

Bud Sizemore (00:03):

Welcome everyone to the February meeting of the Washington State Gambling Commission. We actually brought ourselves to order at 930 this morning and immediately went into Executive Session. That Executive Session is now closed. We took about a half hour break in between that and the beginning of this meeting. So I want to welcome everyone to our February meeting in what is becoming our normal, I guess, these days, as far as virtual meetings. So to let everyone know, I think it probably pops up on your screen that we are recording these meetings. And additionally, I believe we are also being recorded by TVW, I'm unsure whether we're live or not.

Bud Sizemore (00:52):

So with that, we will start our meeting with a moment of silence. As a law enforcement agency, we certainly need to, I think, give some recognition to the risk that our special agents put into this profession and the risks that they have to contend with. So it is a very dangerous profession and certainly would like to take a moment to recognize all of those police officers from around the country that we have lost since the last time we've met. So if you could just give me just a moment of silence, please.

Bud Sizemore (01:53):

(silence)

Bud Sizemore (01:53):

Thank you. So with that, we have a very short agenda today, certainly compared to some of those in the recent past. So the first item on our agenda will be our consent agenda, which includes our January 14th Commission Meeting minutes and New Licenses And Class Three Employees Licenses. Is there any adjustments to the consent agenda?

Bud Sizemore (02:26):

Okay. Hearing none. Is there a motion to approve the consent agenda?

Commissioner Patterson (02:34):

I can make that motion. Mr. Chair.

Bud Sizemore (02:37):

Okay. It's been moved. Is there a second?

Commissioner Levy (02:39):

Second.

Bud Sizemore (02:42):

Okay. It's been moved by Commissioner Patterson and seconded by Commissioner Levy to approve the consent agenda as presented by staff. All those in favor, please say aye.

Commissioner Levy (02:53):

Aye.

Julie Anderson ([02:53](#)):

Aye.

Commissioner Patterson ([02:53](#)):

Aye.

Bud Sizemore ([02:58](#)):

Aye. Any opposed? Motion carries four to zero. Thank you. We will now move to the Director's Report.

David Trujillo ([03:10](#)):

Thank you, Mr. Chair. And just for clarity in this virtual environment, if you did not catch, we do have all four sitting commissioners present. We wanted to make sure that that is on the record for this meeting that it's being recorded. I do have three items. Mr. Chair, thank you for indulging me. The first one is referenced on the agenda and that is the 2019 House Bank Card Room Financial Statements Summary. It's an informational report that the Commissioner has received annually. Generally speaking, we present or provide this information to the Commissioner in about September, October, November timeframe. As we know, 2020 was not a normal year and so we are presenting this information today, sharing it as part of the public packet. So as you review it, the important thing to know is that this is for the year 2019, there's a comparative year as well, that year is 2018.

David Trujillo ([04:23](#)):

And I just wanted to convey to the group why this is coming to you in February 2021 versus October, November 2020, for the prior year of 2019. Ms. That's the only point that I wanted to make there. I would like to read into record a letter that I provided specifically to one of our agents for his work with Criminal Justice Training Commission, specifically the Basic Law Enforcement Academy. So I'm going to read it. And this is to Special Agent Danny Lisa.

David Trujillo ([05:07](#)):

Danny Lisa, for the past 17 years, you have been a critical part of the Basic Law Enforcement Academy, held in Washington State Criminal Justice Training Commission as an instructor. Unfortunately, the Gambling Class you taught was canceled due to current curriculum changes. According to Assistant Commander, Russ Hicks, you were the most popular outside instructor we have for a long time and by far the most beloved outside instructor, agreeing by tenure.

David Trujillo ([05:36](#)):

You made a great impression and you are an outstanding instructor. It disappointed me greatly to hear that your class was canceled. The Academy graduates will no longer have the benefit of your Gambling Crimes Enforcement's Overview, or your Blue On Blue Block of instruction. Your class forged the bond that exists between our agency and City and County police agencies. I hope you know that I will continue to advocate for the class to return to the general curriculum.

David Trujillo ([06:05](#)):

Thank you for all of your outstanding work, your years of dedicated service to Basic Law Enforcement Academy and your exceptional performance as part of their adjunct faculty reflects favorably on yourself, your unit, this agency and our state.

David Trujillo ([06:20](#)):

Sincerely.

David Trujillo ([06:21](#)):

David Trujillo. Director.

