



**WASHINGTON STATE
GAMBLING COMMISSION PUBLIC
MEETING - November 2020**

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



WAGamblingCommission



WAGambling



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STATE OF WASHINGTON

GAMBLING COMMISSION

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

November Gambling Commission Meeting Agenda

Join Microsoft Teams Meeting

Tuesday, November 17, 2020

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

9:30-12:30	Executive Session – Closed to the Public Discuss potential agency litigation with legal counsel, including tribal negotiations.	<i>Bud Sizemore, Chair</i>
Tab 1 1:00	Call to Order *Consent Agenda <ul style="list-style-type: none"> October 15, 2020 Commission Meeting Minutes New Licenses and Class III Employees Licenses 2021 Commission Meeting Schedule Director Report <ul style="list-style-type: none"> Modified HBCR Report 	<i>Bud Sizemore, Chair</i> (Action)
Tab 2	*PETITION FOR RECONSIDERATION (Closed Session) <ul style="list-style-type: none"> Gerardo Canon – CR 2020-00014 	<i>Gerardo Cannon, pro se Petitioner</i> <i>Doug Van De Brake, Assistant Attorney General</i> (Action)
Tab 3	*RULE FOR DISCUSSION ONLY <ul style="list-style-type: none"> Credit Card Rule Discussion 	<i>Brian Considine, Legal and Legislative Manager</i>
Tab 4	* RULE FOR DISCUSSION AND POSSIBLE FILING <ul style="list-style-type: none"> Scientific Definition 	<i>Ashlie Laydon, Rules Coordinator</i> (Action)
Tab 5	* RULE FOR DISCUSSION AND POSSIBLE FILING <ul style="list-style-type: none"> Pull-tab Prize Limits 	<i>Ashlie Laydon, Rules Coordinator</i> (Action)
Tab 6	Budget Review and Financial Update	<i>Christopher Stanley, Chief Financial Officer</i>
Tab 7	Legislative Update Agency Request Legislation Withdrawal	<i>Brian Considine, Legal and Legislative Manager</i> (Action)
Public Comment can be provided: <ul style="list-style-type: none"> Before and during the Commission meeting you may email 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"

October Gambling Commission Meeting Minutes

Gambling Commission Headquarters

Virtual Meeting

***October 15, 2020**

Commissioners Present:

Bud Sizemore, Chair (Present)

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; Adam Teal, Staff Attorney; and Suzanne Becker, Assistant Attorney General.

Public Meeting Call to Order

Chair Sizemore called the virtual meeting to order at 9:36 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. All commissioners were present. He announced that the public meeting would reconvene at 1:00 PM.

Executive session adjourned at 12:23 PM. The commissioners took a break until 1:00 PM.

Public meeting reconvened at 1:08 PM.

Chair Sizemore asked Director Trujillo to call roll to ensure a quorum. All commissioners were present. The commission observed a moment of silence for the fallen officers that have lost their lives since we last met.

There were 88 people who attended the virtual meeting.

On Oct. 7, Chair Sizemore and Director Trujillo met with former Commissioner Ed Troyer to award him with a medal of merit from the Commission and to present a letter from the governor thanking him for his service. PIO LaLiberte shared a short video of the event. Chair Sizemore thanked Ed Troyer for his service to the Commission. Senator Conway and Vice Chair Patterson

* 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.

and Commissioners Levy and King all expressed their gratitude to Ed Troyer and wished him well in the future.

Tab 1

Consent Agenda

Commissioner Patterson moved to approve the consent agenda as presented.

Commissioner King seconded the motion.

Director Trujillo called the roll.

The motion passed 4:0

Tab 2

Cowlitz Indian Tribe Compact Amendment Hearing

Honorable Philip Harju (Chairman, Cowlitz General Council), David Trujillo (Director, WSGC) and Julie Lies (Tribal Liaison, WSGC) presented the materials for this tab. **Director Trujillo** explained the process for amending a tribal gaming compact. **Honorable Phillip Harju** spoke about the Cowlitz Indian Tribe and its casino. **Tribal Liaison Lies** discussed the details of the Tribe's Class III gaming compact amendment.

Public Comment

There was no public comment.

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

Commissioner Patterson seconded the motion.

Director Trujillo called the roll.

Commissioner Patterson – yes

Commissioner Levy – yes

Commissioner King – yes

Commissioner Sizemore – yes

Senator Conway – yes

Senator Holy – yes

Representative Kloba – yes

The motion passed 7:0

Tab 3

Credit Card Rule Discussion

WSGC's Brian Considine (Legal and Legislative Manager) and Bill McGregor (Special Agent Supervisor) presented the materials for this tab. At the September commission meeting, commissioners voted to move the proposed credit card rules into the next stage for further discussion. Commissioners requested staff come back during the October public meeting and discuss the pros and cons of the rules. LLM Considine introduced SAS McGregor and they went through the PowerPoint presentation. LLM Considine and SAS McGregor explained the authorized forms of payment for: card games, pull tabs, bingo, raffles and tribal casinos. LLM Considine explained the proposed rule change and then introduced the participants for the panel discussion.

