



**WASHINGTON STATE  
GAMBLING COMMISSION PUBLIC  
MEETING - January 2021**

Gambling Commission Headquarters  
Lacey, WA

## COMMISSIONERS



Bud Sizemore  
Chair



Julia Patterson  
Vice Chair

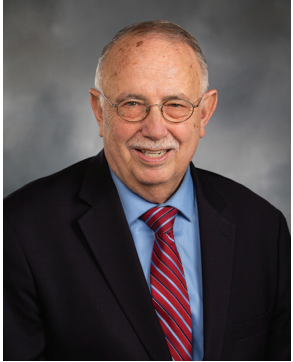


Alicia Levy



Lauren King

## EX OFFICIOS



Senator  
Steve Conway



Senator  
Jeff Holy



Representative  
Shelley Kloba



Representative  
Brandon Vick



David Trujillo  
Director

## STAFF



### Washington State Gambling Commission

P.O. Box 42400 | Olympia, WA 98504-2400

(360) 486-3469 | (800) 345-2529 | [www.wsgc.wa.gov](http://www.wsgc.wa.gov)



WAGamblingCommission



WAGambling



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STATE OF WASHINGTON

GAMBLING COMMISSION

“Protect the Public by Ensuring that Gambling is Legal and Honest”

January 14, 2021 Gambling Commission Meeting Agenda

[Click here to join the meeting](#)

Please note, agenda times are estimates only. Items may be taken out of sequence at the discretion of the Chair.

Commissioners may take action on business items.

Administrative Procedures Act Proceedings are identified by an asterisk (\*)

PUBLIC MEETING

<b>9:30-12:30</b>	<b>Executive Session – Closed to the Public</b> Discuss potential agency litigation with legal counsel, including tribal negotiations.	<i>Bud Sizemore, Chair</i>
<b>Tab 1 1:00</b>	<b>Call to Order</b>  <b>*Consent Agenda</b> <ul style="list-style-type: none"> <li>December 17, 2020 Commission Meeting Minutes</li> <li>New Licenses and Class III Employees Licenses</li> </ul> <b>Director Report</b>	<i>Bud Sizemore, Chair</i>  <b>(Action)</b>
<b>Tab 2</b>	<b>Presentation – Perry Tech</b> <ul style="list-style-type: none"> <li>Raffle Prize Limit Approval</li> </ul>	<b>(Action)</b>  <i>SA Tyna Antonson Christine Cote, Perry Tech President Darin Peters, Perry Tech Building Supervisor Tressa Shockley, Perry Tech Director of Foundation</i>
<b>Tab 3</b>	<b>* RULE PETITION FOR DISCUSSION AND POSSIBLE FILING</b> <ul style="list-style-type: none"> <li>Recording Live Play</li> </ul>	<b>(Action)</b>  <i>Ashlie Laydon, Rules Coordinator Freddie Siyufy, Petitioner</i>
<b>Tab 4</b>	<b>* RULE PETITION FOR DISCUSSION AND POSSIBLE FILING</b> <ul style="list-style-type: none"> <li>Online Raffles</li> </ul>	<b>(Action)</b>  <i>Ashlie Laydon, Rules Coordinator Patrick McBurney, Petitioner</i>
<b>Tab 5</b>	<b>* RULE UP FOR DISCUSSION AND POSSIBLE FILING</b> <ul style="list-style-type: none"> <li>Sports Wagering Pre-licensing Qualification</li> </ul>	<b>(Action)</b>  <i>Brian Considine, Legal and Legislative Manager</i>
<b>Tab 6</b>	<b>* RULE UP FOR FINAL ACTION</b> <ul style="list-style-type: none"> <li>Pull-tab Prize Limits</li> </ul>	<b>(Action)</b>  <i>Ashlie Laydon, Rules Coordinator</i>
<b>Tab 7</b>	<b>* RULE UP FOR FINAL ACTION</b> <ul style="list-style-type: none"> <li>Scientific Definition</li> </ul>	<b>(Action)</b>  <i>Ashlie Laydon, Rules Coordinator</i>
<b>Tab 8</b>	<b>Legislative Update</b>	<i>Brian Considine, Legal and Legislative Manager</i>

**Public Comment can be provided:**

- Before and during the Commission meeting you may email [Julie.Anderson@wsgc.wa.gov](mailto:Julie.Anderson@wsgc.wa.gov) ; or
- During the meeting you may use the Microsoft Office Teams Chat Box;
- If you are attending the meeting by phone, we will offer you an opportunity to comment.

**Adjourn**

*Upon advance request, the Commission will pursue reasonable accommodations to enable persons with disabilities to attend Commission meetings. Questions or comments pertaining to the agenda and requests for special accommodations should be directed to Julie Anderson, Executive Assistant at (360) 486-3453 or TDD (360) 486-3637. Questions or comments pertaining to rule changes should be directed to the Ashlie Laydon, Rules Coordinator (360) 486-3473. **Please silence your cell phones for the public meeting***



STATE OF WASHINGTON  
GAMBLING COMMISSION

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

**December Gambling Commission Meeting Minutes**

Gambling Commission Headquarters

**Virtual Meeting**

**\*December 17, 2020**

**Commissioners Present:**

**Bud Sizemore, Chair (Via Teams)**

**Julia Patterson (Via Teams)**

**Alicia Levy (Via Teams)**

**Lauren King (Via Teams)**

**Ex Officio Members Present:**

**Senator Steve Conway (Via Teams)**

**Senator Jeff Holy (Via Teams)**

**Representative Shelley Kloba (Via Teams)**

**Staff Present:**

Dave Trujillo, Director; and Julie Anderson, Executive Assistant.

**Staff Present-Virtual:**

Tina Griffin, Assistant Director; Brian Considine, Legal and Legislative Manager (LLM); Julie Lies, Tribal Liaison; Heather LaLiberte, Public Information Officer; Ashlie Laydon, Rules Coordinator; and Suzanne Becker, Assistant Attorney General.

**Public Meeting Call to Order**

**Chair Sizemore** called the virtual meeting to order at 10:01 AM and announced that the commissioners would go directly into executive session to discuss potential litigation, including tribal negotiations, with legal counsel. Chair Sizemore asked Director Trujillo to call the roll. He announced that the public meeting would reconvene at 1:00 PM.

Executive session adjourned at 12:10 PM. The commissioners took a break until 1:00 PM.

**Public meeting reconvened at 1:04 PM.**

**Chair Sizemore** asked Director Trujillo to call roll to ensure a quorum for the public meeting. All commissioners were present. The Commission observed a moment of silence for the fallen officers that have lost their lives since we last met. Chair Sizemore gave a special recognition to Deputy Melvin from the Grant County Sheriff's Department, who passed away from COVID. He had 36 years with the department.

There were 107 people who attended the virtual meeting.

**Tab 1**

**Consent Agenda**

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

\* 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.

*Commissioner Levy seconded the motion.  
The motion passed 4:0*

### **Director's Report**

**Director Trujillo** recognized Cathee Gottfryd for 37 years of state service in Washington and almost 22 years with the Gambling Commission. He noted that Cathee will be missed in the licensing department because of her work ethic and her attention to detail. He wished her good luck in her future endeavors.

### **Tab 2**

#### **Rule for Discussion and Possible Filing – Raffle Activity**

**Ashlie Laydon, Rules Coordinator (RC)**, presented the materials for this tab. At the January 2020 meeting, commissioners initiated rule-making for raffles. Commissioners asked staff to continue their review of raffle rules for bundling and selling tickets at a discount, alternative drawing formats, and progressive raffles. Staff has determined rules for progressive raffles are not needed at this time. Gambling Commission staff received input from stakeholders and staff regarding potential rule changes that could be proposed to assist nonprofit organizations. After discussing some of the obstacles nonprofits face when conducting raffles, staff proposes amending rules regarding alternative drawing formats and bundling and selling tickets at a discount.

Draft language was sent out on Nov. 5, 2020 to all organizations that hold a license to conduct raffles in the state.

Staff recommended filing this language for further discussion.

**Chair Sizemore** asked for public comment. There was no public comment. Julie Anderson confirmed no activity in the chat room and no emails for public comment.

*Commissioner King moved to file the proposed rule language as proposed and recommended by staff.*

*Commissioner Levy seconded the motion.  
The motion passed 4:0*

### **Tab 3**

#### **Rule for Withdrawal – Repealing WAC Definitions**

**RC Ashlie Laydon** presented the materials for this tab. RC Laydon stated that at the February 2020 meeting, commissioners decided to initiate rule-making to consider placing the definitions of gross sales, net gambling receipts, net gambling income, and cost in the chapters where they are referenced, and also to consider amending net gambling receipts and cost to clarify sales tax. Staff has completed an extensive review and has found that these definitions strictly pertained to rules related to activity reporting. Since the Gambling Commission has completed its transition from activity reporting to quarterly license reporting, these definitions are no longer relevant and should be repealed.

Staff recommended withdrawal of this rule making. Staff will later repeal these definitions through the expedited rulemaking process.

**Chair Sizemore** asked for public comment. There was no public comment. Julie Anderson confirmed no activity in the chat room and no emails for public comment.

*Commissioner Patterson moved to withdraw the rule as recommended by staff.*

*Commissioner King seconded the motion.*

*The motion passed 4:0*

#### **Tab 4**

##### **Rule Up for Final Action – Credit Card Authorization**

**Brian Considine, Legal and Legislative Manager (LLM)**, presented the materials for this tab. LLM Considine stated that at the September 2020 meeting, the commissioners decided to file draft language for further discussion to accept credit cards as a payment method option for card games, pull-tabs and bingo. At the October 2020 commission meeting, staff provided a presentation on current practices involving the use of credit cards in gambling activities, followed by a stakeholder panel discussion related to the draft language filed for further discussion at the September meeting. At the November 2020 commission meeting, staff facilitated additional discussion on the current rule-making and were asked to solicit additional stakeholder input from the Problem Gambling Task Force and gambling industry. On Nov. 20, 2020, draft language was sent via email to organizations currently licensed to conduct card games, bingo, and/or pull-tabs, and to manufacturers and distributors. In total, 30 stakeholders have expressed their support of the proposed language throughout this process. They would like to have the option to accept credit cards as a method of payment and believe this will help their businesses. Thirty-five stakeholders have expressed their opposition to the proposed language, citing fees, fears of fraudulent claims and/or credit card disputes, and problem gambling as their primary concerns.

Staff remains neutral; however, recommends the Commission take final action by either approving the proposed language as is, making it effective 31 days after filing, or withdrawing the rule-making at this time.

**Chair Sizemore** asked for public comment.

**Roxane Waldron, Problem Gambling Program Manager, WA Health Care Authority**, addressed the Commission and thanked Chair Sizemore and commissioners for the opportunity to speak about the proposed language change to WAC 230-06-305 that would allow operators to accept credit cards for card games, bingo and pull-tabs. Ms. Waldron explained that during the eight workdays that the comment period was open (Nov 30-Dec 10), she received only one written response. Antonio Edwards-Lenton, a prevention system manager at the Division of Behavioral Health & Recovery at HCA, shared these concerns:

*“My comments are against the acceptance of credit cards as payment for gambling activities. ... Credit card gambling can lead to significant financial harm, far greater than that of the other forms of payment (because the credit) is not earned income or funds belonging to the gambler. This creates a false sense of “available funds” to use for games of chance that must be paid back when the credit card statement balance is due. Credit cards (should not be) be used for games of chance as they present considerable risks of significant financial harm.”*



Ms. Waldron also presented information she received from the Washington State Lottery's Director of Legal Services, Kristi Weeks:

- Lottery direct sales are exclusively cash-only transactions.
- For over-the-counter sales, licensed retailers can choose to accept cash, credit, or debit - the Lottery currently has no rule or law that either prohibits or specifically allows cashless transactions by retailers. This allows retailers to combine customers' Lottery purchases with groceries or similar items.
- The Lottery is in the process of implementing cashless purchases at their vending machines. This won't be available for at least a year, but the Lottery has decided that the vending machines will accept only debit cards but not accept credit cards. This is based on consultation with the Evergreen Council on Problem Gambling and the Lottery's attention to the responsible gambling aspects of this transition. At this time, the Lottery also plans to have daily or weekly purchase limits, though the amounts are still to be decided.
- Lottery does not want people spending money they don't have on lottery tickets."

In closing Ms. Waldron shared information from a paper published in March 2020 by the United Kingdom's Gambling Commission, titled, *The Role of Credit Cards in Gambling – Rapid Evidence Review*. Based on this and additional research on the impacts of credit card gambling, beginning on April 14, 2020, the UK instituted a ban on credit cards being used for gambling, including all online and offline gambling products with the exceptions of non-remote 'good cause' lotteries and the National Lottery tickets which are sold with other items in grocery stores and newsagents.

Neil McArthur, head of the UK Gambling Commission said in a statement:

***'The ban that we have announced today should minimize the risks of harm to consumers from gambling with money they do not have'***

Ms. Waldron said: "In my role as the Problem Gambling Program Mgr., my focus is on both the behavioral health aspects as well as consumer protections from the potential negative impacts of gambling. Any change that increases opportunities to use credit to gamble is of concern to our program. I do understand that the Gambling Commission is required to consider fairness for all operators. However, I would point out that due to Tribal sovereignty, there are already existing differences such as the permitted use of slot-like machines within Tribal casinos, as well as the new opportunity for Tribes to negotiate sports wagering. We already know through research that credit cards can lead to significant and life-crushing indebtedness. This affects not just the gambler but also spouses or significant others, children, as well as school or workplace relationships. Just this week, I've been working with a spouse of a disordered gambler to place the individual into in-patient treatment due to, as he put it, 'thousands and thousands of dollars that have now been lost to gambling. In some cases, disordered gambling leads to embezzlement or other illegal activities and even incarceration as the gambler struggles to fix their financial situation. In her opinion, she said that when considering the expansion of the use of credit cards for gambling, the rights of consumers and their families to be protected from incurring excessive debt that cannot be easily repaid should be given equal time and consideration to issues of fairness for operators. Even though the language change may seem small, once the door is opened to expanding the use of credit cards, it will be very difficult to close it again, as the UK is experiencing right now.



In closing, as the Problem Gambling Task Force Coordinator, at this time I'm unfortunately unable to provide a recommendation on behalf of the entire Task Force on the proposed language change, due to the small amount of feedback that I received from members. However, I believe that at a full Task Force meeting, members present could have a robust discussion on the issue and likely send forth a recommendation to the Gambling Commission on the proposed rule change.

Ms. Waldron concluded by announcing that the next full task force meeting will be held on Feb. 23, 2021. She also recommended that, rather than decide the issue today, the commissioners should request that the topic be added to the task force meeting agenda for Feb 23 or as Brian Considine mentioned, withdraw the proposed rule change altogether.

**Katie Doyle, Washington Hospitality Association**, represents hundreds of hospitality businesses statewide. She thanked the Commission for its time. She is in support of this rule change because it could provide operators flexibility in being able to decide whether they would like to use credit cards or continue with cash transactions for pull-tabs.

**Chair Sizemore** asked for additional public comment. Julie Anderson confirmed no activity in the chat room and no emails for public comment.

*Commissioner Patterson moved to withdraw this rule-making.*

*Commissioner King seconded the motion.*

*The motion passed 4:0*

Commissioner Levy, Senator Conway and Representative Kloba all agreed with the motion.

## **Tab 5**

### **Defaults**

Mathew P. Williams CR 2020-01020

**Chair Sizemore** asked if Matthew P. Williams was present. He was not.

*Commissioner Levy moved to approve the final order and revoke the certification of Class III employee Matthew P. Williams.*

*Commissioner King seconded the motion.*

*The motion passed 4:0*

Tifannie S. Gibson CR2020-00673

**Chair Sizemore** asked if Tifannie S. Gibson was present. She was not.

*Commissioner Levy moved to approve the final order and revoke the license of public card room employee Tifannie S. Gibson.*

*Commissioner King seconded the motion.*

*The motion passed 4:0*

## **Tab 6**

### **Presentation- Gambling Commission Budget Review and Financial Update**

**Christopher Stanley**, Chief Financial Officer (CFO), presented the agency's budget review and financial update. **Senator Conway** asked CFO Stanley if he knew if any of the licensees took advantage of any of the loans that the state has made available to them. **CFO Stanley** could not confirm at this time.

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

### **Tab 7**

#### **Legislative Update**

**LLM Brian Considine** presented the materials for this tab. LLM Considine recapped the Agency Request Legislation process for 2021. He congratulated Representative Kloba on being named Chair of the House Commerce and Gaming Committee. Rep. Kloba stated that she is looking forward to the additional responsibilities and the ability to "up her game" professionally and continue the work with the Gambling Commission. **Chair Sizemore** also congratulated Rep. Kloba. **LLM Considine** briefed the commissioners on other changes to the House and Senate policy committees and that he would have more information for them at the January public meeting. Lastly, he summarized the process used during past sessions: He would provide information in a monthly session memo, and bring any gambling-related bills, and other bills of importance impacting the agency, to the Commission's attention and recommend which bills the commissioners may want to consider taking a position on, including any recommendation by staff.