David Trujillo ([06:23](#)):

It's important to know that in Danny's 17 years, he has basically taught thousands of police recruits. I'm not so sure how many people could actually say that they've been involved with the instruction of thousands of officers. The Blue On Blue Blocks Of Instruction I want to talk about for just a moment, that is the only area where at least I believe in the general Basic Law Enforcement Academy, where there was a discussion about friendly fire, so to speak because when we are on site, we will generally be in plain clothes. Officers responding to an incident will be in uniform. So Danny was able to remind them that there are, or there may be other state law enforcement officers in plain clothes. And I just wanted to convey that in front of all of you for Danny's work. Thank you, Mr. Chair, for that.

Bud Sizemore ([07:27](#)):

Thank you for that and this is a loss certainly to the curriculum and I certainly hope that we can revisit at some point, making sure that we provide that education to law enforcement officers in the state in some fashion. So I will also extend my appreciation to Agent Lisa work that he's done.

David Trujillo ([07:58](#)):

Thank you, Mr. Chairman, I will pass that along.

David Trujillo ([08:02](#)):

The other item actually involves one of the three people here in this room, and that would be Julie Anderson, who hit 15 years with the State Of Washington, December 2020, or as we like to call it, the year of COVID. So if you don't mind, Mr. Chair, I'd like to take a picture of you and Julie Anderson together. And we'll just go from there. Julie, you don't have to say it.

Julie Anderson ([08:28](#)):

Yeah. Are you going [inaudible 00:08:31]

David Trujillo ([08:45](#)):

Julie, are you happy?

Julie Anderson ([08:46](#)):

I'm smiling.

David Trujillo ([08:47](#)):

Oh, good. Okay. Thank you very much.

Bud Sizemore ([08:49](#)):

Thank you. Congratulations.

David Trujillo ([08:53](#)):

Julie Anderson came to us in 2016 and is a key part of our team ever since and this rounds out her terms of service with the State at 15 years. We did not recognize her last month, that was my fault, I meant to bring it forward, but better late than never.

Julie Anderson ([09:12](#)):

Okay. Thank you.

David Trujillo ([09:14](#)):

Mr. Chair, if there isn't any questions for me, that concludes my point.

Bud Sizemore ([09:19](#)):

Okay. Thank you. Any questions for the director?

Commissioner Levy ([09:24](#)):

I don't have a question. Can I just say, thank you, Julie. Appreciate your service. I know it's not always difficult dealing with me particularly, [crosstalk 00:09:31] and I appreciate all of those things.

Bud Sizemore ([09:37](#)):

I think we all present unique opportunities, I'll say for Julie, so excellent. All right. Well then we will move on from the directors report to Tab Two of our agenda, which is a rule up for final action. It's a staff proposed rule for bundling and selling raffle tickets at a discount. And I believe that it will be presented by Ashley Laydon, our rules coordinator. Are you available, Ashley?

Asley Laydon ([10:15](#)):

I am. Can you hear me okay?

Bud Sizemore ([10:16](#)):

I can. Welcome.

Asley Laydon ([10:18](#)):

Thank you for the record. I'm Ashley Laydon, the Rules Coordinator with the Gambling Commission. Chair Sizemore, commissioners and ex officios at the January 2020 meeting, you initiated rulemaking for raffles, specifically for staff to continue their review of raffles rules in regards to bundling and selling tickets at a discount, alternative drawing formats and progressive raffles. At the December 2020, meeting staff presented draft language addressing bundling, and selling tickets at a discount and alternative drawing formats. At that time, staff had determined that rules for progressive raffles were not needed. You chose to file that draft language for further discussion. That language was filed with the office of the Code Reviser and published in the Washington State Register issued 210207 0 and was also posted on the agency website. No further comments have been received. Staff recommends taking final action on the language before you today, which amends WAC 230 11025, Bundling And Selling Tickets At A Discount to allow additional discount levels and WAC 230, 11055, Authorized Alternative Drawing Formats to authorize two additional alternative drawing formats. In doing so the new rules would become effective on or after March 16th, 2021.

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Asley Laydon ([11:38](#)):

And I welcome any questions you may have.

Bud Sizemore ([11:40](#)):

All right. Thank you for your presentation. Commissioners, any questions or comments for Alicia?

Bud Sizemore ([11:53](#)):

Okay. Not seeing any, I will open this item up for public comment and because of our unique format and in a general normal sense, you'd have to get up from your seat and walk up to the microphone, identify yourself and put your comments on the record. Obviously that's not how we do things these days. So if you wish to make public comment, please raise your hand or unmute yourself and ask to be recognized. Is there anyone that would like to make public comment?

Bud Sizemore ([12:40](#)):

Okay.

Bud Sizemore ([12:42](#)):

Not hearing any. I'll ask a Julie Anderson, 15 year veteran, whether we've gotten any emails or chat activity?