Credit Card Panel Presenters

Maureen Greeley (Executive Director, Evergreen Council on Problem Gambling), Steve Berven (Original Petitioner, Uptown Bar & Grill/Dax's Bar and Grill)

LLM Considine introduced **Executive Director (ED) Greeley** as the first presenter. She shared a PowerPoint presentation that outlined the National Council on Problem Gambling's concerns related to cashless payment systems and responsible gaming. The presentation covered four areas: (1) player limits/controls; (2) responsible gaming information/messages; (3) self-exclusion options; and; (4) know your customer: verification and data. **ED Greeley** discussed that cashless payment systems may lead to increased problem gambling. Her concerns regarding cashless payment systems related to customers gambling with money they don't have or incurring more debt because they are detached from the money they are gambling with. She spoke about responsible gaming limits and restrictions for cashless transactions. **ED Greeley** spoke about a statewide self-exclusion program with player options that should include blocking any payment method. She also spoke about potential next steps for a solution and thanked the Commission for the time to present. **Mr. Berven**, the original petitioner, owns and operates four businesses in the Tri-Cities area. He spoke about the credit/debit card being a principle means of commerce for most people. He said it was time to modernize the payment method. He explained that business 20 years ago was mostly a cash business and today it's mostly debit cards. **Chair Sizemore** asked about the potential dangers of the credit card not being valid at the time of the customer's transaction. **Mr. Berven** answered that credit cards are safer for the operator because it could take up to four days to find out if a check is good or not. **Chair Sizemore** asked if **Mr. Berven** was worried about the use of credit cards in his operations. **Mr. Berven** replied that he is not concerned and said that he hasn't seen people spending more. He said people appear to be sticking to their individuals gambling limits.

Chair Sizemore announced that the commissioners would take a 10-minute break before discussing next steps.

After the break, **Director Trujillo** called the roll to ensure a quorum. All commissioners were present.

Commissioner Patterson expressed concerns for the topics identified by **ED Greeley** during her presentation and how gamblers may overuse credit cards. She rhetorically asked Commission staff if there was a way to mitigate those concerns. At this time, **Commissioner Patterson** is not ready to move forward with these recommendations until her concerns are alleviated. She asked to hear what other commissioners' thoughts were. **Commissioner King** was in favor of the addition of the credit card option. **Chair Sizemore** was in favor of the addition of credit cards, although he acknowledged some concerns for individuals with addictive issues. He suggested adding the credit card discussion topic to the November agenda for further discussion with a final adoption at the December meeting, providing Commission staff had enough time to prepare.

LLM Considine suggested reaching out to **ECPG** and the National Council on Problem Gambling for any recommended responsible gaming or problem gambling language. Staff could bring back information, if any, for discussion at the November public meeting and commissioners could take final action at the December public meeting.

Public Comment

There was no public comment.

Tab 4

Rule Petition for Discussion and Possible Filing – Amend sale of raffle tickets via the internet

Ashlie Laydon, Rules Coordinator (RC), presented the materials for this tab. Linda Bauer, of Kennewick, Washington, is proposing to amend the rules to allow nonprofit organizations to conduct raffles via the Internet. 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.

The petitioner feels this change is needed because she has had to cancel all in-person events, yet the need for fundraising continues. The petitioner feels the effect of this rule change would result in an improved society as nonprofits fill a need that will not be met if they lose their ability to raise funds. 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.

Public Comment

There was no public comment.

Commissioner King moved to deny the petition, as recommended by staff, because the agency does not have the legal authority to do what the petitioner asks.

Commissioner Patterson seconded the motion.

Director Trujillo called the roll.