Commissioners each signaled that they approved continuing this process for the 2021 session.

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

### **Tab 8**

#### **Sports Wagering Discussion**

**LLM Considine** presented for this tab. He briefed the commissioners on sports wagering and that negotiations were on-going.; however, any final compact amendment will contain a licensing component where the final license classes will still require pre-licensing investigations. Therefore, at the January public meeting, staff will bring sports wagering pre-licensing qualification to the commissioners for their review and possible approval for further consideration. Staff will also send the draft rule language to tribes and sports wagering stakeholders, per the agency's customary public process asking for stakeholder feedback in rule-making. The pre-licensing qualification rules will be available for final action at the end of February through a special meeting, or at the March public meeting, if the commissioners approve of the initial draft rules at the January meeting. Once the final rules are approved, they will likely go into effect 31 days after they are filed with the Code Reviser.

**Chair Sizemore** announced that the next public meeting will be January 14, 2021 and to continue checking the website for the most current information.

The December meeting adjourned at 2:51 PM.



COMMISSION APPROVAL LIST  
(New Licenses & Class III Gaming Employees)  
January 2021

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Based upon the licensing investigations, staff recommends approving all new Licenses and Class III employees listed on pages 1 to 11.



## HOUSE-BANKED PUBLIC CARD ROOM REPORT

<b>Licensed and Operating</b>		<b>30</b>			
	City	Commission Approval Date	License Expiration Date	Org #	License #
BLACK PEARL RESTAURANT & CARD ROOM	SPOKANE VALLEY	Jan 10, 2013	Sep 30, 2021	00-22440	67-00321
BUZZ INN STEAKHOUSE/EAST WENATCHEE	EAST WENATCHEE	Oct 10, 2002	Dec 31, 2021	00-11170	67-00183
CASINO CARIBBEAN	YAKIMA	Nov 14, 2019	Sep 30, 2021	00-24513	67-00342
CASINO CARIBBEAN	KIRKLAND	Nov 14, 2019	Sep 30, 2021	00-24512	67-00341
CHIPS CASINO/LAKEWOOD	LAKEWOOD	Apr 8, 1999	Dec 31, 2021	00-17414	67-00020
CLEARWATER SALOON & CASINO	EAST WENATCHEE	Feb 14, 2019	Dec 31, 2021	00-24296	67-00339
COYOTE BOB'S CASINO	KENNEWICK	Jul 10, 2009	Mar 31, 2021	00-21848	67-00282
CRAZY MOOSE CASINO II/MOUNTLAKE TERRACE	MOUNTLAKE TERRACE	Jul 10, 2009	Mar 31, 2021	00-21849	67-00283
CRAZY MOOSE CASINO/PASCO	PASCO	Jul 10, 2009	Mar 31, 2021	00-21847	67-00281
FORTUNE CASINO - RENTON	RENTON	Jan 8, 2015	Sep 30, 2021	00-23339	67-00327
FORTUNE CASINO - TUKWILA	TUKWILA	Oct 8, 2015	Jun 30, 2021	00-23465	67-00329
GOLDIE'S SHORELINE CASINO	SHORELINE	May 13, 1999	Dec 31, 2021	00-17610	67-00016
GREAT AMERICAN CASINO/EVERETT	EVERETT	Nov 12, 1998	Dec 31, 2021	00-19513	67-00194
GREAT AMERICAN CASINO/LAKEWOOD	LAKEWOOD	Aug 14, 2003	Jun 30, 2021	00-19258	67-00184
GREAT AMERICAN CASINO/TUKWILA	TUKWILA	Jan 15, 1998	Sep 30, 2021	00-12554	67-00012
IRON HORSE CASINO	AUBURN	Jan 9, 2003	Dec 31, 2021	00-19477	67-00192
JOKER'S CASINO SPORTS BAR & FIESTA CD RM	RICHLAND	Nov 12, 1998	Dec 31, 2021	00-15224	67-00006
LILAC LANES & CASINO	SPOKANE	Jul 12, 2007	Jun 30, 2021	00-21305	67-00267
MACAU CASINO	TUKWILA	Nov 14, 2019	Sep 30, 2021	00-24514	67-00344
MACAU CASINO	LAKEWOOD	Nov 14, 2019	Sep 30, 2021	00-24516	67-00345
NOB HILL CASINO	YAKIMA	Sep 12, 2001	Dec 31, 2021	00-13069	67-00173
PALACE CASINO LAKEWOOD	LAKEWOOD	Jan 14, 1999	Dec 31, 2021	00-16542	67-00028

<b>Licensed and Operating</b>			<b>30</b>		
	<b>City</b>	<b>Commission Approval Date</b>	<b>License Expiration Date</b>	<b>Org #</b>	<b>License #</b>
PAPAS CASINO RESTAURANT & LOUNGE	MOSES LAKE	Aug 13, 1998	Jun 30, 2021	00-02788	67-00004
RIVERSIDE CASINO	TUKWILA	Aug 14, 2003	Jun 30, 2021	00-19369	67-00187
ROMAN CASINO	SEATTLE	Feb 10, 2000	Mar 31, 2021	00-17613	67-00057
ROXY'S BAR & GRILL	SEATTLE	Nov 18, 2004	Jun 30, 2021	00-20113	67-00231
ROYAL CASINO	EVERETT	Sep 9, 2010	Jun 30, 2021	00-22130	67-00301
SILVER DOLLAR CASINO/MILL CREEK	BOTHELL	Sep 9, 2010	Jun 30, 2021	00-22131	67-00302
SILVER DOLLAR CASINO/RENTON	RENTON	Sep 9, 2010	Jun 30, 2021	00-22134	67-00305
SILVER DOLLAR CASINO/SEATAC	SEATAC	Sep 9, 2010	Jun 30, 2021	00-22128	67-00299

<b>Licensed but Not Currently Operating</b>			<b>13</b>		
	<b>City</b>	<b>Commission Approval Date</b>	<b>License Expiration Date</b>	<b>Org #</b>	<b>License #</b>
ALL STAR CASINO	SILVERDALE	Jan 14, 1999	Jun 30, 2021	00-18357	67-00058
CARIBBEAN CARDROOM	KIRKLAND	Nov 14, 2019	Sep 30, 2021	00-24515	67-00343
CLUB HOLLYWOOD CASINO	SHORELINE	Sep 9, 2010	Jun 30, 2021	00-22132	67-00303
EMERALD DOWNS	AUBURN	May 11, 2017	Mar 31, 2021	00-23814	67-00335
HAWKS PRAIRIE CASINO	LACEY	Jul 12, 2001	Jun 30, 2021	00-17579	67-00091
LANCER LANES/REST AND CASINO	CLARKSTON	Nov 13, 2008	Sep 30, 2021	00-21681	67-00276
LAST FRONTIER	LA CENTER	Feb 11, 1999	Sep 30, 2021	00-11339	67-00055
RC'S AT VALLEY LANES	SUNNYSIDE	Nov 16, 2017	Mar 31, 2021	00-16220	67-00336
SLO PITCH PUB & EATERY	BELLINGHAM	Aug 12, 1999	Jun 30, 2021	00-16759	67-00038
THE PALACE	LA CENTER	Apr 9, 1998	Jun 30, 2021	00-16903	67-00010
WILD GOOSE CASINO	ELLENSBURG	Apr 8, 2004	Dec 31, 2021	00-20009	67-00212
WIZARDS CASINO	BURIEN	Feb 11, 2010	Dec 31, 2021	00-21998	67-00287
ZEPPOZ	PULLMAN	Nov 13, 2008	Mar 31, 2021	00-18777	67-00209

**Applications Pending****1**

	City	Commission Approval Date	License Expiration Date	Org #	License #
LUCKY DRAGONZ CASINO	SEATTLE			00-23001	67-00323

ORGANIZATION NAME

LICENSE NUMBER

PREMISES LOCATION

**NEW APPLICATIONS**

**RAFFLE**

FERRIS HIGH SCHOOL PTG  
00-22267 02-09051

3020 E 37TH AVE  
SPOKANE WA 99223

GRAHAM BUSINESS ASSOCIATION  
00-24697 02-21145

3705 20TH AVE SE  
PUYALLUP WA 98372

THE CLYMER FOUNDATION  
00-18893 02-08287

416 N PEARL ST  
ELLENSBURG WA 98926

WEST PLAINS ANGELS  
00-24710 02-21152

21512 W ST RT 904  
CHENEY WA 99004

**PUNCHBOARD/PULL-TAB COMMERCIAL STIMULANT**

GOLDEN WEST SPORTS BAR & GRILL  
00-24687 05-21694

5228 SOUTH TACOMA WAY  
TACOMA WA 98409-4319



PERSON'S NAME  
LICENSE NUMBER

EMPLOYER'S NAME  
PREMISES LOCATION

### NEW APPLICATIONS

#### MANUFACTURER REPRESENTATIVE

KUNZI, JASON E  
23-02258

IGT  
LAS VEGAS NV 89113

LAMB, STEVE C  
23-03143

EVERI PAYMENTS INC  
LAS VEGAS NV 89113-2175

PEREZ, DERRICK  
23-03145

IGT  
LAS VEGAS NV 89113

RAGSDALE, LARRY B  
23-03144

ARISTOCRAT TECHNOLOGIES INC  
LAS VEGAS NV 89135

SUSEELA, PREETHA  
23-03142

SCIENTIFIC GAMES  
LAS VEGAS NV 89119

#### NON-PROFIT GAMBLING MANAGER

ANDRE, CYNTHIA A  
61-04409

LOOM 01666  
NORTH BEND WA 98045

SPRINGER, ERICA M  
61-04741

BPOE 01204  
ANACORTES WA 98221

#### SERVICE SUPPLIER REPRESENTATIVE

MILLER, BRYAN A  
63-00952

MAVERICK WASHINGTON  
KIRKLAND WA 98034

SIU, WAIBON  
63-00951

MAVERICK WASHINGTON  
KIRKLAND WA 98034

#### CARD ROOM EMPLOYEE

CARTER, CHARDESKI R  
68-35902

B

RIVERSIDE CASINO  
TUKWILA WA 98168

CHANN, ISAIAH J  
68-35904

B

IRON HORSE CASINO  
AUBURN WA 98002

CHIEU, KEVIN  
68-30751

B

FORTUNE CASINO - RENTON  
RENTON WA 98055

PERSON'S NAME  
LICENSE NUMBEREMPLOYER'S NAME  
PREMISES LOCATION**NEW APPLICATIONS****CARD ROOM EMPLOYEE**

HENDERSON, MARCUS C 68-35905	B	COYOTE BOB'S CASINO KENNEWICK WA 99336
OLEA, HECTOR S 68-03265	B	CRAZY MOOSE CASINO/PASCO PASCO WA 99301
SAM, SUNNARY 68-35907	B	ROXY'S BAR & GRILL SEATTLE WA 98126
STEPHENS, SHANICE A 68-35903	B	PALACE CASINO LAKEWOOD LAKEWOOD WA 98499-8434
THOUN, JUSTIN L 68-35906	B	FORTUNE CASINO - RENTON RENTON WA 98055
TRAN, THI M 68-35910	B	ROMAN CASINO SEATTLE WA 98178
TRAVIS, KATELYN M 68-31940	B	CHIPS CASINO/LAKEWOOD LAKEWOOD WA 98499