Julie Anderson ([12:56](#)):

No emails, the no chat activity.

Bud Sizemore ([13:02](#)):

All right. I will, I guess, make one comment prior to any motions. And that is that on this subject and on other subjects that have been opened up for public comment through our staff, there has been certainly a regular drum beat from nonprofits, looking for new ways of fundraising because of coronavirus and whether it's online or those sorts of things. And I'll just remind folks that those things are illegal in our Gambling Act. So I would strongly encourage any desire by folks to have changes to the Gambling Act, to make sure that you do that through the legislative process. Max Faulkner is somebody on... And yeah, there was some sort of receipt or something that was there so, I want to warn you there. So, all right, it doesn't appear to be any public comment. Is there a motion?

Commissioner Patterson ([14:29](#)):

Mr. Chair.

Bud Sizemore ([14:31](#)):

Commissioner Patterson?

Commissioner Patterson ([14:33](#)):

I move to approve filing for final action is presented and effective 31 days after filing with the office of the Code Reviser.

Bud Sizemore ([14:44](#)):

Okay.

Commissioner Levy ([14:44](#)):

Second.

Bud Sizemore ([14:46](#)):

So I have a motion by vice-chair Patterson and a second by Commissioner Levy to approve filing for final action as presented and effective 31 days after filing with the office of the Code Reviser. Is there any discussion?

Bud Sizemore ([15:04](#)):

All right. Seeing no discussion. We'll see if I can hear it, all those in favor, please say aye.

Commissioner Patterson ([15:13](#)):

Aye.

Commissioner Levy ([15:13](#)):

Aye.

Julie Anderson ([15:13](#)):

Aye.

Bud Sizemore ([15:18](#)):

Aye Any opposed? Motion carries four to zero. Do you have anything else for us, Ashley?

Asley Laydon ([15:28](#)):

No, that's all. Thank you.

Bud Sizemore ([15:30](#)):

All right. Thank you. Our next item on our agenda is a legislative update. We have Brian Considine, our legal and legislative manager. Brian, are you here?

Brian Considine ([15:47](#)):

I am, Mr. Chair. For the record, Brian Considine, legislative manager for the Washington State Gambling Commission. Tab Three, and I think it's the final tab in our wonderfully short packet today, is the Legislative Update. Monday is the Policy Committee cutoff. So bills are slowly making their way through committees and onward or slowly dying their deaths for this year. And then a week from Monday, the 22nd is the Fiscal Committee cutoff and then we have things need to get off the floor by March 9th. So between now and our next commission meeting, which is March 11th or next a regularly scheduled public commission meeting on March 11th, there will be a lot of activity occurring. There are no new bills to talk with you about other than what was in your packet. I'm going to just focus on the first two bills for the most part. The rest of it is for your information. I don't think that there is anything additional with those other bills that really needs to be briefed with you at this time because as of right now, there's nothing as significant as the next two.

Brian Considine ([17:05](#)):

So I think the start with Senate Bill 5212, which is Authorizing Sports, Wagering, Cartoons And Racetracks. We discussed that bill at last month's commission meeting. It was heard, I believe last Thursday. So I think it was a week ago today in the Senate Labor Commerce And Tribal Affairs Committee. It was all on Zoom as all these meetings are and there were, I believe 1800 people who signed in. There was about a little over a 1000 who signed in against, I want to say there were six or 700. I actually over 700 that signed in for, and there was 40 some that signed in other. Testifying on behalf of the bill, proponents from Maverick. And then I know Rebecca George from Wagga testified against, and then we testified as other, providing the concerns that we had discussed at our commission meeting and also brought up the problem gambling funding piece and that it wasn't as dedicated as it is right now in the BNO tax.

Brian Considine ([18:08](#)):

I know Senator King, who's the prime sponsor indicated at that hearing that he had received our comments because I had sent him the long list of comments the day or two before, but also I know Department Of Revenue also had some concerns that they had expressed to him as well. As of right now, I think the testimony and information that we heard last year was very similar to what happened this year, and I think I might've sent out the link for that. But if I did not, I'll be sure to do it after this meeting, just so that you have it.

Brian Considine ([18:45](#)):

I have no recommendation for you at this time. The cutoff is Monday. The Senate committee meets today and it was not on their list and they posted their list for Monday. And so unless something changes 5212 is not on the list and do not expect it to get out of committee by the committee cutoff and therefore instruction with this bill is not going to go any further this year. And there was no house companion. I don't know Mr. Chair, if there's anything additional that you think should be briefed on this bill, but that's about all I have for 5212 at this time.