The motion passed 4:0

Tab 5

Rule Petition for Discussion and Possible Filing – Amend Recordkeeping requirements for raffle licensees

Ashlie Laydon, Rules Coordinator (RC), presented the materials for this tab. James Williams of Chattaroy, Washington is requesting to amend WAC 230-11-100, Recordkeeping requirements for raffle licensees. Currently, licensees conducting raffles with gross gambling receipts of \$50,000 in their initial year, with gross gambling receipts over \$50,000 in their previous year, offering prizes that require approval per WAC 230-11-067, or conducting raffles using alternative drawing formats must prepare a detailed record for each raffle they conduct, including collecting the name, address, and telephone number for all winners of prizes with a fair market value of more than \$50. The petitioner would like to amend this rule so that the name, address, and telephone number would only be collected for winners of prizes with a fair market value of more than \$600. The petitioner feels this change is needed because \$50 may have been a significant amount of money at the time the rule was adopted, but the cost of prizes has increased over time. The process of obtaining this information is not only time consuming but is also costly, as the information must be maintained for three years, per WAC 230-11-105. The petitioner recommends \$600 as he feels this would be consistent with federal government reporting requirements and would expedite the process and reduce costs of recordkeeping. Staff recommends denying this petition. **James Williams, the petitioner**, addressed the Commission with his questions and concerns. **Chair Sizemore** asked him if it would be possible to withdraw the petition and see if there was a solution he could work on with staff. **Mr.**

Williams withdrew his petition and indicated that he would contact staff to work with them on a possible solution to his concern(s).

Petitioner withdrew the petition.

Tab 6

Default

Adam Teal, Staff Attorney, presented the materials for this tab.

Russell A. Bob, Class III Employee Certification.

Chair Sizemore asked if Russell A. Bob was in the audience. He was not.

Commissioner King moved to approve the final order to revoke the Class III employee certification of Russell A. Bob.

Commissioner Levy seconded the motion.

The motion passed 4:0.

Tab 7

Presentation- Gambling Commission Budget Review and Financial Update

Christopher Stanley, Chief Financial Officer (CFO), presented the agency's budget review and financial update.

There was no public comment.

Tab 8

Problem Gambling Task Force Update

Commissioner Julia Patterson (Chair, Problem Gambling Task Force) and Roxane Waldron (Health Care Authority) gave a short update on the progress of the task force.

Commissioner Patterson summarized her previous presentation she gave to the Legislature. She explained that the task force meets on a regular basis and has formed subgroups to accomplish the work. Commissioner Patterson indicated that the PGTF would need to have its final report deadline and the HCA's prevalence study deadline extended by one year to 2022 and would need WSGC's assistance with getting these extensions.

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

Chair Sizemore announced that the next commission meeting would be Nov. 17 and to keep checking the website for current information.

The October meeting adjourned at 3:53 PM.



COMMISSION APPROVAL LIST
(New Licenses & Class III Gaming Employees)
November 2020

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PAGES:18

Based upon the licensing investigations, staff recommends approving all new Licenses and Class III employees listed on pages 1 to 18.



HOUSE-BANKED PUBLIC CARD ROOM REPORT

Licensed and Operating		31			
	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, 2020	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, 2020	00-17414	67-00020
CLEARWATER SALOON & CASINO	EAST WENATCHEE	Feb 14, 2019	Dec 31, 2020	00-24296	67-00339
CLUB HOLLYWOOD CASINO	SHORELINE	Sep 9, 2010	Jun 30, 2021	00-22132	67-00303
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, 2020	00-17610	67-00016
GREAT AMERICAN CASINO/EVERETT	EVERETT	Nov 12, 1998	Dec 31, 2020	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, 2020	00-19477	67-00192
JOKER'S CASINO SPORTS BAR & FIESTA CD RM	RICHLAND	Nov 12, 1998	Dec 31, 2020	00-15224	67-00006
LILAC LANES & CASINO	SPOKANE	Jul 12, 2007	Jun 30, 2021	00-21305	67-00267
MACAU CASINO	LAKEWOOD	Nov 14, 2019	Sep 30, 2021	00-24516	67-00345
MACAU CASINO	TUKWILA	Nov 14, 2019	Sep 30, 2021	00-24514	67-00344
NOB HILL CASINO	YAKIMA	Sep 12, 2001	Dec 31, 2020	00-13069	67-00173

Licensed and Operating						31
	City	Commission Approval Date	License Expiration Date	Org #	License #	
PALACE CASINO LAKEWOOD	LAKEWOOD	Jan 14, 1999	Dec 31, 2020	00-16542	67-00028	
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	

Licensed but Not Currently Operating						13
	City	Commission Approval Date	License Expiration Date	Org #	License #	
ACES CASINO ENTERTAINMENT	SPOKANE VALLEY	Mar 13, 2014	Dec 31, 2020	00-23112	67-00325	
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	
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, 2020	00-20009	67-00212	
WIZARDS CASINO	BURIEN	Feb 11, 2010	Dec 31, 2020	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