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

**CHEHALIS CONFEDERATED TRIBES**

BOYD, LESLIE M  
69-49458

CASEBOLT, KYLIE K  
69-49446

SMITH, TREVOR A  
69-49447

YOUCKTON MEDINA, KENDALL L  
69-37016

**COWLITZ INDIAN TRIBE**

GASCA, JASON A  
69-49491

HORNER, KASSIDY N  
69-49494

HUGHART, MICHAEL P  
69-49456

KAHUS, SEAN C  
69-49424

KNIGHT, MICHAEL L  
69-49427

LOWE, KEYLEE L  
69-49455

RAMON, TARA M  
69-49453

STINES, RANDALL J  
69-49459

SUTTER, BRETT S  
69-49469

SYLVESTER, ISSABELLA P  
69-49454

TAYLOR, HAILEE A  
69-42469

TAYLOR, SHANE P  
69-42633

TICE, MIKAYLA B  
69-49452

ZHANG, QILIN  
69-49470

**KALISPEL TRIBE**

BYRD, LEROY W  
69-49486

CAMPBELL, JESSICA N  
69-49485

DAVIS, TODD A JR  
69-49531

EDOGAWA, SETO E  
69-49448

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

**KALISPEL TRIBE**

FISHER, RYAN H  
69-49484

FJELD, MEGHAN R  
69-49528

GARRETT, SARAH M  
69-49533

HILL, AMANDA K  
69-49532

NEWTON, ANTHONY P  
69-49449

SAGARIO, AUSTIN K  
69-49535

SANCHEZ, MICHAEL R  
69-48631

SKRABAK, MATTHEW J  
69-49534

WALKER, TAWNYAL  
69-40358

WESSELS, REBECCA A  
69-38530

**LUMMI NATION**

ARDON VARGAS, BORIS A  
69-49537

WORKMAN SMITH, BENJAMIN A  
69-49536

**MUCKLESHOOT INDIAN TRIBE**

BERTOLET, ROBERT K JR  
69-30107

DIAZ, JACOB W  
69-49411

JOHNSON, ALEXANDER E  
69-49409

JOHNSON, ROBIN R  
69-49410

MAGEE, CHRISTINA B  
69-17034

MCDUFFIE, JASMINE M  
69-49415

MULIPOLA, NAVY  
69-49413

NGUYEN, MARTHA  
69-49488

TITIALII, TAIULU JR  
69-49412

TULIFUA, SATUI B  
69-49414

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

**NISQUALLY INDIAN TRIBE**

BEELAND, ZACKARY W  
69-49510

BENSEN, CONNOR S  
69-49511

BOURKE, JENNIFER M  
69-49507

BROWN, DIANE L  
69-49408

CARTER, CODY R  
69-49407

DOW, MOLLY G  
69-49500

HOGANDER, NAJA L  
69-49509

KONG, NARAT  
69-46627

MAY, MARIAH T  
69-49369

STEMSON, ANDREA M  
69-49370

THOMAS, LAWRENCE W III  
69-49508

VANDERWEL, SAMANTHA A  
69-36156

**NOOKSACK INDIAN TRIBE**

ROBISON, STEVEN R  
69-49518

VALLEY, ANDREW E  
69-49457

**PORT GAMBLE S'KLALLAM TRIBE**

BROWN, MICHAEL L  
69-44937

CLAY, TROLAND V  
69-49505

HART, KYOTE S  
69-49460

POTTER, DAVID W  
69-49461

UZZELL, KATHERINE R  
69-49349

**PUYALLUP TRIBE OF INDIANS**

BAKER, MARK C  
69-49513

BAKER, RUSSELL III  
69-49433

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

**PUYALLUP TRIBE OF INDIANS**

BEZANILLA ORTIZ, CHRISTIAN J  
69-49399

BOWIE, BRODERICK D  
69-49422

BRADLEY, LAKENDRICK D  
69-49434

BRANIGAN, DUSTIN Q  
69-49546

CHAVEZ, ALEXIS A  
69-49478

CHIN, CHRISTINA L  
69-49435

CHOM, SAMARA K  
69-49468

CHOM, TIANA B  
69-49556

CLAY, MANALETO Q  
69-49437

CORREIA, JOHN T  
69-49559

DANIELS, TASHANA A  
69-49467

DE LOS SANTOS, THERESA A  
69-49492

DUDLEY, MANUELA E  
69-49539

ELKSHOULDER RAMIREZ, SYDNEY S  
69-49545

ELLISON, JOLEYA J  
69-49489

ESERA, STANLEY M  
69-49477

GASCHK, ANNA P  
69-44967

GOCKEN, GERALD A III  
69-49439

GRANT, FOSTER C  
69-35556

GUANZON, GERALDINE M  
69-49463

HAMEL, ROLAND N  
69-30138

HARPER, JACOB C  
69-49542

JOHNS, CHARLES K  
69-49480

JOHNSON, ALICIA M  
69-49431

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

**PUYALLUP TRIBE OF INDIANS**

JOHNSON, COREY T  
69-49560

KOCH, CAMERON T  
69-49540

MARTIN, ISABEL E  
69-49360

MC CREA, CHRISTINE R  
69-49462

MENDOZA, FRANCESCA M  
69-49465

NEAL, JORDAN A  
69-49440

NETTLES, ALEX B  
69-49558

NGETH-SRENG, KATALINA A  
69-49441

PEN, SREYROTH  
69-49544

POORE, HEATHER M  
69-49543

RATNAJUN, SINA  
69-41786

SALAZAR, ROBERT R  
69-49479

SAMOL, SAMMAANTRA S  
69-49481

SCHRADER, STEVEN B  
69-25244

SHIELDS, BRITTNY A  
69-49541

SNYDER, BLAKE M  
69-49466

SOEURNG, CHANNA  
69-49487

SPEIGHTS, JAQUAN X  
69-49512

TORRES, CATLIN E  
69-47498

TRUJILLO, SOLOMON Q  
69-49557

TRUJILLO, TIFFANY T  
69-49555

WALLACE, NELSON J III  
69-44778

WASHINGTON, GIOVANNI I  
69-49515

WINKER, MICHAEL D  
69-49514



PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

**QUINAULT NATION**

CARTER, LORNA M  
69-49474

JOHNSON, SARA A  
69-49475

LOPEZ, ERIKA R  
69-49476

**SNOQUALMIE TRIBE**

BLACKMON, JAMES M  
69-49443

CHEN, XIAOHUI  
69-49504

JAWARA, SOTHIRY P  
69-44261

JONES, ARVELL S  
69-49442

JONES, CHRISTOPHER M  
69-49502

JUHLIN, JEREMIAH T  
69-49444

NGUYEN, TRUNG  
69-49503

**SPOKANE TRIBE**

FLETT, TONI A  
69-49483

HOWDER, AUSTIN W  
69-49379

WELSH, SEAN K  
69-49438

**SQUAXIN ISLAND TRIBE**

LEGARDE, BRANDIE D  
69-37144

LEVINSON, JEFFREY L  
69-49482

NELSON, JEFFREY J  
69-49493

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

**STILLAGUAMISH TRIBE**

ALEJO, ALADDIN T  
69-33179

KEATING, ANNETTE D  
69-49516

RICCO, JENNIFER L  
69-49490

**SUQUAMISH TRIBE**

CHING, BRENDON L  
69-49549

DEAL, JAMES R  
69-49548

GIN, KEVIN  
69-49550

HAMRICK, CLINTON C  
69-40357

HOLMES, STACIE L  
69-49499

MCKENNA, SADI E  
69-49498

**SWINOMISH INDIAN TRIBAL COMMUNITY**

BAKER, FRANK T  
69-49432

COLLMAN, GEORGE B  
69-32054

JAMES, SONNY J  
69-49214

KEEBLER, MICHELLE N  
69-30284

SEM, JULIANNE M  
69-49450

**THE TULALIP TRIBES**

BAKER, JANET L  
69-18961

GAMINO, SYLVIA S  
69-01036

GUERTIN, TIFFANY J  
69-13740

LANG, RANDALL G  
69-45576

LIN, MONGTAI  
69-49526

MATZ, SHERI L  
69-19710

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

**NEW APPLICATIONS**

**CLASS III GAMING EMPLOYEE**

THE TULALIP TRIBES

WALKER, ELIAS L  
69-49554

WU, HUI-PING  
69-24147

YAKAMA NATION

ALVISO, CHRISTIAN O  
69-42388

BAGWELL, BRUCE L  
69-49517

GEORGE, LUCY M  
69-32377

THOMPSON, STEPHEN A JR  
69-09274



**STATE OF WASHINGTON  
GAMBLING COMMISSION**

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

DATE: January 14, 2021

TO: **COMMISSIONERS:**  
Bud Sizemore, Chair  
Julia Patterson, Vice-Chair  
Alicia Levy, Commissioner  
Lauren King, Commissioner

FROM: Tyna Antonson, Special Agent, Regulatory Unit

SUBJECT: **Perry Technical Foundation's Request to offer a raffle prize that exceeds \$40,000 and exceed \$300,000 limit in Raffle Prizes Paid during the License Year.**

---

**Background**

Our rules require licensees to get your approval prior to offering a raffle prize that exceeds \$40,000 and/or offering raffle prizes that exceed \$300,000 in a licensee year, WAC 230-11-067.

To seek that approval, the licensee must submit a raffle plan that includes:

- (a) The organization's goals for conducting the raffle; and
- (b) A brief overview of the licensee's mission and vision including the type of programs supported by the licensee and clients served; and
- (c) Specific details of the raffle rules including:
  - (i) Date of the drawing; and
  - (ii) Cost of raffle tickets; and
  - (iii) Prizes available; and
  - (iv) Security of prizes; and
  - (v) Plans for selling raffle tickets; and
  - (vi) Description of how the licensee protects the integrity of the raffle; and
- (d) An explanation of how the proceeds from the raffle will be used; and
- (e) A plan to protect the licensee in the event of low ticket sales and other risks; and
- (f) An explanation of how the licensee will purchase the prize(s) for the raffle; and
- (g) A projected budget including:
  - (i) Estimated gross gambling receipts, expenses, and net income for the raffle; and
  - (ii) Minimum number of projected ticket sales to break even; and
  - (iii) Corresponding sales and prize levels with projected revenues and expenses for each level; and
  - (iv) Minimum and maximum prizes available; and
- (h) Any other information that we request or any information the licensee wishes to submit.

**Request for Your Approval**

Perry Technical Foundation requests your approval to offer a raffle prize in excess of \$40,000 and offer raffle prizes over \$300,000. They are estimating the house to cost \$300,000. However, they estimate the value of the home will be \$400,000.

Staff recommends you approve Perry Technical Foundation to offer a raffle prize in excess of \$40,000 and to exceed the annual raffle prize limit of \$300,000 for their license year ending June 30, 2022.

Attachments

## **Perry Technical Foundation Raffle Plan to exceed a \$40,000 prize and \$300,000/year**

### **Organization's goals for conducting the raffle:**

The role of the Perry Technical Foundation is to assist in reducing the cost of an education at Perry Technical Institute by providing scholarship opportunities to students. This raffle would be dedicated to raise funds in order to enhance student learning by lessening the burden of student loans and debt. Perry Technical Institute is a financially stable institution operating since 1939.

### **Brief overview of the licensee's mission and vision including the type of programs supported by the licensee and clients served:**

The Perry Technical Foundation is committed to helping students obtain a quality education that is financially attainable. This includes fundraising to support student achievement, developing partnerships to benefit students, and advocating on behalf of students and the institution.

Perry Technical Institute currently offers fourteen programs of certification:

- Agricultural Equipment Technician
- Automotive Technician
- \*Business Technology & Accounting
- Construction
- Electrical Technology
- Heating, Ventilation, Air Conditioning & Refrigeration
- \*Information Technology & Communication Systems
- Instrumentation & Industrial Automation
- Medical Assisting
- Medical Office Administration & Coding
- Plumbing Technician
- Precision Machining & Manufacturing
- Professional Truck Driving
- Welding

\*Associate of Applied Science Degree

**Date of the drawing:** Drawing to be held Saturday, January 8, 2022 at 3:00pm at Perry Technical Institute: 2011 W. Washington Avenue, Yakima WA 98903

**Cost of raffle tickets:** \$100 (Only 6,000 tickets available)

**Prizes available:** 2101 S. 74<sup>th</sup> Avenue, Yakima, WA (Built by Perry Technical Institute at an estimated cost of \$300,000). If under 4,000 tickets are sold an alternative cash prize will be paid. See below for details.

**Security of prizes:** The house will be secured.

### **Plans for selling raffle tickets:**

Sales will be conducted on the campus of Perry Technical Institute, local businesses, as well as at events within Washington State, February 1, 2021 and concluding on December 31, 2021.

Ticket sales will be managed by Tressa Shockley (Foundation Director). All sales will be conducted face-to-face. Tressa Shockley will be the primary person overseeing offsite sales and training of volunteers. Special events with locally owned businesses, grocery stores and community gatherings will be scheduled. Examples of locations: Helms Hardware, Wrays Thriftway, Blueline Equipment, Helliesen Lumber, McKinney Glass, M.B. Designs) Tressa Shockley will provide management and oversight of volunteers selling tickets as well as collection of sales revenue and remaining tickets, following each event session.

**Description of how the licensee protects the integrity of the raffle:** Tickets will be numbered 1 - 6,000 and issued in bundles of 20 tickets (300 bundles). Bundles of numbered tickets will be assigned to a representative and recorded on the tracking sheet. All tickets of that bundle will be sold and stubs turned into the office each week, before more tickets will be issued to the representative.

Tickets not out for sale/circulation will be kept in a locked safe and will only be removed as needed. Cathy Sterbenz and Tressa Shockley are the only individuals who will have access to the safe.

All ticket tracking information will be recorded on the distribution log, provided by the Washington State Gambling Commission and kept on file for three years.

All monies collected with a copy of each person's sales report, will be submitted for weekly deposits. Ticket data will be entered into a master database, maintained by the Foundation staff. All sales will be audited and tallied for deposit into a separate bank account that has been established solely for ticket sales. If a discrepancy is found, it should be easy to identify and track who it was. If there is a ticket in question, that stub will be pulled from the group sales until issue is resolved or deemed void. Stubs will then be stored in the safe.

**An explanation of how the proceeds from the raffle will be used:** The net income from the raffle will be invested by Morgan Stanley to ensure that future earnings would be available to provide a continuous revenue stream for student scholarships.

**A plan to protect the licensee in the event of low ticket sales and other risks:** An alternative prize will be offered if ticket sales do not exceed 4,000 tickets.

**An explanation of how the licensee will purchase the prize(s) for the raffle:** Perry Technical Foundation has purchased the land and will pay all costs. Students enrolled in the Construction, HVAC/R, Electrical Technology, and Plumbing programs at Perry Technical Institute are working together with area contractors to build a prize home valued at over \$300,000. The home will be located in a desirable neighborhood of Yakima, WA, located at 2101 S. 74<sup>th</sup> Avenue, Yakima WA.

The practice and techniques learned throughout building this home is of the utmost importance to the preparedness of our students in their respected programs. Perry Technical has a strong reputation for superior skills and training of our graduates.



**Projected budget fees based on ticket sales:**

A projected budget:	6,000	4,001	4,000	320
Marketing (including cost of tickets)	22,000	22,000	22,000	22,000
License fee	2,000	2,000	2,000	1,000
Card processing and banking fees	12,250	8,250	8,250	1,000
Miscellaneous	3,000	3,000	3,000	3,000
<b>Total estimated expenses</b>	<b>39,250</b>	<b>35,250</b>	<b>35,250</b>	<b>27,000</b>

**Minimum number of projected ticket sales to break even: 320**

**Corresponding sales and prize levels with projected revenues and expenses for each level:**

Ticket sales	6000	4001	4000	320
Gross Receipts	\$600,000	\$400,100	\$400,000	\$32,000
Prize	\$300,000	\$300,000	\$182,375	\$5,000
Expenses	\$39,250	\$35,250	\$35,250	\$27,000
Net Income	\$260,750	\$64,850	\$182,375	\$0

**Minimum prize available:** Sell 1 – 4,000 tickets for the winner to receive a cash prize equal to 50% of the ticket sales after expenses with a minimum prize of \$5,000.

**Maximum prize available:** Sell 4,001 - 6,000 raffle tickets for the winning ticket to receive the house valued over \$300,000.

**Any other information that we request or any information the licensee wishes to submit:**

**RULES** (to be printed on tickets)

- 6,000 maximum tickets to be sold at \$100 each.
- If fewer than 4,000 tickets are sold, a cash payment of 50% of total ticket sales will be awarded to the winner, less expenses.
- Drawing to be held Saturday, January 8, 2022 at 3:00pm at Perry Technical Institute, 2011 W. Washington Ave., Yakima, WA 98903
- Home has an estimated value of \$400,000. Prior to drawing, final value will be determined by an appraisal.
- All tax withholdings are the sole responsibility of prize winner and due prior to prize being transferred. Winner is also responsible for any taxes, license, registration, insurance or fees associated with prize won.
- Need not be present to win.
- Participants must be 18 years or older.
- Tickets are non-refundable.
- Per IRS regulations, as a game of chance, raffle tickets are not tax deductible.

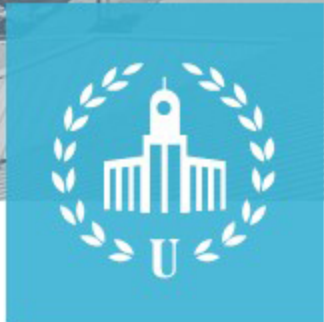
- Employees of Perry Technical Foundation and their immediate households are not eligible to enter.
- Winner must claim prize by March 31, 2022
- Names and contact information of ticket purchasers will be added to a database to be used internally and exclusively for the purpose of marketing for the Win A Home raffle.

### Marketing Plan

MEDIUM	DETAILS	EST. EXPENSE
Radio	Kickoff event- live remote/DJ host On-air mentions/commercials Holiday promotion	\$6,000
TV	Commercials	\$1,000
Social Media	Boost Posts	\$1,000
Print Materials	Posters (11x17) Direct Mail to Alumni & Donors Postage Flyers Raffle Tickets	\$7,000
Print Advertising	Yakima Magazine / Newspaper/Business Times	\$2,500
Web	Link on perrytech.edu to detail the raffle and rules	500
Virtual Tour		500
Signage/Banners	Build site. Community signs/banners	1,500
Events	Registration fees, travel	2,000
	<b>Total estimated expenses</b>	<b>\$22,000</b>



# “Win A Home” Raffle Fundraising for Education



## MISSION:


Educate, empower, and equip students for lifelong careers in industry.

## VISION:

To fulfill the demand for highly-skilled professionals as a nationally recognized institution known for our unique and relevant career training.

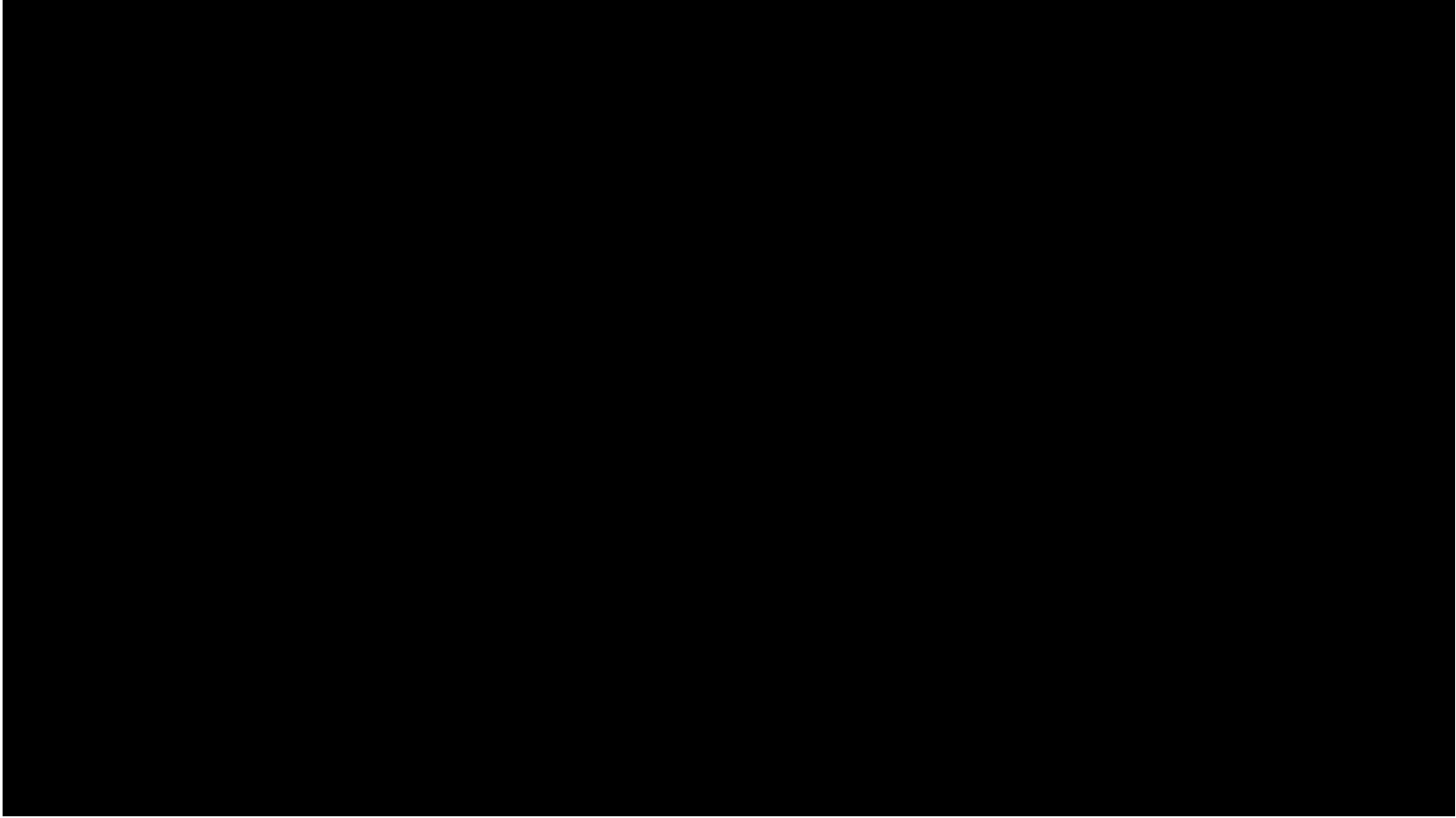


# Perry Tech Data

- Established in 1939. Perry Tech is a not-for-profit, private institution.
  - More Than 10,000 Graduates
  - Approximately 700 Current Students
  - 14 Programs
  - 94% Placement
  - 81% Retention
  - 85% Students Receive Financial Aid
- 



# Our Story





2019/2020  
\$420,000

2018/2019  
\$400,000

10 Year Awards  
=  
\$4.1 million

## Student Scholarships

- 100% of the profits from the raffle will benefit Perry Tech student scholarships.
- Scholarships are awarded every Spring and Fall.
- Raffle profits will be a separate scholarship fund for tracking purposes.