Bud Sizemore ([19:19](#)):

Well, I'll open it up to any questions on 5212 from any commissioners. I'm not seeing any raised hands or any anyone wishing to speak. I guess the only thing I would note is that certainly there is revenue involved in the bills, so it's probably necessary to implement the budget if it were to pass. So it's probably not dead dead until the end of session, but it doesn't look like it's moving anywhere. So thank you, Brian.

Brian Considine ([19:58](#)):

Yeah. Mr. Chair, I think that's a good point though. I think the co-sponsors and the chair of the committee understand that the bill's pretty bad in its current condition, that it would need a lot of work, or essentially a striker and would need to be re written for it to move forward. So I know that's been heard, so I would expect... And that's why I didn't have a recommendation because, if it looked like it was going to move forward in its current state, then I would have probably recommended that the commissioners consider opposing it in the current state just because of the issues that we have, but I expect, because we have a great relationship with Senator King and Senator Lee is in the chair of the committee and Senator Kaiser, I would expect if this thing ever did move, our concerns would be addressed to our satisfaction.

Bud Sizemore ([20:49](#)):

Thank you. Vice-chair Patterson.

Commissioner Patterson ([20:55](#)):

Thanks. Just to comment. I don't know that I would take a position, Brian. I wouldn't have taken a position on the bill. I would've encouraged my colleagues here to simply express our concerns and make recommendations, but we didn't take a position with the Tribal Only bill. So I hope that we're consistent along those lines.

Brian Considine ([21:26](#)):

Yes. Commissioner Patterson. The consistency would be that with the Tribal Only bill, just like I would expect would happen with this bill, that we work closely with the sponsors and with the tribes to make sure that the language was what we needed for our purposes, which is what I would expect in this. So I wouldn't expect the bill to get out in its current condition because of those relationships and because it would be changed, but because there's just some substantial changes that have significant regulatory concerns just as to how to even administer it. That was the only reason why I said what I did. That's no different than what it would have been last year, too.

Bud Sizemore ([22:03](#)):

Okay. Thank you.

Brian Considine ([22:05](#)):

You're welcome.

Bud Sizemore ([22:06](#)):

[crosstalk 00:22:06] Carry on.

Brian Considine ([22:08](#)):

The next two bills on the list are House Bill 1469 and Senate Bill 5410 relating to Enhanced Raffle Procedures. These two bills were dropped after our last commission meeting. There was a hearing on the Senate Bill yesterday and there is a hearing on the House Bill in about six to eight minutes, though we're third on the list so I'm pretty comfortable that we'll get there in time. Staff does not have concerns. What the bill does, Enhanced Raffles, as you know, comes before you yearly. Special Olympics is the only organization at this point that administers enhanced raffles. This bill seeks to increase the grand prize value from the 5 million cap to 10 million. Require the commission to report on these activities to the legislature, as you know, staff already reports to you regularly on this. So didn't see that being a significant change for us.

Brian Considine ([23:04](#)):

And then right now, there is a Sunset Clause where the statute would expire on June 30th, 2022. And it just removes that Sunset Clause where the Enhanced Raffle statute will then move forward in perpetuity, unless something changes. Staff looked at this as worked closely with Special Olympics on this bill, does not have any concerns. So I don't have a recommendation necessarily to you, but I know sometimes Mr. Chair, the commissioners like to have a discussion about these bills and make a determination on your own. I just know we do not have any technical concerns with the bill at this time.



Bud Sizemore ([23:45](#)):

Okay. Commissioners, any questions or comments on Enhanced Raffles? Okay. I think we can move on then Brian.

Brian Considine ([24:01](#)):

Okay. Just to hit the bills that we supported, the Horse Racing Commission bill, just for your information was moved out of Appropriations this week and was onto Rules, so it looks like that's moving. I know we signed in support of the bill in Appropriations earlier this week, still talking with many legislators and staff about the agency budget requests and not hearing anything that would cause me concern. So I think we're still on a good track for getting those three things, hopefully those extensions in either the House, the Senate, or both of the budgets. With that, I don't really anticipate a lot of... Oh, I should say, sorry. We had two legislative hearings, I believe it was last week on the Snoqualmie Compact and those went smoothly. And I know that'll be coming before the commissioner for review and action in March, but just wanted to point that out that there was both the Senate and a House hearing on that Compact last week. And other than that, I'm happy to answer any questions that we have about a legislative session so far.

Bud Sizemore ([25:26](#)):

Thank you, Brian, for the briefing and the very, very thorough memo that we were given and lives within actually the commission material. So anyone from the public would also be able to see what it is that you are monitoring up there. So before Brian steps off... Oh, commissioner Patterson, You're muted. Sorry.