ASB OF MARK MORRIS HIGH SCHOOL
00-24668 02-21133

1602 MARK MORRIS CT
LONGVIEW WA 98632

KC HOWARD GUILD
00-24686 02-21141

1115 CHERRY AVE
BAINBRIDGE ISLAND WA 98110

ONEAMERICA
00-24660 02-21130

1225 S WELLER ST
SEATTLE WA 98144

SPOKANE HOOPFEST ASSOCIATION
00-24683 02-21138

421 W RIVERSIDE AVE
SPOKANE WA 99201

ST JOSEPH SCHOOL
00-23066 02-09331

2114 SW ANDOVER ST
SEATTLE WA 98106

PUNCHBOARD/PULL-TAB COMMERCIAL STIMULANT

BURS RESTAURANT
00-17301 05-09470

6151 STEILACOOM BLVD SW
LAKEWOOD WA 98499

CHINNIE'S KITCHEN
00-24654 05-21677

626 128TH ST SW UNIT 101
EVERETT WA 98204

KNAPPS RESTAURANT
00-19588 05-19763

2707 N PROCTOR
TACOMA WA 98407

SPEEDTRAP TAPHOUSE
00-24652 05-21675

245 W BROADWAY AVE
REARDAN WA 99029

WEST END PUB
00-24691 05-21695

3840 6TH AVE
TACOMA WA 98406

GAMBLING SERVICE SUPPLIER

CAMTEK, INC.
00-24701 26-00364

3815 E EVERETT AVE
SPOKANE WA 98201

COMMERCIAL AMUSEMENT GAMES OPERATOR

CLAW CADE
00-24682 53-21549

4750 N DIVISON ST
SPOKANE WA 99207

DATE: 10/30/2020

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ORGANIZATION NAME

LICENSE NUMBER

PREMISES LOCATION

NEW APPLICATIONS

NON HOUSE-BANKED CARD GAME

SPEEDTRAP TAPHOUSE
00-24652 65-07510

245 W BROADWAY AVE
REARDAN WA 99029

PERSON'S NAME
LICENSE NUMBER

EMPLOYER'S NAME
PREMISES LOCATION

NEW APPLICATIONS

MANUFACTURER REPRESENTATIVE

BRYANT, KATHLEEN M
23-03129

EVERI PAYMENTS INC
LAS VEGAS NV 89113-2175

CABAEI, EULOGIO S JR
23-03132

ARISTOCRAT TECHNOLOGIES INC
LAS VEGAS NV 89135

DARR, JAMES E
23-03127

AGS LLC
LAS VEGAS NV 89118

DAVIS, JUSTYN A
23-03130

EVERI PAYMENTS INC
LAS VEGAS NV 89113-2175

FLORES, DAYTON Z
23-03133

EVERI PAYMENTS INC
LAS VEGAS NV 89113-2175

FULLARD, LESLIE J
23-00702

SCIENTIFIC GAMES
LAS VEGAS NV 89119

GOVINDAN NAIR, JIJO
23-03000

SCIENTIFIC GAMES
LAS VEGAS NV 89119

JEDERBERG, CHRISTOPHER J
23-03128

EVERI PAYMENTS INC
LAS VEGAS NV 89113-2175

NEISESS, JEREMIAH J
23-03131

EVERI GAMES INC.
AUSTIN TX 78746

NIEMANN, TAD E
23-03134

EVERI PAYMENTS INC
LAS VEGAS NV 89113-2175

RADHAKRISHNAN, TRISHA
23-02242

SCIENTIFIC GAMES
LAS VEGAS NV 89119

NON-PROFIT GAMBLING MANAGER

MITCHELL, DAVID P
61-04738

AMERICAN LEGION 00141
LANGLEY WA 98260

REXROTH, JEWEL C
61-04739

FOE 02069
SEDRO WOOLLEY WA 98284

PERSON'S NAME
LICENSE NUMBER

EMPLOYER'S NAME
PREMISES LOCATION

NEW APPLICATIONS

SERVICE SUPPLIER REPRESENTATIVE

HASSON, JOSEPH J 63-00947		SALISHAN-MOHEGAN LLC VANCOUVER WA 98660
MCCLURE, BRANDON M 63-00946		MAVERICK WASHINGTON KIRKLAND WA 98034
MILLER, TAYLOR M 63-00939		MAVERICK WASHINGTON KIRKLAND WA 98034
WALLACE, CHERYL A 63-00948		MAVERICK WASHINGTON KIRKLAND WA 98034
WELSH, ROBERT J 63-00936		MAVERICK WASHINGTON KIRKLAND WA 98034
WESLEY, RICHARD S 63-00949		NORTH AMERICAN VIDEO BRICK NJ 08723