# Project Expense

- 2018 House Build Expenses: \$345,338
- 2019 House Build Expenses: \$283,606
  - Donor Support of more than \$80,000 in-kind donations/discounts



Western Materials



McKINNEY GLASS

PLATT



Commercial • Industrial • Residential

POPPOFF



Campbell & Company



Creative Cabinet Designs



HAMPTON LUMBER



CROW'S LANDSCAPE CURBING

DIG Recycle



RJ Weatherization & Insulation LLC



FOSSEEN'S HOME & HEARTH

McMahan Nursery

Summit Roofing LLC

SMG Signature Media Group

100.9 Taberna's Greatest Hits



The HAWK 105.7

104.1 KXDD

D&R FLOORING

Diegos Drywall

KB Excavation

Roys Lock & Door

# Year 1 Raffle Results

(Estimated Numbers – Not Final)

- Tickets Sold: 2,696
- Revenue: \$269,600
- Estimated Expenses: \$30,000
- Estimated Award to Winner: \$119,000
- Estimated Scholarship Funds: \$119,000

Estimated Value:  
\$350,000

2245 Sq. Ft.  
3 Bedroom  
2 Bathroom  
Bonus Room  
Attached Garage  
Covered Patio  
Fire Place





## Rule Petition to Adopt

Recording and broadcasting live play of table games in card rooms.

**January 2021 – Commission Review**  
**December 2020 – Rule-Making Petition Received**

<b>Tab 3: JANUARY 2021 Commission Meeting Agenda.</b>	<b>Statutory Authority 9.46.070</b>
<b>Who Proposed the Rule Change?</b>	
Freddie Siyufy, Olympia, Washington	
<b>Background</b>	
<p>Freddie Siyufy, of Olympia, Washington, is proposing to adopt rules to allow for the recording of live play of table games in card rooms for the purposes of marketing, advertising, and entertainment only.</p> <p>The petitioner feels this change is needed for advertising, modernizing, and bringing in a new marketing strategy in the form of entertainment opportunities for local card rooms. The petitioner anticipates the only effect this rule change will have is in introducing a new marketing strategy. The petitioner emphasized that it would not be an expansion of gambling.</p> <p>Attachments:</p> <ul style="list-style-type: none"> <li>• Petition</li> <li>• Concept of Operation</li> </ul>	
<b>Policy Considerations</b>	
<p>The proposed rule has a lot of possible factors to consider in how it will be authorized and operated. Staff has identified the following policy considerations:</p> <ul style="list-style-type: none"> <li>• Definition of Gambling Information (RCW 9.46.0245) and prohibition of sending gambling information over the internet (RCW 9.46.240) are possibly relevant to this petition depending on how the internet is used to deliver the proposed content;</li> <li>• Restrictions on observers or third parties wagering amongst themselves on the final outcome or outcome of a player's hand;</li> <li>• Card room licensees will need to provide input and approval of having this proposed activity occurring in their card room(s);</li> <li>• Additional Card Room security and surveillance requirements may be needed;</li> <li>• Card room or activity operator may need to have a license and approval for this activity;</li> <li>• Promotional/marketing restrictions may need to be considered;</li> <li>• Washington State's two-person consent laws will need to be considered;</li> <li>• Streaming live or taped table action will need to be considered and regulated; and</li> <li>• Equipment proposed to be used for this activity will possibly need to be reviewed during rule-making and for licensing purposes.</li> </ul> <p>Attachment:</p> <ul style="list-style-type: none"> <li>• Staff Letter to Petitioner</li> </ul>	

### **Staff Recommendation**

Under the requirements of the Administrative Procedure Act, the Commission must take action on a petition within 60 days of receiving it. Your options are:

- 1) Initiate rule-making proceedings by filing the rule as proposed for further discussion; or
- 2) Deny the petition in writing, a) stating the reasons for denial and specifically address the concerns stated in the petition, or b) where appropriate, indicate alternative means by which the agency will address the concerns raised in the petition.

Staff has many legal, regulatory, and practical concerns related to the policy issue areas above and this rule-making will take considerable staff resources and stakeholder work to review and draft proposed rules. Additionally, it is unclear if there is card room licensee support for this petition. Therefore, staff recommends denying the petition at this time and having the petitioner re-submit the request, if desired by the Commissioners, once the activity being requested is better defined and has industry-wide support.

## Laydon, Ashlie (GMB)

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**From:** dan.heisel@watech.wa.gov on behalf of WSGC Web <no.reply@wsgc.wa.gov>  
**Sent:** Friday, December 4, 2020 5:41 PM  
**To:** Rules Coordinator (GMB)  
**Subject:** Request a Rule Change Submission from wsgc.wa.gov

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

Submitted on Friday, December 4, 2020 - 5:41pm Submitted by anonymous user: 71.197.155.148 Submitted values are:

Petitioner's Name: Freddie Siyufy  
Mailing Address: 8547 29th Way SE  
City: Olympia  
State: WA  
Zip Code: 98513  
Phone: 2534418560  
Email: fa\_sify@yahoo.com

Rule Petition Type: New Rule – I am requesting WSGC to adopt a new rule.

==New Rule – I am requesting WSGC to adopt a new rule.==

Subject or purpose of the rule: We are requesting the authorization to record the live play of table games in card rooms for marketing, advertising, and entertainment purposes only.

The rule is needed because: We are interested in advertising, modernizing and bringing in a new marketing strategy in the form of entertainment opportunities for local card rooms and casinos.

The effect of this rule change will be: We don't see any effect and change in gaming other than the modernizing and introducing a new marketing strategy. There will be no expansion of gambling.

The results of this submission may be viewed at:

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.wsgc.wa.gov%2Fnode%2F18%2Fsubmission%2F2003&data=04%7C01%7Crules.coordinator%40wsgc.wa.gov%7C6ceaddbed87140cfde0408d898beda4a%7C11d0e217264e400a8ba057dcc127d72d%7C0%7C0%7C637427292765043700%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=vpcbwlb0btBj0Bzbn%2Bg9z9HJfa3rvs74%2FHuQIYbco%3D&reserved=0>

## **Concept of Operation**

My friend, Tommy (Shoot The Moon) and I would like to will post videos of Live Play Hand-Held Baccarat at Chips and Riverside Casino's in Washington State. Our niche is entertainment while our specialty is commentary and analysis of the game of Baccarat. We would like to record videos of real people playing Live Hand-Baccarat at Chips and Riverside Casino's. We plan to post daily videos of people playing Hi-Limit Baccarat. This is mainly for entertainment purposes only. Although, our videos are educational and can be used for marketing and advertising purposes as well. We believe various people will enjoy entertainment and drama while watching our players play the game of Baccarat along with our commentary and analysis.





STATE OF WASHINGTON  
GAMBLING COMMISSION

PO Box 42400 Olympia WA 98504-2400 (360) 486-3440 TDD (360) 486-3637 FAX (360) 486-3626

February 5, 2019

Freddie A Siyufy  
8547 29TH Way SE  
Olympia, WA 98513

**RE: Shoot the Moon Concept**

Dear Mr. Siyufy,

On January 16, 2019, you submitted the Shoot the Moon concept to me for comment.

It is my understanding that you would like to record players in licensed establishments while playing the gambling activity. The videos will be put on YouTube or a like platform for educational, entertainment and marketing purposes. You will seek volunteers, both players and licensees, to be in your videos and will provide no incentives for doing so. All participants would sign a consent allowing you to record the activity. In addition, you would coordinate with the licensee's management to ensure security and surveillance is aware of when and how you will record all videos.

Upon our review of the Shoot the Moon concept as provided, we have the following concerns:

- Observers or third parties may wager amongst themselves on how the player will wager or on the outcome of the player's hand;
- People recording will enter areas of the licensee's establishment that are prohibited by the general public, such as the surveillance room, pit area, etc.; and
- Licensees or the public may offer incentives, such as credit, to recorded players to increase marketing and viewership for their facility.

We suggest you consider a rule proposal to specifically authorize what you are proposing and to set out parameters to address the above concerns. You can request a rule change by completing the form on our website at <https://www.wsgc.wa.gov/commission/request-rule-change>.



Mr. Siyufy  
February 5, 2019  
Page 2 of 2

If you have any questions about the rule change process, please contact Ashlie Laydon at [Ashlie.Laydon@wsgc.wa.gov](mailto:Ashlie.Laydon@wsgc.wa.gov) or at 360-486-3473. Feel free to contact me with any other questions. You can reach me at 360-486-3546 or at [Tina.Griffin@wsgc.wa.gov](mailto:Tina.Griffin@wsgc.wa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Griffin". The signature is fluid and cursive, with a large initial "T" and "G".

Tina Griffin  
Assistant Director  
Licensing, Regulation and Enforcement Division

Enclosure

cc: Gary Malcolm

# SHOOT THE MOON

## **The Concept of Shoot The Moon:**

Shoot The Moon is an entertainment, marketing and educational business that will provide instructional and drama filled video entertainment on YouTube or like platform.

Some videos will teach the basic rules of Baccarat and include players strategies (theories). Other video will be of players playing the game 'live'.

They will record educational and live videos that will be instructional, informational and entertaining to all who watch which may include beginners as well as experienced players.

Viewers will be able to watch and listen to players strategize and talk thru their thoughts and beliefs of the upcoming game/hand by listening and watching them discuss their beliefs while they discuss and analyze the charts.

Viewers can then listen and watch them play the game/hand. This is very dramatic for anyone who is watching. You don't have to be gambler to enjoy watching Shoot the Moon videos.

## **How Shoot The Moon will execute their video recording of people playing Baccarat:**

- We record people playing Live Hand-Held Baccarat for designated time in a session agreed upon with casino management.
- We will use 3 different cameras while making the videos.
- The first camera will be viewing the Baccarat tracking monitor and only recording the charts of the playing table. Nothing beyond what is on the screen.
- The second camera will be focused on the cards in play (not coming from the shoe) of each game/hand.
- The third camera will be an 'overview' recording the player(s) playing the game/hand.
  - This view is primarily focused on the player(s) but will also may include table, chips and cards.
  - The third camera will be the main recording camera, the first camera and second camera will be used as (PIP) Picture in Picture on the main camera.
- We will ask all players to volunteer to be in our videos with no incentives or promotions from Shoot The Moon.
- We will require all the players, dealers and anyone affiliated or in our videos to sign a consent and release form allowing us to record the game/hand.
- We will coordinate with the casino management to ensure that security and surveillance is aware of when and how we record all videos with the intention of limiting any unwanted sensitive area exposure.



**Rule Petition to Amend**  
WAC 230-11-030- Restrictions on ticket sales.

**January 2021 – Commission Review**  
**December 2020 – Rule-Making Petition Received**

<b>Tab 4: JANUARY 2021 Commission Meeting Agenda.</b>	<b>Statutory Authority 9.46.070</b>
<b>Who Proposed the Rule Change?</b>	
Patrick McBurney, Kennewick, Washington	
<b>Background</b>	
<p>Patrick McBurney, of Kennewick, Washington, is proposing to amend WAC 230-11-030- Restrictions on ticket sales, to either have (4) which states that “organizations must not (a) sell raffle tickets via the internet” be removed or allow organizations who are raising money for charity or scholarships be exempt from this requirement. *NOTE: The petitioner quoted WAC 230-11-035 in the petition, however, this was a misprint.</p> <p>The petitioner feels this change is needed because, due to COVID-19, nonprofit and/or charitable organizations are unable to engage in direct ticket sales, which has impacted their ability to raise funds, resulting in fewer dollars to help those in need. The petitioner feels the effect of the rule change will result in the ability to assist service clubs in transition to an online sales model, eliminating the need for person to person contact, enabling them to fundraise for charitable efforts.</p> <p>Attachments:</p> <ul style="list-style-type: none"> <li>• Petition</li> <li>• WAC 230-11-030</li> </ul>	
<b>Staff Recommendation</b>	
<p>Under the requirements of the Administrative Procedure Act, the Commission must take action on a petition within 60 days of receiving it. Your options are:</p> <ol style="list-style-type: none"> <li>1) Initiate rule-making proceedings by filing the rule as proposed for further discussion; or</li> <li>2) Deny the petition in writing, a) stating the reasons for denial and specifically address the concerns stated in the petition, or b) where appropriate, indicate alternative means by which the agency will address the concerns raised in the petition.</li> </ol> <p>Staff recommends denying the petition as RCW 9.46.240 prohibits the sale of raffle tickets over the internet and the Commission cannot consider the change requested unless it is authorized by the Legislature in the Gambling Act.</p>	

## Laydon, Ashlie (GMB)

---

**From:** dan.heisel@watech.wa.gov on behalf of WSGC Web <no.reply@wsgc.wa.gov>  
**Sent:** Tuesday, December 8, 2020 11:57 AM  
**To:** Rules Coordinator (GMB)  
**Subject:** Request a Rule Change Submission from wsgc.wa.gov

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

Submitted on Tuesday, December 8, 2020 - 11:56am Submitted by anonymous user: 24.216.225.110 Submitted values are:

Petitioner's Name: Patrick D. McBurney  
Mailing Address: 6855 W. Clearwater Ave.Suite A103  
City: Kennewick  
State: WA  
Zip Code: 99336  
Phone: 509-374-8996  
Email: pdmcburney@gmail.com

Rule Petition Type: Amend Rule – I am requesting WSGC to change an existing rule.

==Amend Rule – I am requesting WSGC to change an existing rule.==

List rule number (WAC) if known: 230-11-035

I am requesting the following change:

WAC 230-11-035 states that

(4) Organizations must not:

(a) Sell raffle tickets via the internet; or

I am requesting that this section be deleted, or alternatively that organizations raising money for charity or scholarships be exempted from the requirement.

This change is needed because: As a member of a service club, we engage in fundraising with an annual duck race. This last year the duck race was canceled due to covid. The organization was unable to go to grocery stores, the county fair, and other venues that the organization had used in the past to engage in direct ticket sales like they had done in past years. I will point out that the Salvation Army faces the same difficulty, with their Kettle campaign, but since it doesn't do raffles like the rotary duck race, they are not impacted by this rule. Organizations like Rotary, Kiwanis, the Lions club do a lot of good in the community, but covid has impacted their ability to raise funds for charitable purposes. That means that there are fewer dollars to help those in need.

The effect of this rule change will be: This rule change will assist service clubs in transitioning to an online sales model, and eliminate the need for person to person contact in the sale of tickets for fundraising raffles. The result is the ability to continue fundraising to support the charitable efforts of our service clubs and other community oriented groups, which have

lost that ability due to covid.

The results of this submission may be viewed at:

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.wsgc.wa.gov%2Fnode%2F18%2Fsubmission%2F2018&data=04%7C01%7Crules.coordinator%40wsgc.wa.gov%7C5ffeace76c99465d487608d89bb36839%7C11d0e217264e400a8ba057dcc127d72d%7C0%7C0%7C637430542148508135%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=xjBgRpltzToQHstknmgfPnqIW0jUkF7cFRvxdccrVhY%3D&reserved=0>

**HTML has links - PDF has Authentication**

PDF

**WAC 230-11-030****Restrictions on ticket sales.**

(1) Only the following people, who are at least eighteen years old, may sell raffle tickets:

- (a) Members of the organization, except as explained in subsection (2) of this section; and
- (b) Volunteers under the supervision of a member; and
- (c) Licensed enhanced raffle call center representatives.

(2) Organizations may allow members under the age of eighteen to sell tickets when the organization has:

- (a) Development of youth as a primary purpose; and
- (b) At least three members or advisors who are at least eighteen years old and who supervise the operation of the raffle; and
- (c) An adult member or advisor designated as the manager of the raffle.

(3) Organizations must sell tickets for a particular raffle for the same price unless offering an authorized discount plan; and

(4) Organizations must not:

- (a) Sell raffle tickets via the internet; or
- (b) Require anyone to purchase more than one raffle ticket; or
- (c) Give away raffle tickets; or

(d) Give an opportunity to participate in a raffle drawing to a person who has not purchased a ticket.

[Statutory Authority: RCW **9.46.070** and **9.46.0209**. WSR 13-19-056 (Order 692), § 230-11-030, filed 9/16/13, effective 10/17/13. Statutory Authority: RCW **9.46.070**. WSR 09-09-065 (Order 643), § 230-11-030, filed 4/13/09, effective 7/1/09; WSR 06-20-040 (Order 602), § 230-11-030, filed 9/26/06, effective 1/1/08.]



Staff Proposed Rule-Making  
WAC 230-03-408- Applying for sports wagering preclicensing qualification.