Commissioner Patterson ([26:00](#)):

The issues that we have that are being dealt with through the budget, you said that we don't have any information on that because the budget hasn't been released yet, and the budget is going to be coming out in about, what is it about two or three weeks or two weeks?

Brian Considine ([26:19](#)):

I think we have at least a month before the budget gets released. They're going to wait for the Forecast to come out, which I don't believe... And Mr. Cherry, you may know better. I, I haven't taken a look at when that comes out yet. I haven't had a chance, but I don't think that comes out until at least the end of the month, if not beginning of next month. And then they usually have a week or two, once that comes out.

Commissioner Patterson ([26:40](#)):

So I'll request to extend the Prevalence Study and the Problem Gambling task force by a year. You expect language in the budget to appear regarding those things. Is that what we're hoping for?

Brian Considine ([26:53](#)):

Yes, that's my hope. I know Senator Conway has said that he'll move language. I think we're over double the amount of fiscal notes so hopefully this week I get with my CFO and we get Senator Conway the language, and then yes, I expect it to be in the Senate and or the House proposed budgets. That's my hope.

Commissioner Patterson ([27:11](#)):

[crosstalk 00:27:11] What's the cutoff date for getting that language to the budget writers?

Brian Considine ([27:15](#)):

In my experience, the only cutoff date is make sure it gets in the budget before signing die. So that's not necessarily what we're trying to get at the end, but there isn't a specific cutoff date I've been given yet.

Commissioner Patterson ([27:31](#)):

Thanks

Brian Considine ([27:33](#)):

You're welcome.

Bud Sizemore ([27:35](#)):

So it seems like we've got at least some placeholders there. I think everyone that needs to be advised of the desire as has been advised.

Brian Considine ([27:44](#)):

Right now, a lot of the budget related stuff is going through Appropriation ways and means on big bills. These are going to be provisos that aren't going to go through a bill so we've also been waiting. I've spent a lot of time over the last couple of weeks and will continue over the next two weeks to really start talking with budget folks about it. I wanted to give them an ability to get through the first couple of weeks of this virtual session, because I keep hearing how difficult it's been to just manage certain things. Better to talk with people a little bit later in the process so it doesn't get lost, has been my opinion and my game plan for this session.

Bud Sizemore ([28:25](#)):

Okay. Excellent. Any further questions or comments for Brian from commissioners? Okay. Seeing none. Well, thank you, Brian. I think we got you broke free in time to make it to your next meeting. Okay.

Brian Considine ([28:42](#)):

Yes. The only thing Mr. Chair is just remember to announce the special meeting because I got to sign off, so it's not to be forgotten. Yeah.

Bud Sizemore ([28:50](#)):

Perfect. Thank you. All right. So that brings us to the end of our agenda topics. So I would like to open the floor to the public if they would wish to make any public comment on gambling related issues, now would be the time. So with that again, because we're virtual, if you wish to make public comment, I'd ask that you either use the Raise Hand function, the Chat function, or if last resort, unmute yourself and ask to be identified. Julie, is there any chat activity?

Julie Anderson ([29:39](#)):

Uh-uh (negative).

Bud Sizemore ([29:40](#)):

Does there appear to be?

Julie Anderson ([29:44](#)):

Nope.

Bud Sizemore ([29:46](#)):

All right. Does not appear to be any request for public comment today. Commissioners, any final words?

Bud Sizemore ([30:02](#)):

Okay. Not seeing any, we actually are going to be able to get out a little bit early today. So I will remind the public and the information will be prominently displayed on our website and through the normal channels that you receive Gambling Commission information that we will be having a special meeting on February 24th, to consider a rule related to Sports Wagering and that will be the only topic for that meeting. So with that, as Brian mentioned, our regularly scheduled meeting in March, sounds like it's going to be a pretty full agenda, March 11th. So I'll check in with Suzanne, my attorney and see if I need to do any further announcing for the special meeting or the next meeting.

Suzanne ([31:07](#)):

No, I think you were very thorough.

Bud Sizemore ([31:09](#)):

All right. Thank you. Mr. Director, any final comments or guidance?

David Trujillo ([31:20](#)):

Thank you Mr. Chair, no further comments or guidance from staff for today's meeting.

Bud Sizemore ([31:24](#)):

All right. Well with that, we are now adjourned and get out there and enjoy the snow if you're anywhere near snow. All right. Thank you everyone.

Commissioner Patterson ([31:37](#)):

Thank you.