CARD ROOM EMPLOYEE

ALVAREZ, ELIZIEN R 68-35845	B	CRAZY MOOSE CASINO/PASCO PASCO WA 99301
ALVEREZ, JULIENNE M 68-30864	B	RED DRAGON CASINO MOUNTLAKE TERRACE WA 9804
ATHOS, KATRINA M 68-35848	B	LILAC LANES & CASINO SPOKANE WA 99208-7393
BAILEY, JERAMIE A 68-35303	B	CHIPS CASINO/LAKEWOOD LAKEWOOD WA 98499
BOYD, ALDEN M 68-35413	B	PALACE CASINO LAKEWOOD LAKEWOOD WA 98499-8434
BROWNING, RYAN L 68-24119	B	LILAC LANES & CASINO SPOKANE WA 99208-7393
BUI, PHUOC T 68-35862	B	IRON HORSE CASINO AUBURN WA 98002
DODGE, DEIDRE M 68-16105	B	SILVER DOLLAR CASINO/RENTON RENTON WA 98057

PERSON'S NAME
LICENSE NUMBER

EMPLOYER'S NAME
PREMISES LOCATION

NEW APPLICATIONS

CARD ROOM EMPLOYEE

FANG, XUAN 68-35840	B	CASINO CARIBBEAN KIRKLAND WA 98034
GUTIERREZ, CRISTIAN F 68-35843	B	CRAZY MOOSE CASINO/PASCO PASCO WA 99301
GUZMAN, CRISTIAN A 68-35860	B	CRAZY MOOSE CASINO/PASCO PASCO WA 99301
HAILE MARIAM, TSIGE T 68-35829	B	SILVER DOLLAR CASINO/SEATAC SEATAC WA 98188
HOANG, THINH T 68-30325	B	GOLDIE'S SHORELINE CASINO SHORELINE WA 98133
HOUGHTON, JUSTIN A 68-35252	B	CLUB HOLLYWOOD CASINO SHORELINE WA 98133
HOUP, VIRACK 68-30317	B	FORTUNE CASINO - RENTON RENTON WA 98055
HUYNH, NHU THUONG T 68-35861	B	IRON HORSE CASINO AUBURN WA 98002
ISAACS, JACOB D 68-35836	B	IRON HORSE CASINO AUBURN WA 98002
JENNINGS, ASHTON K 68-35844	B	COYOTE BOB'S CASINO KENNEWICK WA 99336
JOHNSON, BARRY C 68-26864	B	MACAU CASINO TUKWILA WA 98188
LARAISSO, ANTHONY S 68-35835	B	JOKER'S CASINO SPORTS BAR & FIEST RICHLAND WA 99352-4122
MANLEY, SOUKTYDA M 68-35832	B	FORTUNE CASINO - RENTON RENTON WA 98055
MAO, XIAOHUA 68-34619	B	PALACE CASINO LAKEWOOD LAKEWOOD WA 98499-8434
MCCORMICK, LYNDSEY R 68-35852	B	NOB HILL CASINO YAKIMA WA 98902
MILLER, MALINA K 68-35853	B	IRON HORSE CASINO AUBURN WA 98002

PERSON'S NAME
LICENSE NUMBER

EMPLOYER'S NAME
PREMISES LOCATION

NEW APPLICATIONS

CARD ROOM EMPLOYEE

NELSON, MARK R 68-35838	B	JOKER'S CASINO SPORTS BAR & FIEST RICHLAND WA 99352-4122
NGUYEN, TAM M 68-33313	B	SILVER DOLLAR CASINO/SEATAC SEATAC WA 98188
NGUYEN, TRANG N 68-34986	B	FORTUNE CASINO - RENTON RENTON WA 98055
PHO, NY 68-18440	B	SILVER DOLLAR CASINO/SEATAC SEATAC WA 98188
PRASEUTH, JESSICA M 68-35833	B	SILVER DOLLAR CASINO/RENTON RENTON WA 98057
RENO, CHARLES J 68-13848	B	COYOTE BOB'S CASINO KENNEWICK WA 99336
ROACH, AUSTIN B 68-35846	B	FORTUNE CASINO - RENTON RENTON WA 98055
ROE, JEFFREY R 68-34958	B	BLACK PEARL RESTAURANT & CARD SPOKANE VALLEY WA 99206-471
SAECHAO, FARM M 68-22566	B	FORTUNE POKER RENTON WA 98057
SAETEURN, STEPHEN K 68-35830	B	GREAT AMERICAN CASINO/TUKWILA TUKWILA WA 98168
SHAKHNAZAROV, SERGEY A 68-07271	B	FORTUNE CASINO - RENTON RENTON WA 98055
STILES, NATHAN C 68-35855	B	RIVERSIDE CASINO TUKWILA WA 98168
TAATITI, IU M 68-26823	B	MACAU CASINO TUKWILA WA 98188
THONG, SUNLY 68-35858	B	FORTUNE CASINO - TUKWILA TUKWILA WA 98168
TOMLINSON, ZACHARY J 68-35856	B	NOB HILL CASINO YAKIMA WA 98902
TRIMBLE, ANTOINETTE M 68-24862	B	IRON HORSE CASINO AUBURN WA 98002