January 2021 – Discussion & Possible Filing  
July 2020 – Initiated Rule-Making

**Tab 5: JANUARY 2021 Commission Meeting Agenda. Statutory Authority RCW 9.46.070, RCW 9.46.130, RCW 9.46.210, RCW 9.46.240, and any uncodified provisions in 2020 c 127 (HB 2638)**

**Who Proposed the Rule Change?**

Washington State Gambling Commission Staff

**Background**

**Bold = Changes made after July 2020 Commission Meeting.**

**At the July 2020 meeting, Commissioners initiated rule-making to adopt new rules and amend current rules to implement the new sports wagering law, including creating a new state regulatory structure to cover all aspects of sports wagering consistent with any new tribal-state wagering compact amendments. The draft language before you today would allow individuals and organizations to apply to begin the preclicensing investigation process prior to the adoption of final sports wagering licensing rules.**

On March 25, 2020, Governor Jay Inslee signed House Bill 2638 that authorizes sports wagering for Class III tribal facilities under terms negotiated in tribal-state compacts. It also adds or amends several criminal, regulatory, and licensing statutes in the Gambling Act and gives the Gambling Commission authority to adopt or amend any rules needed for the regulation of sports wagering.

Agency staff has begun internal work in preparation for tribal-state compact negotiations and would also like to begin initial work on any rules needed for sports wagering. New rules will need to be implemented before Class III tribal facilities can offer sports wagering at current Class III tribal facilities.

Attachments:

- **WAC 230-03-408**
- **Stakeholder Feedback**

**Stakeholder Outreach and Feedback**

**At our December 2020 Commission Meeting, we announced plans to bring draft preclicensing qualification rules to the Commissioners at the January public meeting. Staff sent the proposed rule language to Tribal representatives and potential sports wagering stakeholders on December 30, 2020 and asked for written feedback by close of business on January 8, 2021 or verbal feedback at our January 14, 2021 public meeting.**

**Staff Recommendation**

**Staff recommends filing draft language for further discussion.**

NEW SECTION

**WAC 230-03-408 Applying for sports wagering prelicensing qualification.** (1) Any individual or organization anticipating applying for a future license to provide equipment and/or services for sports wagering pursuant to a tribal-state compact may apply for a prelicensing qualification letter.

(2) To apply for prelicensing qualification letter, the applicant and each substantial interest holder will go through a prelicensing investigation to determine if the applicant and substantial interest holders are initially qualified.

(3) It is the responsibility of each applicant and persons who have a substantial interest therein to establish by clear and convincing evidence the necessary qualifications.

(4) A prelicensing investigation of the applicant includes, but is not limited to:

(a) Identification of all substantial interest holders of the applicant; and

(b) Conducting a criminal history background investigation on all substantial interest holders; and

(c) Verification that cash, goods or services for the startup of the operations or the continuation of the business is from a qualified source; and

(d) Compliance with all other applicable rules and laws.

(5) You are required to complete an online application, submit any required supplemental documentation, and submit a five thousand dollar deposit for us to begin the prelicensing investigation process.

(6) We may request additional information during our prelicensing investigation. All work will stop until we receive the requested information. You must provide us with the required items within thirty days of notification or we will administratively close your prelicensing qualification application.

(7) You must pay all costs associated with the prelicensing investigation.

(a) We will give you an estimate of the anticipated costs based on the information we have received at that time.

(b) You will be asked to pay the additional deposit to cover the anticipated costs, such as staff time to conduct the prelicensing investigation, travel time, and travel costs.

(c) We may amend our estimate during our prelicensing investigation process.

(d) You will have thirty days to submit any additional balance requested. We will not work on the application until we have received all funds requested. Failure to pay the balance within the required time frame will result in administrative closure of the application and all unused funds will be refunded.

(e) We will stop the prelicensing qualification process if the cost of our investigation exceeds the balance and request additional funds to cover the anticipated costs to continue our investigation. We will resume work upon receipt of the requested deposit to cover anticipated costs to complete the investigation.

(f) Any unused funds will be refunded.

(g) We will retain funds to cover all costs incurred if you withdraw your application or if your application is denied.

(8) Upon completion of a prelicensing investigation, a determination regarding an applicant's qualification will be made. Applicants



who are qualified will receive a prelicensing qualification letter from us stating the determination is made based on the information and representations made by the applicant up to that date.

(9) Applicants are required to provide notice of any changes to the organization or substantial interest holders after a prelicensing qualification letter has been issued and will be required to pay for any additional investigation costs.

(10) A prelicensing qualification letter is not a sports wagering license. You must apply for a sports wagering license once a sports wagering tribal-state compact(s) and future licensing rules are effective.

(11) Prelicensing qualification letters will be valid for one year from the date of issuance. The term of this letter can be extended by the director or designee if the year term is about to expire and sports wagering licensing rules are not in effect.

(12) Applicants who are determined to be unqualified to receive a prelicensing qualification letter will be given the following options:

(a) Have thirty days to correct the issue that keeps them from being qualified; or

(b) Withdraw their application; or

(c) Receive an application denial.

**From:** [Considine, Brian \(GMB\)](#)  
**To:** [Aubrey Seffernick](#)  
**Cc:** [Lies, Julie \(GMB\)](#); [Laydon, Ashlie \(GMB\)](#)  
**Subject:** RE: Draft Pre-licensing Qualification Rules  
**Date:** Tuesday, January 5, 2021 9:35:54 AM  
**Attachments:** [image003.png](#)  
[image005.png](#)

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Hi Aubrey,

On January 14th, the Commissioners have before them on January 14<sup>th</sup> can approve/not approve to file the proposed rule language for further public comment and review. If approved, the Commissioners will likely look to set a special commission meeting at the end of February to approve the final rule language.

However, we are looking for any written or public testimony comments between now and January 14<sup>th</sup> or at the January 14<sup>th</sup> public meeting because any changes after January 14<sup>th</sup> would likely require us to delay final approval by at least 30-45 days.

Please let me know if you have any further questions.

Thank you,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



---

**From:** Aubrey Seffernick <ASeffernick@kalispeltribe.com>  
**Sent:** Tuesday, January 5, 2021 9:19 AM  
**To:** Lies, Julie (GMB) <julie.lies@wsgc.wa.gov>; Considine, Brian (GMB) <brian.considine@wsgc.wa.gov>; Laydon, Ashlie (GMB) <ashlie.laydon@wsgc.wa.gov>  
**Subject:** RE: Draft Pre-licensing Qualification Rules

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The attached just up for filing correct? Or for actual approval next week?

**Aubrey Seffernick**  
*Attorney*

**Kalispel Tribe of Indians**  
509.789.7606 Office

509.344.9940 Cell

[aseffernick@kalispeltribe.com](mailto:aseffernick@kalispeltribe.com)

[kalispeltribe.com](http://kalispeltribe.com) | [Facebook](#)



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**From:** Rancour, Michelle (GMB) <[michelle.rancour@wsgc.wa.gov](mailto:michelle.rancour@wsgc.wa.gov)> **On Behalf Of** Lies, Julie (GMB)

**Sent:** Wednesday, December 30, 2020 4:34 PM

**To:** Lies, Julie (GMB) <[julie.lies@wsgc.wa.gov](mailto:julie.lies@wsgc.wa.gov)>

**Cc:** Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>

**Subject:** [EXTERNAL] FW: Draft Pre-licensing Qualification Rules

**CAUTION:** This email originated from outside of the company. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Hello,

You are receiving this email because the Washington State Gambling Commission (WSGC) has identified you and/or your organization as a stakeholder for our sports wagering rule-making.

Please find the attached draft proposed sports wagering pre-licensing qualification rules. WSGC staff intends to bring the proposed draft rules to our Commissioners at our [January 14, 2021 public meeting](#) for the Commissioners' review and approval.

Staff requests your input and please provide any questions, comments or suggested edits to me ([Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)) and our Rules Coordinator Ashlie Laydon ([Ashlie.laydon@wsgc.wa.gov](mailto:Ashlie.laydon@wsgc.wa.gov)) by Friday, January 8 at 5pm.

These rules are meant to authorize the agency's pre-licensing investigation process for future sports wagering licenses. Our agency's goal is to allow individuals/organizations the ability to get a head start on our pre-licensing investigation process through these rules.

However, these rules are not intended to become a sports wagering license or give the person or organization a license at this time. The final draft sports wagering license rules are still part of tribal-state compact negotiations and any final sports wagering license rules will be forthcoming in the next few months.

WSGC staff will review any comments, questions, or suggested edits if submitted by the above-referenced deadline, and all written comments will become part of the rule-making file. You are also welcome to attend our January 14<sup>th</sup> public meeting and provide public comment

during the public meeting. Please monitor our [public meeting webpage](#) as the call-in information and agenda will be posted about one week before our meeting.

Please contact me if you have any questions about this process.

Happy Holidays,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 485-8921 (mobile)

[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



**From:** [Harold Chesnin](#)  
**To:** [Rancour, Michelle \(GMB\)](#); [Harold Chesnin](#); [Jeff Warnke](#); [Jones, Darrin \(GMB\)](#); [Janessa Bumgarner](#)  
**Cc:** [Considine, Brian \(GMB\)](#); [Lies, Julie \(GMB\)](#); [Laydon, Ashlie \(GMB\)](#)  
**Subject:** RE: Draft Pre-licensing Qualification Rules  
**Date:** Tuesday, January 5, 2021 10:12:51 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
**Importance:** High

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My comments:

1. This proposed language should be clearer in subparagraph 1 that it is for supplying the equipment and / or services for and to tribally compacted tribes only. The language is sufficiently vague in #1 so as to appear to authorize providing equipment or service to other than tribally compacted tribes might be an available pre-licensing possibility.
2. Are we returning to the 90's where neither the State nor the Tribe's had a lot of experience with potential Management Companies? The Tribes have a lot more experience in evaluating potential participants. I understood back then why the State didn't want to rely on other States' certifications, but I think that if the industry and sophistication of certain other agencies – read Nevada Gaming Agency and NJ – would have vetted both the individual and / or organization and the nature of the equipment (does this go thru GLI?) such that WA doesn't need to reinvent the wheel. If certain reliable agencies have already done the work then why does WA need to do this? (this smacks now of WSCG budget assistance on the one hand and / or slowing tribes down on the other hand).
3. Even back in the 90's, the State's backgrounding was advisory to a compacted tribe. This section implies that the State can reject on its own and without, at a minimum, consultation with the affected tribe.
4. As to #2 above, at least the State could establish a list of reliable individuals / organizations and equipment that have been sufficiently vetted by such agencies and only if you are not on the list, then apply the terms of WAC 230-03-408.

Harry

---

**From:** Rancour, Michelle (GMB) <michelle.rancour@wsgc.wa.gov>  
**Sent:** Tuesday, January 5, 2021 9:41 AM  
**To:** Harold Chesnin <hchesnin@chehalistribe.org>  
**Cc:** Considine, Brian (GMB) <brian.considine@wsgc.wa.gov>; Lies, Julie (GMB) <julie.lies@wsgc.wa.gov>; Laydon, Ashlie (GMB) <ashlie.laydon@wsgc.wa.gov>  
**Subject:** FW: Draft Pre-licensing Qualification Rules

Dear Harry,

Here's the email we forwarded last week along with the attached draft rules.

If you have any questions, please let us know.

Thank you,

*Michelle Rancour*

Assistant to Tribal Liaison  
Safety Team Member  
CFD Chair  
WA State Gambling Commission  
(360) 486-3447



---

**From:** Rancour, Michelle (GMB) **On Behalf Of** Lies, Julie (GMB)  
**Sent:** Wednesday, December 30, 2020 4:34 PM  
**To:** Lies, Julie (GMB) <[julie.lies@wsgc.wa.gov](mailto:julie.lies@wsgc.wa.gov)>  
**Cc:** Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>  
**Subject:** FW: Draft Pre-licensing Qualification Rules

Hello,

You are receiving this email because the Washington State Gambling Commission (WSGC) has identified you and/or your organization as a stakeholder for our sports wagering rule-making.

Please find the attached draft proposed sports wagering pre-licensing qualification rules. WSGC staff intends to bring the proposed draft rules to our Commissioners at our [January 14, 2021 public meeting](#) for the Commissioners' review and approval.

Staff requests your input and please provide any questions, comments or suggested edits to me ([Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)) and our Rules Coordinator Ashlie Laydon ([Ashlie.laydon@wsgc.wa.gov](mailto:Ashlie.laydon@wsgc.wa.gov)) by Friday, January 8 at 5pm.

These rules are meant to authorize the agency's pre-licensing investigation process for future sports wagering licenses. Our agency's goal is to allow individuals/organizations the ability to get a head start on our pre-licensing investigation process through these rules.

However, these rules are not intended to become a sports wagering license or give the person or organization a license at this time. The final draft sports wagering license rules are still part of tribal-state compact negotiations and any final sports wagering license rules will be forthcoming in the next few months.

WSGC staff will review any comments, questions, or suggested edits if submitted by the

above-referenced deadline, and all written comments will become part of the rule-making file. You are also welcome to attend our January 14<sup>th</sup> public meeting and provide public comment during the public meeting. Please monitor our [public meeting webpage](#) as the call-in information and agenda will be posted about one week before our meeting.

Please contact me if you have any questions about this process.

Happy Holidays,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



**From:** [Rivera, Fred /SEA](#)  
**To:** [Considine, Brian \(GMB\)](#)  
**Cc:** [Laydon, Ashlie \(GMB\)](#); [Amber Carter](#)  
**Subject:** RE: Draft Pre-licensing Qualification Rules  
**Date:** Wednesday, January 6, 2021 4:30:59 PM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image005.png](#)  
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[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)

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Thank you, Brian. This is very helpful.

---

**From:** Considine, Brian (GMB) <brian.considine@wsgc.wa.gov>  
**Sent:** Wednesday, January 6, 2021 2:23 PM  
**To:** Rivera, Fred /SEA <frivera@mariners.com>  
**Cc:** Laydon, Ashlie (GMB) <ashlie.laydon@wsgc.wa.gov>; Amber Carter <amber.carter@comcast.net>  
**Subject:** RE: Draft Pre-licensing Qualification Rules

Hi Fred,

Thank you for your email and happy to provide some answers (hopefully).

We do have “substantial interest holder” defined in rule in [WAC 230-03-045](#). Generally, it is a person or entity that has influence or control over a potential gambling licensee. We do not have a definition for “services for sports wagering” at this time because the substance and scope of our licensing structure is still being negotiated.

However, the primary focus for these rules is to extend our authority to allow for the pre-licensing investigation process for sports wagering companies—BetMGM, DraftKing, William Hill, Sportradar, etc, if they wish to start early. Once available, these companies can submit applications and be given a chance to go through our pre-licensing investigation process while we continue to negotiate the parameters for a full set of licensing rules since the pre-licensing process can typically take a minimum of 60-90 days.

We were not anticipating that local professional teams like the Seattle Mariners would need to go through this process and, as of now, do not anticipate there being a requirement that teams or leagues providing the event being bet on to be licensed unless there is some connection to the operation of a sportsbook or equipment/services provider. Being a team that is part of the event being bet on has not typically required licensing and I do not expect it to be part of our system when we have final terms negotiated.

Also, this pre-licensing process will likely will be part of the final licensing rules so



companies/organizations can enter it at a later date once the full set of rules are available and there is more clarity about who it will cover.

Unfortunately, I cannot provide a more definitive answer at this time because things are still being negotiated. However, I hope this information is helpful and please let me know if you have any additional questions or prefer to set up a short phone call to talk this over.

Thank you Fred and I hope you and your family are well and having a good 2021 so far.

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



---

**From:** Rivera, Fred /SEA <[frivera@mariners.com](mailto:frivera@mariners.com)>  
**Sent:** Wednesday, January 6, 2021 1:26 PM  
**To:** Considine, Brian (GMB) <[brian.considine@wsgc.wa.gov](mailto:brian.considine@wsgc.wa.gov)>  
**Cc:** Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>; Amber Carter <[amber.carter@comcast.net](mailto:amber.carter@comcast.net)>  
**Subject:** RE: Draft Pre-licensing Qualification Rules

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

Brian and Ashlie,

First, Happy New Year—I hope you had a nice Holiday.

I have two questions:

1. Is there a definition of “substantial interest holder” as used throughout the proposed rule?
2. Is there a definition of “services for sports wagering” as used in Section (1)?

These questions arise, in part, to seek confirmation that an entity providing competitive gaming events that may be the subject of sports wagering (like the Seattle Mariners) is not subject to licensing requirements.

Thank you.

