterson moved to approve the consent agenda as presented by staff.*

*Commissioner Levy seconded the motion.*

*The motion passed. 4:0*

**Tab 2**

**Skokomish Indian Tribe Compact Amendment Hearing for Sports Wagering**

**Honorable Tom Strong, Vice Chair, Skokomish Tribal Council, Tina Griffin, Interim Director; Julie Lies, Tribal Liaison and Brian Considine, Legal and Legislative Manager presented** the material for this tab. **Vice Chair Strong** thanked the commission for this

\* 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.

opportunity. **Interim Director Griffin** explained the process and **Tribal Liaison Lies** discussed the details of the Tribe's Compact Amendments. **Vice Chair Strong** gave a short presentation of the tribe's history and accomplishments.

**Chair Sizemore** asked for public comment. There was no public comment.

**Chair Sizemore** asked Julie Anderson if there was any emails or chat activity. **Julie Anderson** replied that were none.

*Commissioner Reeves moved to forward the proposed compact to the governor for review and final execution.*

*Commissioner Patterson seconded the motion.*

*The motion passed 6:0*

*Chair Sizemore*

*Vice Chair Patterson*

*Commissioner Levy*

*Commissioner Reeves*

*Senator Conway*

*Representative Kloba*

**Vice Chair Strong** Thanked the Commission for their time.

### **Tab 3**

#### **Petition for Rule Change - Adopting Rules for Manufactures Selling and Distributers**

**Ashlie Laydon, Rules Coordinator and Walter Antoncich, of Lake Forest Park,**

**Washington** presented the materials for this tab. The petitioner is proposing to adopt a rule to require all manufacturers to sell to all licensed distributors on an equal basis under a fixed set of rules, like what previously existed in WAC 230-12-330, Availability of gambling equipment and related products and services – Prices – Contracts – Discounts – Restrictions – Exceptions., which was repealed by the agency in 2005.

Walter Antoncich has owned Tri-Focus Enterprises since 1988 as a manufacturer and distributor of pull-tabs. He explained that Arrow International would no longer sell to him after 33 years. Mr. Antoncich discussed the attempts with the Attorney General's Office to intervene with no success and believes the WSGC should act with rulemaking because the industry and market has changed, and it is a detriment to licensees that the largest manufacturer with the largest market share does not sell to him.

Representative from Arrow was at the virtual meeting and was given an opportunity to respond to the petitioner's allegations. They indicated it was a business decision due to the petitioner's low purchasing from them and the scarcity of resources to make pull-tabs due to the pandemic. They did inform him with short notice and admitted that the communication could have been better. However, they are not discriminating against him and it was simply a business decision, but he could get their product from other distributors.

Staff recommends denial of this petition as regulating lawful business relationships between distributors and manufacturers is generally outside the Commission's mission. Additionally,

there are other legal remedies that the petitioner could pursue, such as anti-trust laws, other than have the Commission adopt rules.

Commissioner Reeves asked the Commissioners could postpone the decision on this petition until our next meeting to give commissioners an opportunity to work with staff, to understand the pull-tab market better and learn more about Arrow and the petitioner's businesses in this marketplace.

Commissioners agreed with Commissioner Reeves and postponed a decision until their August 12, 2021 public meeting. Staff will work with Commissioners to present additional information at the August commission meeting.

#### **Tab 4**

##### **Rule up for Discussion Only - Sports Wagering Rules**

**LLM Considine** presented the material for this tab. LLM Considine provided a general overview of the rules for discussion only, including identification of the draft rules and stakeholder comments received prior to the meeting. He also shared a brief PowerPoint summarizing the process gone through up to the public meeting. Commissioners indicated growing concern on the proposed rules for WAC 230-19 and that they might need further review and stakeholder work. The Chair also indicated a desire to re-evaluate the major vendor licensing fee and see if it could be reduced.

LLM Considine reminded Commissioners that they could not make a final decision on the rules at this meeting and would need to wait until the July 28, 2021 special meeting. However, their preference and concerns are heard, and Commission staff would provide the Commissioners options for rule to approve at the special meeting, specifically looking at an option only approving rules found in WAC 230-03; WAC 230-05; and WAC 230-06 and another option with those rules and rules in WAC 230-19. Staff would also review the licensing fee analysis to see if the major vendor licensing fee could be reduced while still ensuring the agency could pay for five additional FTEs.

LLM Considine also indicated that staff needed to make technical, nonsubstantive changes to the use of "gambling equipment" definition in the rules to clear up confusion and unintentional conflicts that may currently exist in the draft rules. Would also look to remove cross-reference to WAC 230-19 in the draft rules found in WAC 230-06.

##### **Public Comment**

**Jerry Allen, Seven Cedars Jamestown Tribe** asked if the agency has looked at the data coming out of Nevada.

**Rion Ramirez, CEO Port Madison Enterprises** stated that the reduction in fees is better than \$85,000 its not the \$25,000 they were looking for and he feels that the agency has the ability to draw upon the existing loan that was part of the bill. He also stated, "*And we an Indian country would say it's still too high. But it's definitely a step in the right direction, and feel free to keep going down.*"

## **Tab 5**

### **2022 Agency Request Legislation**

**LLM Considine** presented the materials for this tab. LLM Considine discussed two possible topics for agency request legislation:

- Bingo at Senior Housing/Community Centers (approved last year); and
- Financial Exploitation of Vulnerable Adults

LLM Considine indicated that the second option is no longer needed at this time because appears to be a training issue with prosecutors but still wanted to highlight an important growing caseload for the agency. Thus, recommendation is to move forward with the agency request legislation approved by the Commissioners last year, especially since there is not a lot of time to do much other work with there not being a September public meeting.

Commissioners didn't have further suggestions. The Commissioners will have an opportunity to discuss this further at the August 12, 2021 public meeting and take final action at the August 27, 2021 public meeting.

## **Tab 6**

### **Director Hire Update**

**Lisa Benavidez, Human Resources Director** presented the materials for this tab. HRD Benavidez gave a short update on the director hiring process. Commissioners will begin the review process of the applications in the next coming weeks. HRD Benavidez remains to update the Commissioners weekly.

### **Commission meetings Post Pandemic**

**Tina Griffin, Interim Director** presented the materials for this tab. Commissioners decided to continue the current virtual meeting platform with the Federal Way office as an option for Commissioner's to meet in person. The commission meetings will continue to be virtual on Teams throughout the end of 2021 and through Legislative Session 2022 at which time meetings will be in-person with virtual option for attendance. Executive Assistant, Julie Anderson is working on logistics for 2022. The 2022 meeting schedule will be voted on at the October Commission meeting.

### **Public Comment**

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

Chair Sizemore suggested August 27 to replace the September 9<sup>th</sup> commission meeting date as the Commissioners are no longer available for that date. Commissioners all agreed to August 27.

The July meeting adjourned at 4:55 PM.

There were 91 people that joined the meeting.