PERSON'S NAME
LICENSE NUMBER

EMPLOYER'S NAME
PREMISES LOCATION

NEW APPLICATIONS

CARD ROOM EMPLOYEE

VIVAO, JOLINDA M 68-35849	B	SILVER DOLLAR CASINO/RENTON RENTON WA 98057
WILLARD, ANNETTE E 68-35841	A	RED DRAGON CASINO MOUNTLAKE TERRACE WA 9804
WITTE, JUSTIN D 68-35720	B	LOGGERS INN SULTAN WA 98294
YENG, RADA 68-35837	B	RIVERSIDE CASINO TUKWILA WA 98168
YIM, THU K 68-14448	B	ROXY'S BAR & GRILL SEATTLE WA 98126

PERSON'S NAME
LICENSE NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

BRANDON, AMIER A
69-49157

CANNON, JAMES R
69-18560

FIMBRES, DANIELLE L
69-49159

FRANK, NICHOLAUS A
69-49160

HURLEY, RICK A
69-49162

LEE, TIMOTHY
69-49163

LITTLE, JEREMY J
69-49164

MARTINEZ, LUIS
69-49165

WITT, CHRISTOPHER R
69-49156

CHEHALIS CONFEDERATED TRIBES

BACON, NATHANIEL R
69-49104

CABEZAS, ERIN R
69-49135

KADWELL, DOUGLAS A
69-49194

KENNEDY, KAYLA E
69-49103

LEON GUERRERO, JEREMIAH J
69-49196

COLVILLE CONFEDERATED TRIBES

ALECK, KENDRA S
69-49082

BALTAZAR COSINO, MARIA L
69-49174

BROWN, RAELYNN M
69-45099

BRUNHAVER, AUNDRA F
69-44677

CAWSTON, VENESSA R
69-29938

CLARK, ANGEL L
69-38472

DOWD, MARINA I
69-49175

GARCIA, JESUS JR
69-44680

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

COLVILLE CONFEDERATED TRIBES

GARCIA-ALFARO, RUBY M
69-24893

GERVAIS, ANTHONY J
69-28336

GOMEZ, DANIEL C
69-49228

GUERRERO CENICEROS, NANCY Y
69-49176

HERNANDEZ-HERNANDEZ, ANGEL M
69-40422

JACKSON, KORI S
69-49231

JOEHNK, LAWRENCE D
69-49081

KIMSEY, MICHAEL L JR
69-49169

MAJARES, JORGE
69-49177

MARCHAND, RONALD D
69-35326

MARTIN, ANNA E
69-41546

MENDOZA LOPEZ, JOSE L
69-49181

MENDOZA NEGRETE, JAVIER
69-49182

MENDOZA-MORFIN, BRYAN
69-46274

MILLER, BRYSON A
69-49232

ORNELAS-MORALES, ARON
69-49183

RODRIGUEZ, CRISTIAN E
69-49184

ROGERS, GUY L
69-40026

SANDUM, PASHIYA O
69-36416

SCOTT, MICHAEL S
69-49233

VIRRUETA, LETICIA
69-26283

YOUNG, KOOPER C
69-49234

COWLITZ INDIAN TRIBE

ANDERSON, ELIJAH V
69-49060

BEEBE, ADAM R
69-42659

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

COWLITZ INDIAN TRIBE

BOUDREAU, JEREMY L
69-41415

BRAY, JACOB W
69-49074

CHAN, WAIYU
69-49078

COOK, SEAN M
69-49107

FISHER, NICHOLAS R
69-49114

GARZA, JOHN P III
69-49178

HANNULA, BELANA L
69-49204

HERNANDEZ, STEVEN M
69-49067

HOTTENDORF, OTTO W
69-49075

HUNTER, ISABELLA J
69-42940

JACOBO, ALEJANDRO W
69-49073

KINGSBURY, JERREMIAS R
69-49108

LARA-MOORE, JENALYN A
69-49130

LILE, NAETHANIEL V
69-49059

MCGEE, JESSICA L
69-45367

MCPMAHON, BAILEE R
69-49077

NAGAYAMA, DENISE F
69-49071

OLSON, CATHERINE M
69-49076

PATANAO, ARVIN C
69-49202

PHITWONG, TERRESA
69-49112

RODRIGUEZ, FAVIAN F
69-49066

RUBIO, JESUS J
69-49064

SANCHEZ, JOSE F JR
69-49109

SANTESSON, JOSHUA M
69-49113

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

COWLITZ INDIAN TRIBE

SCHNEIDER, GEORGE E
69-49117

TORRES-ENCISO, DELIA
69-49142

TURNER, TRYSTAHN M
69-49072

VICTORIANO, MIGUEL D
69-49141

WELSCH, AUSTIN D
69-49116