Fred



**FRED RIVERA**

**Executive Vice President & General Counsel**

**Seattle Mariners**

p (206) 346-4154 | c (206) 883-7311

T-Mobile Park - 1250 1st Ave S Seattle, WA 98134



---

**From:** Considine, Brian (GMB) <[brian.considine@wsgc.wa.gov](mailto:brian.considine@wsgc.wa.gov)>

**Sent:** Wednesday, December 30, 2020 3:09 PM

**Cc:** Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>; Sizemore, Bud (GMB) <[bud.sizemore@wsgc.wa.gov](mailto:bud.sizemore@wsgc.wa.gov)>; Trujillo, Dave (GMB) <[dave.trujillo@wsgc.wa.gov](mailto:dave.trujillo@wsgc.wa.gov)>; Griffin, Tina (GMB) <[tina.griffin@wsgc.wa.gov](mailto:tina.griffin@wsgc.wa.gov)>; Lies, Julie (GMB) <[julie.lies@wsgc.wa.gov](mailto:julie.lies@wsgc.wa.gov)>

**Subject:** Draft Pre-licensing Qualification Rules

Hello,

You are receiving this email because the Washington State Gambling Commission (WSGC) has identified you and/or your organization as a stakeholder for our sports wagering rule-making.

Please find the attached draft proposed sports wagering pre-licensing qualification rules. WSGC staff intends to bring the proposed draft rules to our Commissioners at our [January 14, 2021 public meeting](#) for the Commissioners' review and approval.

Staff requests your input and please provide any questions, comments or suggested edits to me ([Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)) and our Rules Coordinator Ashlie Laydon ([Ashlie.laydon@wsgc.wa.gov](mailto:Ashlie.laydon@wsgc.wa.gov)) by Monday, January 8 at 5pm.

These rules are meant to authorize the agency's pre-licensing investigation process for future sports wagering licenses. Our agency's goal is to allow individuals/organizations the ability to get a head start on our pre-licensing investigation process through these rules.

However, these rules are not intended to become a sports wagering license or give the person or organization a license at this time. The final draft sports wagering license rules are still part of tribal-state compact negotiations and any final sports wagering license rules will be forthcoming in the next few months.

WSGC staff will review any comments, questions, or suggested edits if submitted by the above-referenced deadline, and all written comments will become part of the rule-making file. You are also welcome to attend our January 14<sup>th</sup> public meeting and provide public comment during the public meeting. Please monitor our [public meeting webpage](#) as the call-in information and agenda will be posted about one week before our meeting.

Please contact me if you have any questions about this process.

Happy Holidays,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



**From:** [Considine, Brian \(GMB\)](#)  
**To:** [Tommaso Di Chio](#)  
**Cc:** [Sarah Maile](#); [Sam Al-Ani](#); [Laydon, Ashlie \(GMB\)](#)  
**Subject:** RE: Sports Wagering Update - pre-licensing rules review  
**Date:** Monday, January 11, 2021 11:46:00 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)

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Hi Tommaso,

Thank you and your public comments were received on Friday. We are taking a look at all public comments later today and will present all public comments to our Commissioners for their review and consideration at our [January 14<sup>th</sup> public meeting](#). You are also welcome to provide verbal public comment during the rule review during the meeting as well, if desired.

We will also try and follow up in the next week or two on any comments/questions you have indicated in your comments. These are draft rules and the final rules, if these are approved on Thursday, won't be up for consideration until the end of February, at the earliest. So, there is still time to discuss what this will look like and continue to answer questions if these move forward.

Thank you again for your comments – we appreciate your participation in this process and please let me know if you have any questions about what might occur this week.

Sincerely,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



---

**From:** Tommaso Di Chio <Tommaso.DiChio@kambi.com>  
**Sent:** Friday, January 8, 2021 10:33 AM  
**To:** Considine, Brian (GMB) <brian.considine@wsgc.wa.gov>; Laydon, Ashlie (GMB) <ashlie.laydon@wsgc.wa.gov>  
**Cc:** Sarah Maile <Sarah.Maile@kambi.com>; Sam Al-Ani <Sam.Al-Ani@kambi.com>  
**Subject:** Sports Wagering Update - pre-licensing rules review

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

Good afternoon Brian and Ashlie,

We have reviewed the draft pre-licensing rules released by the Washington State Gaming Commission and have highlight some questions:

**Questions for the Commission:**

1. The draft rules state that applications will need to be completed by all “substantial interest holders”. Please confirm what the criteria are for interest holders to fall under this scope.
2. Please confirm when sample application forms will be available for review.
3. Please confirm whether 3<sup>rd</sup> party suppliers such as sports data feed providers will also need to complete the process.
4. Will the applications need to be notarised before applications can be submitted or will e-signatures be acceptable considering the current climate?
5. Will fingerprints need to be submitted as part of the pre-licencing qualification process?
6. The Commission has stated it has a 30 day turn around on payments, please confirm which payment methods will be acceptable throughout the application process.
7. The Commission has stated that if requested information is not provided within 30 days of notification applications will be automatically closed. Please confirm whether it will be possible to obtain an extension to this timeline as a result of the current pandemic and potential delays caused by having to request documents from foreign bodies/government agencies who are currently taking a lot longer to process requests.

Please let me know if you have any query.

Thanks,

Kind regards,  
Tommaso Di Chio  
Associate General Counsel  
Mobile: +44(0)7860188876

**From:** [Considine, Brian \(GMB\)](#)  
**To:** [Charles Hurt](#); [Laydon, Ashlie \(GMB\)](#)  
**Subject:** RE: Nooksack Comments on Sports Wagering Pre-Licensing Qualification Draft Rule  
**Date:** Monday, January 11, 2021 11:42:10 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)

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Hi Charles,

Thank you and your public comments were received on Friday. We are taking a look at all public comments later today and will present all public comments to our Commissioners for their review and consideration at our [January 14<sup>th</sup> public meeting](#). You are also welcome to provide verbal public comment during the rule review during the meeting as well, if desired.

We will also try and follow up in the next week or two on any comments/questions you have indicated in your comments. Thank you again for your comments – we appreciate your participation in this process and please let me know if you have any questions about what might occur this week.

Sincerely,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



---

**From:** Charles Hurt <[churt@nooksack-nsn.gov](mailto:churt@nooksack-nsn.gov)>  
**Sent:** Friday, January 8, 2021 2:43 PM  
**To:** Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>; Considine, Brian (GMB) <[brian.considine@wsgc.wa.gov](mailto:brian.considine@wsgc.wa.gov)>  
**Subject:** Nooksack Comments on Sports Wagering Pre-Licensing Qualification Draft Rule

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

I attach an email from Katherine Romero, Chair of the Nooksack Business Corporation II, which operates the Nooksack Northwood Crossing Casino, commenting on the draft rule for Sports Wagering Pre-Licensing Qualification. Please feel free to contact me if you have any questions about our position.

“The Board of the Nooksack Business Corporation II (“NBC II”), a wholly owned and chartered corporation of the Nooksack Indian Tribe, and which operates the Nooksack Northwood Crossing

Casino in Everson, Washington, would like to offer the following comments on proposed WAC 230-03-408, governing pre-license qualification for sports wagering. First, the Board notes that several vendors already licensed to provide Class III gaming services or equipment are prepared to offer similar services or equipment for sports wagering and have already undergone stringent licensing qualifications pursuant to WAC 230-03-080 and RCW 9.46.070.

Next, the Board believes that there is not a need for a separate rule for sports wagering pre-license qualification separate and apart from other types of Class III gaming pre-approval. Creating a separate rule could cause confusion and unnecessarily duplicate efforts and expense for vendors that wish to offer both sports wagering and other Class III services or equipment. Rather, the Board recommends that the licensure process for Class III gaming vendors outlined in WAC 230 simply be amended to apply as well to sports wagering. This will have the benefit of making the rules consistent across the entire range of Class III gaming vendors and will aid in speeding the approval process, as all parties will be familiar with the existing rules. This is a simple, elegant fix. Any remaining uncertainties could be resolved in the compacting process, as the only entities currently permitted to operate sports wagering in the State are compacting tribes.

We want to thank you for this opportunity to comment on the draft rule for pre-licensing qualification for sports wagering. If you have any questions about our position or require additional information, please contact Senior Tribal Attorney Charles N. Hurt, Jr., at [churt@nooksack-nsn.gov](mailto:churt@nooksack-nsn.gov) or (360) 592-4158.

Sincerely,

Katherine Romero, Chair  
Nooksack Business Corporation II"

Charles N. Hurt, Jr.  
Senior Tribal Attorney  
Office of Tribal Attorney  
Nooksack Indian Tribe  
5047 Mt. Baker Hwy, PO Box 63  
Deming, WA 98244  
phone: (360)592-4158  
fax: (360)592-2227  
[churt@nooksack-nsn.gov](mailto:churt@nooksack-nsn.gov)

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**From:** [Considine, Brian \(GMB\)](#)  
**To:** [Cory Fox](#); [Andrew Winchell](#)  
**Cc:** [Laydon, Ashlie \(GMB\)](#)  
**Subject:** RE: FanDuel Comment Letter on Proposed Pre-Licensing Rule  
**Date:** Monday, January 11, 2021 12:16:13 PM  
**Attachments:** [image007.png](#)  
[image009.png](#)  
[image011.png](#)  
[image013.png](#)  
[image014.png](#)

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Hi Cory,

My apologies for the confusion – and please continue to ask questions as we go along.

There is no timeline at this time for the more substantive set of licensing and regulatory rules because those more substantive policies/provisions are still being negotiated with Tribes.

These pre-licensing investigation rules are being put forward because this process, much like in many other states, will happen in some manner regardless of the final set of licensing classes so trying to get a head start where we can.

Thank you and please let me know if you have any additional questions.

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



---

**From:** Cory Fox <cory.fox@fanduel.com>  
**Sent:** Monday, January 11, 2021 11:49 AM  
**To:** Considine, Brian (GMB) <brian.considine@wsgc.wa.gov>; Andrew Winchell <Andrew.Winchell@fanduel.com>  
**Cc:** Laydon, Ashlie (GMB) <ashlie.laydon@wsgc.wa.gov>  
**Subject:** Re: FanDuel Comment Letter on Proposed Pre-Licensing Rule

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Thanks, Brian. With apologies if I should know this, is there timing we should expect for the rest of the draft rules (covering substantive sports wagering issues) to be issued?

---

**From:** Considine, Brian (GMB) <[brian.considine@wsgc.wa.gov](mailto:brian.considine@wsgc.wa.gov)>  
**Date:** Monday, January 11, 2021 at 2:43 PM

**To:** Andrew Winchell <[Andrew.Winchell@fanduel.com](mailto:Andrew.Winchell@fanduel.com)>  
**Cc:** Cory Fox <[cory.fox@fanduel.com](mailto:cory.fox@fanduel.com)>, Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>  
**Subject:** RE: FanDuel Comment Letter on Proposed Pre-Licensing Rule

Hi Andrew,

Thank you and your public comments were received on Friday. We are taking a look at all public comments later today and will present all public comments to our Commissioners for their review and consideration at our [January 14<sup>th</sup> public meeting](#). You are also welcome to provide verbal public comment during the rule review during the meeting as well, if desired.

We will also try and follow up in the next week or two on any comments/questions you have indicated in your comments. These are draft rules and the final rules, if these are approved on Thursday, won't be up for consideration until the end of February, at the earliest. So, there is still time to discuss what this will look like and continue to answer questions if these move forward.

Thank you again for your comments – we appreciate your participation in this process and please let me know if you have any questions about what might occur this week.

Sincerely,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



---

**From:** Andrew Winchell <[Andrew.Winchell@fanduel.com](mailto:Andrew.Winchell@fanduel.com)>  
**Sent:** Friday, January 8, 2021 1:32 PM  
**To:** Considine, Brian (GMB) <[brian.considine@wsgc.wa.gov](mailto:brian.considine@wsgc.wa.gov)>; Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>  
**Cc:** Cory Fox <[cory.fox@fanduel.com](mailto:cory.fox@fanduel.com)>  
**Subject:** FanDuel Comment Letter on Proposed Pre-Licensing Rule

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Dear Legal and Legislative Manager Considine and Rules Coordinator Laydon,

Attached please find FanDuel's comments regarding the proposed pre-licensing rule. Please let me know if you have any questions or need any additional information from us regarding our comments.

Sincerely,

**Andrew J. Winchell**

**Director, Government Affairs**

Mobile: 845.325.6235

Email: [andrew.winchell@fanduel.com](mailto:andrew.winchell@fanduel.com)

**FANDUELGROUP**





Cory Fox  
[cory.fox@fanduel.com](mailto:cory.fox@fanduel.com)

January 8, 2021

**Via E-mail to [Brian.Considine@wsgc.wa.gov](mailto:Brian.Considine@wsgc.wa.gov) and [Ashlie.Laydon@wsgc.wa.gov](mailto:Ashlie.Laydon@wsgc.wa.gov)**

Brian Considine, Legal and Legislative Manager  
Ashlie Laydon, Rules Coordinator  
Washington State Gambling Commission  
4565 7th Avenue S.E.  
Lacey, WA 98503  
(360) 486-3440

**Re: FanDuel Comments on Proposed Pre-Licensing Qualification Draft Rules**

Dear Legal and Legislative Manager Considine and Rules Coordinator Laydon:

I write to you today to provide comments on behalf of FanDuel, Inc. (“FanDuel”) regarding the proposed Pre-Licensing Qualification Draft Rules for sports wagering (“Draft Rules”) released by the Washington State Gambling Commission (“Commission”).

FanDuel has been a leading operator of daily fantasy sports for over a decade. Following the Supreme Court’s decision to strike down the Professional and Amateur Sports Protection Act (“PASPA”) in May of 2018, FanDuel has now become the leading sports wagering operator, and the largest online real-money gaming operator, in the United States. FanDuel currently operates fourteen brick and mortar sportsbooks in nine states and online sports wagering in eight states. In 2018, FanDuel merged with Betfair US, which has been offering online casino wagering in New Jersey since 2013. We appreciate the opportunity to share our perspective on sports betting regulation with you.

We respectfully suggest the limitation of the term “substantial interest holder” as it is applied in subsections (2), (4), and (9) of the Draft Rule. In reviewing the definition of “substantial interest holder” as it is found in WAC 230-03-045, it appears there is no exemption provided for an individual or entity who holds an ownership interest in an applicant solely as a passive investor. This would require an in-depth background check on individuals who are not actively involved in the operations of the applicant, creating a particular burden with respect to publicly traded companies.

To address this concern we suggest the following change to subsection (2) of the Draft Rule which draws from the existing definition of “passive investors” as it relates to the licensure of gaming suppliers:

“(2) To apply for pre-licensing qualification letter, the applicant and each substantial interest holder will go through a pre-licensing investigation to determine if the applicant and substantial



interest holders are initially qualified. **For purposes of this section, “substantial interest holder” shall not include “passive investors” in the applicant as that term is defined in WAC 230-03-212(2)(c).”**

We appreciate your time and consideration of our comments and would be happy to discuss at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cory Fox', written over a light blue horizontal line.

Cory Fox

Government Affairs and Product Counsel Vice President

**From:** [Considine, Brian \(GMB\)](#)  
**To:** [Kevin Cochran](#); [Laydon, Ashlie \(GMB\)](#)  
**Cc:** [Griffin Finan](#); [Sarah Koch](#)  
**Subject:** RE: DraftKings -- Washington Pre-Licensing Qualification Draft Rules Comments  
**Date:** Monday, January 11, 2021 11:39:36 AM  
**Attachments:** [image005.png](#)  
[image007.png](#)

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Hi Kevin,

Thank you and your public comments were received on Friday. We are taking a look at all public comments later today and will present all public comments to our Commissioners for their review and consideration at our [January 14<sup>th</sup> public meeting](#). You are also welcome to provide verbal public comment during the rule review during the meeting as well, if desired.

We will also try and follow up in the next week or two on any comments/questions you have indicated in your comments. These are draft rules and the final rules, if these are approved on Thursday, won't be up for consideration until the end of February, at the earliest. So, there is still time to discuss what this will look like and continue to answer questions if these move forward.

Thank you again for your comments – we appreciate your participation in this process and please let me know if you have any questions about what might occur this week.

Sincerely,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:brian.considine@wsgc.wa.gov)



---

**From:** Kevin Cochran <kcochran@draftkings.com>  
**Sent:** Friday, January 8, 2021 3:16 PM  
**To:** Considine, Brian (GMB) <brian.considine@wsgc.wa.gov>; Laydon, Ashlie (GMB) <ashlie.laydon@wsgc.wa.gov>  
**Cc:** Griffin Finan <gfinan@draftkings.com>; Sarah Koch <skoch@draftkings.com>  
**Subject:** DraftKings -- Washington Pre-Licensing Qualification Draft Rules Comments

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Dear Legal and Legislative Manager Considine and Rules Coordinator Laydon,

Attached you will find DraftKings Inc.'s ("DraftKings") comments to the Washington State Gambling Commission's Pre-Licensing Qualification Draft Rules. Thank you for your consideration of DraftKings' comments. Please do not hesitate to reach out to us if you have any questions regarding our submitted comments.

Thanks and have a nice weekend,

Kevin

**KEVIN COCHRAN**

Manager, Government Affairs and Corporate Counsel

DraftKings Inc.

215-290-4428





January 8, 2021

**Via E-mail to Brian.Considine@wsgc.wa.gov and Ashlie.Laydon@wsgc.wa.gov**

Brian Considine, Legal and Legislative Manager  
Ashlie Laydon, Rules Coordinator  
Washington State Gambling Commission  
4565 7th Avenue S.E.  
Lacey, WA 98503  
(360) 486-3440

**Re: Pre-Licensing Qualification Draft Rules**

Dear Legal and Legislative Manager Considine and Rules Coordinator Laydon,

In response to the Pre-Licensing Qualification Draft Rules for sports wagering released by the Washington State Gambling Commission (“Commission”), DraftKings Inc. (“DraftKings”) submits the following comments. As a leading sports wagering operator in the United States, DraftKings has first-hand experience with the topics addressed in the proposed rules and submits these comments based on its experience in multiple regulated markets.

We respectfully request inserting limitations around the term “substantial interest holder” as it is used in subsections (2), (4), and (9) of the draft rule. The definition of “substantial interest holder” found elsewhere in the gaming rules (WAC 230-03-045) would be overbroad as applied here. The WAC 230-03-045 definition would require an in-depth investigation of many individuals that would have little or no influence or dealings with the applicant’s business in Washington.

For this reason, we would request that the Commission focus its review on those substantial interest holders with actual influence over the applicant or licensee. In making that determination, we would suggest the Commission adopt a similar analysis to the “passive investor” standard used in WAC 230-03-212(c)(i)-(iii), and find that individuals will not be considered substantial interest holders for purposes of this rule if they are not in a position to:

- (i) Appoint or have the right to appoint officers, directors, consultants, or other positions with the applicant or licensee;
- (ii) Require the applicant or licensee to seek approval or authorization in making business decisions; or
- (iii) Have full access to the records of the applicant or licensee.

This ensures that the entity and individuals in a decision-making role are thoroughly vetted, while avoiding a significant licensing burden for the applicant and the regulator that does not result in a benefit to the state.

With the inclusion of these requested changes, subsection (2) of the draft rule would read:





(2) To apply for pre-licensing qualification letter, the applicant and each substantial interest holder will go through a pre-licensing investigation to determine if the applicant and substantial interest holders are initially qualified. **For purposes of this section, “substantial interest holder” shall not include individuals that do not:**

**(i) Appoint or have the right to appoint officers, directors, consultants, or other positions with the applicant or licensee;**

**(ii) Require the applicant or licensee to seek approval or authorization in making business decisions; or**

**(iii) Have full access to the records of the applicant or licensee;**

Additionally, we note that other sports betting jurisdictions generally implement a more narrow suitability inquiry for vendors and suppliers that do not actually operate the sports betting platform. For example, an individual serving in a role deemed to be a “substantial interest holder” for a sports betting operator may not be considered a “substantial interest holder” if they hold the same position for a sports betting vendor. The current draft rule, without additional language, appears to capture every type of applicant in the same way. We respectfully suggest that requirements for vendors and suppliers be distinguished in the rule.

Thank you for your consideration of DraftKings’ comments regarding the Pre-Qualification Licensing Draft Rules.

Sincerely,

DraftKings Inc.

**From:** [Considine, Brian \(GMB\)](#)  
**To:** [Trevor Hayes](#)  
**Cc:** [Laydon, Ashlie \(GMB\)](#)  
**Subject:** RE: Draft Pre-licensing Qualification Rules  
**Date:** Monday, January 11, 2021 11:38:28 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)

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Hi Trevor,

Thank you and your public comments were received on Friday. We are taking a look at all public comments later today and will present all public comments to our Commissioners for their review and consideration at our [January 14<sup>th</sup> public meeting](#). You are also welcome to provide verbal public comment during the rule review during the meeting as well, if desired.

We will also try and follow up in the next week or two on any comments/questions you have indicated in your comments. These are draft rules and the final rules, if these are approved on Thursday, won't be up for consideration until the end of February, at the earliest. So, there is still time to discuss what this will look like and continue to answer questions if these move forward.

However, to quickly provide a reference point for "substantial interest holder." We currently have this defined in rule in [WAC 230-03-045](#) and intend to use current pre-licensing investigation terms/procedures, where applicable.

Thank you again for your comments – we appreciate your participation in this process and please let me know if you have any questions about what might occur this week.

Sincerely,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 486-3469 (office)  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



---

**From:** Trevor Hayes <THayes@williamhill.us>  
**Sent:** Friday, January 8, 2021 4:03 PM  
**To:** Considine, Brian (GMB) <brian.considine@wsgc.wa.gov>  
**Cc:** Laydon, Ashlie (GMB) <ashlie.laydon@wsgc.wa.gov>  
**Subject:** RE: Draft Pre-licensing Qualification Rules

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Brian and Ashlie,

Thank you for providing us with the opportunity to comment on the proposed regulations.

We don't have any concerns significant enough to warrant making a formal comment. One suggestion we think may be beneficial is a more specific definition of "substantial interest holder," as it pertains to licensing. Many jurisdictions define that as someone with greater than a 10 percent or greater than a 5 percent ownership stake.

Thank you and I look forward to working with you.

Regards,

Trevor



**Trevor Hayes**

Head of Government Relations

Mobile: 702.308.9993

E-mail: [thayes@williamhill.us](mailto:thayes@williamhill.us)

William Hill | 6325 S. Rainbow Boulevard #100 | Las Vegas, NV | 89118

---

**From:** Considine, Brian (GMB) <[brian.considine@wsgc.wa.gov](mailto:brian.considine@wsgc.wa.gov)>

**Sent:** Wednesday, December 30, 2020 3:09 PM

**Cc:** Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>; Sizemore, Bud (GMB) <[bud.sizemore@wsgc.wa.gov](mailto:bud.sizemore@wsgc.wa.gov)>; Trujillo, Dave (GMB) <[dave.trujillo@wsgc.wa.gov](mailto:dave.trujillo@wsgc.wa.gov)>; Griffin, Tina (GMB) <[tina.griffin@wsgc.wa.gov](mailto:tina.griffin@wsgc.wa.gov)>; Lies, Julie (GMB) <[julie.lies@wsgc.wa.gov](mailto:julie.lies@wsgc.wa.gov)>

**Subject:** Draft Pre-licensing Qualification Rules

Hello,

You are receiving this email because the Washington State Gambling Commission (WSGC) has identified you and/or your organization as a stakeholder for our sports wagering rule-making.

Please find the attached draft proposed sports wagering pre-licensing qualification rules. WSGC staff intends to bring the proposed draft rules to our Commissioners at our [January 14](#).

[2021 public meeting](#) for the Commissioners' review and approval.

Staff requests your input and please provide any questions, comments or suggested edits to me ([Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)) and our Rules Coordinator Ashlie Laydon ([Ashlie.laydon@wsgc.wa.gov](mailto:Ashlie.laydon@wsgc.wa.gov)) by Monday, January 8 at 5pm.

These rules are meant to authorize the agency's pre-licensing investigation process for future sports wagering licenses. Our agency's goal is to allow individuals/organizations the ability to get a head start on our pre-licensing investigation process through these rules.

However, these rules are not intended to become a sports wagering license or give the person or organization a license at this time. The final draft sports wagering license rules are still part of tribal-state compact negotiations and any final sports wagering license rules will be forthcoming in the next few months.

WSGC staff will review any comments, questions, or suggested edits if submitted by the above-referenced deadline, and all written comments will become part of the rule-making file. You are also welcome to attend our January 14<sup>th</sup> public meeting and provide public comment during the public meeting. Please monitor our [public meeting webpage](#) as the call-in information and agenda will be posted about one week before our meeting.

Please contact me if you have any questions about this process.

Happy Holidays,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



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You are receiving this email because the Washington State Gambling Commission (WSGC) has identified you and/or your organization as a stakeholder for our sports wagering rule-making.

Please find the attached draft proposed sports wagering pre-licensing qualification rules. WSGC staff intends to bring the proposed draft rules to our [January 14, 2021 public meeting](#) for the Commissioners' review and approval.

Staff requests your input and please provide any questions, comments or suggested edits to me ([Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)) and our Rules Coordinator Ashlie Laydon ([Ashlie.laydon@wsgc.wa.gov](mailto:Ashlie.laydon@wsgc.wa.gov)) by Monday, January 8 at 5pm.

These rules are meant to authorize the agency's pre-licensing investigation process for future sports wagering licenses. Our agency's goal is to allow individuals/organizations the ability to get a head start on our pre-licensing investigation process through these rules.

However, these rules are not intended to become a sports wagering license or give the person or organization a license at this time. The final draft sports wagering license rules are still part of tribal-state compact negotiations and any final sports wagering license rules will be forthcoming in the next few months.

WSGC staff will review any comments, questions, or suggested edits if submitted by the above-referenced deadline, and all written comments will become part of the rule-making file. You are also welcome to attend our January 14<sup>th</sup> public meeting and provide public comment during the public meeting. Please monitor our [public meeting webpage](#) as the call-in information and agenda will be posted about one week before our meeting.

Please contact me if you have any questions about this process.

Happy Holidays,

Brian

**Brian J. Considine**  
Legal and Legislative Manager  
Washington State Gambling Commission  
(360) 485-8921 (mobile)  
[Brian.considine@wsgc.wa.gov](mailto:Brian.considine@wsgc.wa.gov)



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### Rule Petition to Amend

- WAC 230-14-080- Prize limits and percentage of winners required.
- WAC 230-14-085- Calculating markup for merchandise prizes.
- WAC 230-14-220- Prize limits for carry-over jackpot pull-tab series.
- WAC 230-14-090- Controlling prizes.

**January 2021 – Final Action**  
**November 2020 – Discussion & Possible Filing**  
**June 2020 – Initiated Rule-Making**  
**May 2020 – Rule-Making Petition Received**

#### Tab 6: JANUARY 2021 Commission Meeting Agenda.

Statutory Authority 9.46.070

#### Who Proposed the Rule Change?

Katie Doyle, Washington Hospitality Association, Olympia, Washington

#### Background

**Bold = Changes made after the November 2020 Commission Meeting.**

At the June 2020 meeting, Commissioners accepted a petition and initiated rule-making to increase single cash prize limits, merchandise prize limits, and carry-over jackpot prize limits and to consider payout and cash reserve requirements as it pertains to pull-tab prize limits. **At the November 2020 meeting, Commissioners chose to file draft language for further discussion. This language is before you today for final action today.**

The draft language proposes to:

- Increase single cash prize limits from \$2,500 to \$5,000,
- Increase merchandise prize limits from \$2,500 to \$5,000,
- Increase carry-over jackpot prize limits from \$5,000 to \$10,000,
- Require operators to pay out a minimum of \$2,500 in cash for verified prizes and to pay the remaining balance within twenty-four hours,
- Offer operators the option to pay out the remainder of the balance by check, and
- Require that operators have funds available to pay out all cash prizes offered.

The petitioner is proposing to increase single cash prizes and merchandise prizes from \$2,500 to \$5,000, each in WAC 230-14-080, Prize limits and percentage of winners required, and WAC 230-14-085, Calculating markup for merchandise prizes; and to increase the carry-over jackpot prize limits from \$5,000 to \$10,000 in WAC 230-14-220, Prize limits for carry-over jackpot pull-tab series.

The petitioner requests this change because the prize limits in rule have not been changed in many years. The petitioner asserts that pull-tabs are struggling to compete in today's competitive gaming environment and that increased prizes would attract more customers. The petitioner hopes that by increasing prize limits small businesses can be more competitive. Furthermore, this change would complement SB 6357, which was passed by the Legislature this year, which increased the single chance pull-tab price from \$1 to \$5.

Prize limits were last increased in 2008 when the single cash prize limit was raised from \$500 (\$750 with director's approval) to \$2,500, the merchandise prize limit was raised from up to \$750 to \$2,500, and the carry-over jackpot prize limit was raised from \$2,000 to \$5,000.



Attachments:

- Petition
- WAC 230-14-080
- WAC 230-14-085
- WAC 230-14-220
- WAC 230-14-090
- Stakeholder Feedback

**Stakeholder Outreach and Feedback**

Draft rule language was sent out to the petitioner and all organizations that currently hold a license to conduct pull-tab activity. The following feedback was received:

- Tim Merrill, Maverick Gaming- interested in increasing the top payout by five times to \$12,500 for a single prize and \$25,000 for carryover jackpots.

**Draft language was published in the Washington State Register (WSR 20-24-028) and posted on the agency website. No further comments have been received.**

**Staff Recommendation**

**31 days after filing with the Office of the Code Reviser – expected on or about February 15, 2021.**

**From:** [dan.heisel@watech.wa.gov](mailto:dan.heisel@watech.wa.gov) on behalf of [WSGC Web](#)  
**To:** [Rules Coordinator \(GMB\)](#)  
**Subject:** Request a Rule Change Submission from wsgc.wa.gov  
**Date:** Thursday, May 7, 2020 3:51:53 PM

---

Submitted on Thursday, May 7, 2020 - 3:51pm  
Submitted by anonymous user: 73.221.155.249  
Submitted values are:

Petitioner's Name: Katie Doyle - Washington Hospitality Association  
Mailing Address: 510 Plum St SE  
City: Olympia  
State: WA  
Zip Code: 98501  
Phone: 3607892136  
Email: [katied@wahospitality.org](mailto:katied@wahospitality.org)

Rule Petition Type: Amend Rule – I am requesting WSGC to change an existing rule.

==Amend Rule – I am requesting WSGC to change an existing rule.==

List rule number (WAC) if known: 230-14-080; 230-14- 085;  
230-14-220

I am requesting the following change:

Increase single cash prize from \$2,500 to \$5,000.

Increase single merchandise prize from \$2,500 to \$5,000.

Increase carryover jackpot from \$5,000 to \$10,000.

This change is needed because: The limits in WAC have not been changed for many years. Pull tabs are struggling to compete in today's competitive gaming environment. Our members have heard from many of our customers that pull tabs would be more attractive if the prizes could be increased. We hope this minor change will help our members who offer these games — most of whom are small businesses — to be more competitive. Further, this change would also compliment SB 6357, which was passed by the Legislature this year and increased single chance pull tab limits from \$1 to \$5.

The effect of this rule change will be: To align prize limits with the increased price of pull tabs.

The results of this submission may be viewed at:  
<https://www.wsgc.wa.gov/node/18/submission/1586>

AMENDATORY SECTION (Amending WSR 09-17-077, filed 8/14/09, effective 1/1/10)

**WAC 230-14-080 Prize limits and percentage of winners required.**

Punch board or pull-tab operators must not possess, display, put out for play, sell, or otherwise transfer punch boards or pull-tab series that:

- (1) Have a total payout of less than sixty percent of the total gross gambling receipts of the board or series, except in cumulative prize pool pull-tab games. In cumulative prize pool pull-tab games, the sixty percent prize payout requirement will be calculated based on the total amount of prizes from the cumulative prize pool board and the instant winners from each series, divided by the number of series contained in the game; and
- (2) Offer boards or series, except for progressive series or carry-over jackpots, with a single cash prize that is more than (~~twenty-five hundred~~) five thousand dollars; or
- (3) Offer a single merchandise prize that is more than (~~twenty-five hundred~~) five thousand dollars including markup; or
- (4) Have a single pull-tab or punch with multiple winning combinations that are more than the prize limit; or
- (5) Offer prizes for purchasing the last pull-tab or last punch (last sale) that are more than:
  - (a) One hundred dollars cash; or
  - (b) Merchandise that costs the licensee more than one hundred dollars; or
  - (c) The highest prize offered, whichever is less; or
- (6) Series that have a key to any winning numbers or symbols.

AMENDATORY SECTION (Amending WSR 08-11-044, filed 5/14/08, effective 7/1/08)

**WAC 230-14-085 Calculating markup for merchandise prizes.** (1)

To calculate sixty percent of total gross for merchandise prizes, operators take the amount actually paid for the prize and add to it no more than fifty percent of that cost as markup.

(2) Gift certificates from a licensee's own establishment may be used as merchandise prizes for pull-tab games but must not be included in the sixty percent payout calculation.

(3) The total cost to the operator for the purchase of a prize must not exceed (~~twenty-five hundred~~) five thousand dollars.

AMENDATORY SECTION (Amending WSR 07-21-116, filed 10/22/07, effective 1/1/08)

**WAC 230-14-220 Prize limits for carry-over jackpot pull-tab series.** Operators may use pull-tab series which include carry-over jackpots. Operators must use the following calculations for prizes and prize payouts for carry-over jackpots:

(1) Guaranteed prizes must be sixty percent or more of gross gambling receipts available from the pull-tab series. "Guaranteed prizes" means all prizes available, excluding the contribution amount or carry-over jackpot; and

(2) The manufacturer determines the contribution amount and the method of play and discloses both on the flare; and

(3) The contribution amount for each series must not be more than five hundred dollars; and

(4) An accumulated carry-over jackpot must not be more than ((five)) ten thousand dollars; and

(5) If the carry-over jackpot is awarded, the sum of the advance-level prize and the carry-over jackpot prize combined must not be more than ((five)) ten thousand dollars; and

(6) If the operator carries over the jackpot to a new series, the total of the advance-level prize and the consolation prize must not be more than five hundred dollars.