WILLIAMS, COLE E
69-49069

YORK, CLAYTON C
69-49058

KALISPEL TRIBE

BAUGHN, CARLEA R
69-49098

BENJAMIN, JACK R JR
69-49209

BOTHMER, BRANDON L
69-49137

COLLINS, ABRAHAM B
69-49099

GANDARA, JESSE M
69-49210

GRAVES, JAMES A
69-45814

HERNE, JOSEPH R
69-49136

LAUGHLIN, MICHAEL G JR
69-49264

LAURITZEN, JASON S
69-32140

LOUGHNANE, TRENT P
69-49211

MARCHAND, NICOLE C
69-49227

PAYSON, RYAN S
69-49134

PETERSON, KYLE S
69-49212

RIEHLE, NAKYA E
69-49265

SCOTT, JEFFREY J
69-49100

SHAVER, BREANNA M
69-49250

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

KALISPEL TRIBE

SOUDERS, JALISSA M
69-49133

WATERS, CHASE D
69-49213

MUCKLESHOOT INDIAN TRIBE

DE SIMONE, MICHELE P
69-15320

JACOBS, RONALD S
69-49084

KAPLAN, RONEN A
69-49085

MERNA, CULLY C
69-49119

NISQUALLY INDIAN TRIBE

ALIM, KHALID N
69-49040

BRANDON, AMIER A
69-49157

CANNON, JAMES R
69-18560

CICHY, ASHLEY O
69-49131

FIMBRES, DANIELLE L
69-49159

FRANK, NICHOLAUS A
69-49160

HURLEY, RICK A
69-49162

LEE, TIMOTHY
69-49163

LITTLE, JEREMY J
69-49164

MARTINEZ, LUIS
69-49165

NOBY, BRYAN J
69-49083

SAMPSON, IRENE R
69-35344

SCOTT, MARCUS L
69-49132

WITT, CHRISTOPHER R
69-49156

NOOKSACK INDIAN TRIBE

JOY, TAMIRA M
69-49106

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

PORT GAMBLE S'KLALLAM TRIBE

CARL, JASMINE A
69-26149

CLANCY, MARY K
69-49063

GRADY, JONELLE R
69-49097

PUYALLUP TRIBE OF INDIANS

AH YEN, NAFANUA A
69-49143

ANAYANG, NOEL R JR
69-49191

ANDERSON, LOGAN L
69-49167

BARRIOS, GUADALUPE
69-49192

BERG, EDWARD III
69-49126

BESANA, JAMES TYLER B
69-49216

BLACK, CALEB B
69-49138

BLOUNT, WALTER D JR
69-49237

BROCK, JASON A
69-49238

BRYANT, CHRISTOPHER L
69-49217

CARR, ISIAH M
69-49124

CLOUSE, TOBY W
69-49087

COOVERT, PAIGE B
69-49239

DUTHRA, LUTHER F
69-49240

EAGLESPEAKER, CECILIA E
69-06530

FAUMUI, ACE S
69-49127

GILMORE, RAYMOND S
69-49091

GOULDBY, KEEGAN J
69-49151

GOWER, YAHOLA S
69-45849

GRIFFITH, TARYNE L
69-49218

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

PUYALLUP TRIBE OF INDIANS

GROSVENOR, KYLE J
69-49193

HAMMOND, MICHAEL D
69-49140

HAYWOOD, BREIONNE A
69-47162

HOOD, SOLEAH L
69-49172

HORRELL, CLIFTON F IV
69-49145

JOHANNES, CONRAE D
69-49252

JOHNSON, SHAWNA V
69-49122

JONES, ANTHONY R JR
69-49219

JONES, SEQUOI A
69-49139

JOSEPH, MILDRED E
69-49147

KEARN, KENNETH A
69-49168

KEUNGKHAMPHONG, LYNN S
69-37055

KHIEV, CHANTAL
69-49125

KUMANGA, NORLEEN E
69-49241

LAMBES, KENNETH L
69-49220

MAGWOOD, KAHLEB M
69-49144

MCKINSEY, RYAN K
69-49198

MIDDLEBROOKS, WILFRED R III
69-40369

MOWAT, EZEKIEL R
69-49088

MUNDT, WARREN J
69-49199

NGO, THOAI-HUONG T
69-47204

OFALLA, ANDREW M
69-49254

OLDHAM, BAILEY H
69-49255

PRELLWITZ, BRIAN A
69-37281

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

PUYALLUP TRIBE OF INDIANS

READING, TIMOTHY E
69-37310

ROBERTSON, AARON C
69-49173

RODGERS, NATHAN C
69-49242

SAILI, BOA F
69-49120

SAMPSON, IRENE R
69-35344