**WAC 230-14-090 Controlling prizes.** Punch board and pull-tab operators must:

- (1) Protect players from fraud and game manipulation.
- (2) Award all prizes won.
- (3) Only award cash or merchandise as prizes. A player who has won a cash prize may make a request to the person redeeming the winning pull-tab that the player be given additional pull-tabs instead of cash. An operator may agree to such a request.
- (4) Not offer to pay cash instead of merchandise prizes.
- (5) Not award additional punches or tabs as a prize. Prizes, however, may involve the opportunity to advance and win a larger prize on the same punch board or pull-tab series. Operators must award an immediate additional opportunity to advance called a bonus prize when offered in a bonus pull-tab series or a step-up prize when offered on a punch board.
- (6) Immediately pay out a minimum of two thousand five hundred dollars for verified cash prizes won and pay the remaining balance within twenty-four hours by check. The winner may request that the operator pay up to the entire prize balance by check. Operators must then issue a check for the entire prize balance within twenty-four hours.
- (7) Have funds available to pay out all cash prizes offered. A licensee's failure to pay out all cash prizes as required by this rule is prima facie evidence of defrauding the public and a violation of RCW 9.46.190.

**From:** [Tim Merrill](#)  
**To:** [Laydon, Ashlie \(GMB\)](#)  
**Cc:** [Considine, Brian \(GMB\)](#)  
**Subject:** RE: Petition for Rule Change- Pull-tab Prize Limits  
**Date:** Tuesday, October 6, 2020 11:50:17 AM  
**Attachments:** [image001.jpg](#)  
[image002.gif](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.png](#)

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If the max cash prize at \$1 was \$2,500 and the new law allows for a \$5 wager can we also increase the top payout by 5x to \$12,500 for single prize and \$25,000 for carryover jackpots?

Thanks,

tm

---

**From:** Laydon, Ashlie (GMB)  
**Sent:** Monday, October 5, 2020 3:59 PM  
**Cc:** Considine, Brian (GMB)  
**Subject:** Petition for Rule Change- Pull-tab Prize Limits

Good afternoon,

You are receiving this email because your email address is associated with a gambling license to conduct pull-tab activity in Washington. If you have received this email in error, please disregard it or feel free to contact me at [ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov) and I will update our system to reflect this.

The Gambling Commission is considering amending its rules to increase certain pull-tab prize limits, specifically single cash prizes, merchandise prizes, and carry-over jackpot prizes limits. Rule-making will also consider payout and cash reserve requirements as it pertains to pull-tab prizes. Attached you will find a copy of the CR-101 explaining the proposed changes in more detail and draft language amending the following rules:

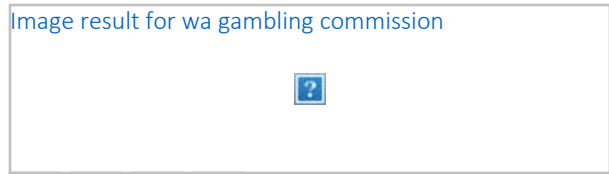
- WAC 230-14-080, Prize limits and percentage of winners required.
- WAC 230-14-085, Calculating markup for merchandise prizes.
- WAC 230-14-220, Prize limits for carry-over jackpot pull-tab series.
- WAC 230-14-090, Controlling prizes.

If you would like to comment on these proposed changes, please do so by email at [ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov) or on our [website](#) by close of business Friday, October 16, 2020. If you have any questions, feel free to contact me.

Thank you,

**Ashlie Laydon**  
Rules Coordinator | Legal and Records Division  
Washington State Gambling Commission

P.O. Box 42400 | Olympia, WA 98504-2400  
☎ (360) 486-3473 | ✉ ashlie.laydon@wsgc.wa.gov





**Staff Proposed Rule-Making**  
WAC 230-03-133- Defining “scientific.”

**January 2021 – Final Action**  
**November 2020 – Discussion & Possible Filing**  
**August 2020 – Initiated Rule-Making**

<b>Tab 7: JANUARY 2021 Commission Meeting Agenda.</b>	<b>Statutory Authority 9.46.070</b>
<b>Who Proposed the Rule Change?</b>	
Washington State Gambling Commission Staff	
<b>Background</b>	
<p><b>Bold = Changes made after November 2020 Commission Meeting.</b></p> <p>At the August 2020 meeting, Commissioners initiated rule-making to adopt a rule to define “scientific” as used in RCW 9.46.0209. <b>At the November 2020 meeting, Commissioners were presented draft language for further discussion and possible filing. Commissioners chose to amend that language and file it for further discussion. Today, that language is before you for final action.</b></p> <p>SB 6120 was signed by Governor Jay Inslee on March 26, 2020 which amends RCW 9.46.0209(1)(i) to include “scientific” to the list of purposes of which a bona fide charitable or nonprofit organization may be organized and operating and therefore qualify for licensure to operate gambling activities authorized under the Gambling Act.</p> <p>The Gambling Commission needs to adopt a rule defining “scientific” for charitable and nonprofit applicants.</p> <p>Attachments:</p> <ul style="list-style-type: none"> <li>• WAC 230-03-133</li> <li>• Stakeholder Feedback</li> </ul>	
<b>Stakeholder Outreach and Feedback</b>	
<p><b>Draft language was sent out to stakeholders who are organized and operating for scientific purposes and have applied for licensure in the past. Comments received pertained to subsection (4). At their November 2020 public meeting, Commissioners moved to strike subsection (4) prior to filing the draft language with the Office of the Code Reviser. Draft language was published in the Washington State Register (WSR 20-24-027) and posted on our agency website. No further comments have been received.</b></p>	
<b>Staff Recommendation</b>	
<p><b>31 days after filing with the Office of the Code Reviser – expected on or about February 15, 2021.</b></p>	



NEW SECTION

**WAC 230-03-133 Defining "scientific."** "Scientific" as used in RCW 9.46.0209 means the carrying on of scientific research in the public interest. Scientific research will be regarded as carried out in the public interest if it either is performed for the federal or state government or is directed toward benefiting the public. This includes scientific research carried out for the purpose of:

- (1) Aiding in the scientific education of students; or
- (2) Obtaining scientific information which is published in a treatise, thesis, trade publication, or other form that is made available to the public; or
- (3) Discovering a cure for a disease.

**From:** [Craig H. Johnson](#)  
**To:** [Laydon, Ashlie \(GMB\)](#)  
**Cc:** [Kirk A. Struble](#); [Suzanne Sullivan](#)  
**Subject:** Washington State Gambling Commission -Notice of Rule-Making  
**Date:** Friday, October 30, 2020 3:49:36 PM  
**Attachments:** [image003.png](#)  
[image005.png](#)

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Ms Laydon:

I reviewed your email, including the attached rule. At first I understood your email to be requesting a response as to whether or not our organization was in compliance with the proposed rule. However, on re-reading your email I gather that this is a PROPOSED RULE and that WSGC is merely seeking comment.

My comment is as follows: The proposed rule, WAC 230-03-133, is TOO restrictive in its definitions. For example, I am affiliated with Ducks Unlimited, among other conservation organizations. While some of the work and scientific research conducted by these organizations is performed for the federal and/or State governments, much is not. Of that, a significant portion of its scientific work is not necessarily published in the manner defined in sub-paragraph 2. Neither is it directed towards the objectives set forth in sub-paragraphs 1, 3 or 4.

There is certainly MUCH that is in the “public interest”, which does not just attract “. . . new industry to the community or area”. For example, much of Ducks Unlimited’s scientific work is applied research directed to one or another of its habitat improvement projects. These provide enormous benefits to the area in which they occur, providing needed habitat, flood control, water purification, groundwater recharge and trapping nitrates and other agricultural run-off products, so that they do not flush into our lakes, streams, rivers and other waterways.

At the very least paragraphs 1 – 4 should be explicitly “ILLUSTRATIVE and not limited to”, so that they are not perceived to be the only purposes of scientific research.

Craig H. Johnson  
v: 509.547.7400  
f: 509.547.0076  
[Craig@craigjohnsonlaw.net](mailto:Craig@craigjohnsonlaw.net)

---

**From:** Laydon, Ashlie (GMB) [mailto:[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)]  
**Sent:** Friday, October 30, 2020 3:32 PM  
**Subject:** Washington State Gambling Commission -Notice of Rule-Making

Good afternoon,

As you may know, SB 6120 was signed by Governor Jay Inslee on March 26, 2020 which amends RCW [9.46.0209](#) to include “scientific” to the list of purposes of which a bona fide charitable or nonprofit organization may be organized and operating and therefore qualify for licensure to operate gambling activities authorized under the Gambling Act. In August, 2020, the Commissioners initiated rule-making to adopt a rule to define “scientific” as used in RCW 9.46.0209.

Please review the attached draft rule language for WAC 230-03-133- Defining “scientific.” Please provide feedback to me directly at [ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov) by close of business on Thursday, November 5, 2020.

Feel free to contact me via email if you have any questions.

Thank you,

**Ashlie Laydon**

Rules Coordinator | Legal and Records Division

Washington State Gambling Commission

P.O. Box 42400 | Olympia, WA 98504-2400

☎ (360) 486-3473 | ✉ [ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)



**From:** [Jay and Sharon Gerbino](#)  
**To:** [Laydon, Ashlie \(GMB\)](#)  
**Subject:** RE: Washington State Gambling Commission -Notice of Rule-Making  
**Date:** Friday, October 30, 2020 6:39:39 PM  
**Attachments:** [image003.png](#)  
[image005.png](#)

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I have read the attachment and have no feedback for your consideration. Jay Gerbino, Walla Walla Kiwanis Club

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**From:** Laydon, Ashlie (GMB) [mailto:[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)]  
**Sent:** Friday, October 30, 2020 3:32 PM  
**Subject:** Washington State Gambling Commission -Notice of Rule-Making

Good afternoon,

As you may know, SB 6120 was signed by Governor Jay Inslee on March 26, 2020 which amends RCW [9.46.0209](#) to include “scientific” to the list of purposes of which a bona fide charitable or nonprofit organization may be organized and operating and therefore qualify for licensure to operate gambling activities authorized under the Gambling Act. In August, 2020, the Commissioners initiated rule-making to adopt a rule to define “scientific” as used in RCW 9.46.0209.

Please review the attached draft rule language for WAC 230-03-133- Defining “scientific.” Please provide feedback to me directly at [ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov) by close of business on Thursday, November 5, 2020.

Feel free to contact me via email if you have any questions.

Thank you,

**Ashlie Laydon**

Rules Coordinator | Legal and Records Division  
Washington State Gambling Commission  
P.O. Box 42400 | Olympia, WA 98504-2400  
☎ (360) 486-3473 | ✉ [ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)



Washington State  
**GAMBLING**  
COMMISSION

*Protect the public by ensuring that gambling is legal and honest.*



**From:** [Karol Whealdon](#)  
**To:** [Laydon, Ashlie \(GMB\)](#)  
**Subject:** Re: Washington State Gambling Commission -Notice of Rule-Making  
**Date:** Saturday, October 31, 2020 12:08:01 PM  
**Attachments:** [image003.png](#)  
[image005.png](#)

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Thank you! That is a helpful change.

Karol

On Fri, Oct 30, 2020 at 3:32 PM Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)> wrote:

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COMMISSION

*Protect the public by ensuring that gambling is legal and honest.*



**From:** [lotaross](#)  
**To:** [Laydon, Ashlie \(GMB\)](#)  
**Subject:** Definition of Scientific I don't understand why a scientific group would need a gambling license and/or what #4 has to do with science. I have never replied to one of these e-mails before so I hope I did it correctly. Thank you, Lota Ross Woodland M..  
**Date:** Friday, October 30, 2020 4:05:44 PM

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Sent from my Sprint Samsung Galaxy S7.

**From:** [Marla FOE#3602](#)  
**To:** [Laydon, Ashlie \(GMB\)](#)  
**Subject:** Re: Washington State Gambling Commission -Notice of Rule-Making  
**Date:** Monday, November 2, 2020 12:04:55 PM  
**Attachments:** [image003.png](#)  
[image005.png](#)

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Does not seem like something that would be made a nonprofit for the purpose of gambling activities.

**From:** Laydon, Ashlie (GMB)  
**Sent:** Friday, October 30, 2020 3:32 PM  
**Subject:** Washington State Gambling Commission -Notice of Rule-Making

Good afternoon,

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Feel free to contact me via email if you have any questions.

Thank you,

**Ashlie Laydon**

Rules Coordinator | Legal and Records Division  
Washington State Gambling Commission  
P.O. Box 42400 | Olympia, WA 98504-2400  
☎ (360) 486-3473 | ✉ [ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)





**From:** [Ron Fryer](#)  
**To:** [Laydon, Ashlie \(GMB\)](#)  
**Subject:** Re:  
**Date:** Friday, October 30, 2020 4:38:08 PM

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Hello Ashlie.

Somehow I feel that conducting fundraising for scientific purposes does not have anything to do with attracting businesses to a certain area. This section raises doubts of the reason why "Non-profit" companies are being considered as "New Industry" which denoted "for-profit" companies. I think if this is included in the language that it would raise concerns and doubts in the public view. If item #4 was eliminated from the language, the purpose would become clear and more palatable to the public as well as the non-profit community.

Best Regards,

Ron

360-608-4443

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712 NE 130th St.

Vancouver, WA 98685

[www.ronscustomtshirts.com](http://www.ronscustomtshirts.com)

On Fri, Oct 30, 2020 at 4:20 PM Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)> wrote:

Hello Ron,

Thank you for you feedback. This language was taken loosely from the 501(c)(3) [definition](#). This language is proposing that organizations that are organized and operating to conduct scientific research to aid a community or geographic area by attracting new industry to community or area could qualify to obtain a license to conduct gambling activities, such as a raffle. However, they would still have to meet all of the other qualifications of a bona fide charitable or nonprofit organization as set forth in RCW [9.46.0209](#).

Thank you,

Ashlie

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**From:** Ron Fryer <[rcfryer@gmail.com](mailto:rcfryer@gmail.com)>

**Sent:** Friday, October 30, 2020 3:43 PM

**To:** Laydon, Ashlie (GMB) <[ashlie.laydon@wsgc.wa.gov](mailto:ashlie.laydon@wsgc.wa.gov)>

**Subject:**

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

Hello Ashlie.

Thanks for the information. After careful review, I question #4. I am not sure that scientific research includes "Aiding a community or geographical area by attracting new industry to the community or area." I would think that should fall under zoning and planning rather than Gambling. Or is this "scientific research" at a casino? Suspect...

Best Regards,

Ron Fryer

360-608-4443

America for Veterans Foundation

[www.americaforveteransfoundation.org](http://www.americaforveteransfoundation.org)



**Bills with Direct Gambling Industry Impacts (\* are items you may want to take action on)**

**1. \*HB 1022, Relating to the Washington State Horse Racing Commission**

Representative MacEwen's bill amends the Horse Racing Act to allow the Horse Racing Commission to receive money into the Horse Racing operating account to pay for agency salary, wages, and expenses. Currently, this is not authorized in the Act. This bill is connected to the Governor's proposed Operating Budget that provides \$340k to the Horse Racing Commission to assist them during this biennium.

**2. SB 5034, Concerning nonprofit corporations**

Senator Pederson's bill seeks to modernize and re-codify the state's nonprofit corporations act that is the foundation for all of your nonprofit licensees. This bill has numerous changes and updates to how nonprofit corporations are to conduct themselves in the state. The Gambling Act is amended to reference the new RCW that will be created through this bill; however, there does not appear to be any direct gambling-related impacts at this time. However, there may be some practical impacts to our forms and training if the bill passes.

**Bills with Law Enforcement Impacts.**

**3. HB 1000, establishing and expanding wellness, resiliency, and mental health support for law enforcement officers.**

Representative Maycumber's bill seeks to establish a program to support behavioral health improvement and suicide prevention efforts for law enforcement officers. It also authorizes WASPC to establish three pilot programs to support behavioral health improvement and suicide prevention efforts for law enforcement officers. Programs are subject to appropriations during this biennium.

**4. HB 1054, Establishing requirements for tactics and equipment used by peace officers.**

Representative Johnson's bill prohibits a law enforcement officer from using a list of items or actions and modifies certain Criminal Justice Training Commission training requirements. This bill does not appear to cover the Gambling Commission or activities typically part of our special agents' job duties. However, we will continue to monitor this bill if it moves through the legislature to ensure it is not amended to add something that could negatively impact the agency.

**5. SB 5051, Concerning state oversight and accountability of peace officers and corrections officers**

Senator Pederson's bill amends the Criminal Justice Training Commission's statutory authority to issue certifications to law enforcement officers and the actions it can take against a law enforcement officer's certification. This bill does not appear to significantly impact our agency or special agents. However, we will continue to monitor this bill if it moves through the legislature to ensure it is not amended to add something that could negatively impact the agency.

More bills will be filed before our January Commission Meeting, and I will bring any additional relevant bills for your discussion and possible action during the public meeting.