SANDERS, MARQUITA A
69-49146

SERRANO, JESUS A JR
69-49200

SHRESTHA, BISWO D
69-43110

SOLIAI, ABEL T
69-46954

STA ANA, NICHOLAS M
69-35410

STARKS, SYNTHIA M
69-49121

TRAMEL, JACOB L
69-49123

TRAN, OANH T
69-49259

WEST, JAMES C
69-49089

WESTFALL, DIANE A
69-49086

WHALEN-LANIER, SAVON A
69-49221

WILSON, SIAO C
69-49150

YAN, RUM
69-49243

QUINULT NATION

WILLIAMS, FERN E
69-49118

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

SNOQUALMIE TRIBE

CASTANEDA, CESTHER A
69-49061

FU, JINGYUN
69-44423

INSIXIENGMAY, JAMES
69-49062

LEAVITT, ABRAHAM
69-33887

THOMAS, NICOLAS S
69-49189

SPOKANE TRIBE

CARVO, BARRY T
69-45928

MICHAEL, STEVEN L
69-49096

SELLERS, MANDY B
69-27864

SHILLING, DONNA S
69-49079

SMITH, DAVID A
69-49080

WHITE, JAMIE M
69-47589

WILTSE, TAMMY E
69-49056

SQUAXIN ISLAND TRIBE

MITRE, VUTHY B
69-11975

YAN, WEI
69-28324

STILLAGUAMISH TRIBE

BROWN, KAI HARRY B
69-49101

GARRIS, MICHELLE N
69-49208

JOHNSON, ADRIAN A
69-49102

JOHNSON, DENISE L
69-49225

LANE, BO D
69-49226

LOPEZ, JORGE D
69-49185

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

STILLAGUAMISH TRIBE

SWIERKOWSKI, ROBERTA
69-49224

WAGNER, LORI L
69-49236

WERMUTH, DANIEL V
69-44951

SUQUAMISH TRIBE

FOSTER, TYLER O
69-49128

GONZALEZ DIAZ, SARAH
69-43821

HARRIS, HOLLY M
69-49245

PRESTON, WINSTON S
69-49246

SMITH, READA L
69-32909

SWAYZE, ISAIAH T
69-49090

SWINOMISH INDIAN TRIBAL COMMUNITY

TROXCLAIR, REECE R
69-49171

THE TULALIP TRIBES

BLAKE, WENDY L
69-49149

BLUME, ROSE MARIE S
69-47203

COOK, GREGORY D
69-36975

DELGADO, MICA H
69-28017

HANUS, JOHN D
69-37062

HIRATA, MHARA C
69-49229

MIXON, NICHOLAS R
69-49036

OLIVERIA, JIM S
69-42318

PREPOTENTE, PETER N
69-49230

QUIDLIG, MIKEE C
69-49205

PERSON'S NAME

CERTIFICATION / ELIGIBILITY NUMBER

NEW APPLICATIONS

CLASS III GAMING EMPLOYEE

THE TULALIP TRIBES

QUIDILIG, VICTORIO F
69-49203

RIVAS, JANET M
69-02524

SALINAS HOWLETT, ALEJANDRO R
69-49092

SIMPSON, ALEJANDRO J
69-49093

TONASKET, RICHARD B
69-49094

WENTZ, KELLY C
69-47220

UPPER SKAGIT INDIAN TRIBE

AUGUSTSON, DAVID E
69-49110

OTTO, KEVIN G JR
69-49215

SEUFERT, TROY D
69-49095

YAKAMA NATION

CLARK, DIANE M
69-26703

JOHNS-WINISHUT, CHRISTA K
69-49153

KALTSUKIS, TAYJA K
69-49152

MAREK, JUSTIN J JR
69-49129

WAPSHALI, TORI K
69-49155



**STATE OF WASHINGTON
GAMBLING COMMISSION**

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

November 9, 2020

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

FROM: Brian Considine, Legal and Legislative Manager
Legal and Records Division

**SUBJECT: Gerardo Canon – CR 2020-00014
Motion for Reconsideration
November 17, 2020 Commission Meeting Hearing**

Licensee Gerardo Canon filed a motion for reconsideration of a Final Order in Case Number CR 2020-00014. An administrative law judge’s complete initial order was issued on May 27, 2020, with an amendment addressing a typo being issued on May 28, 2020. That order became final on June 16, 2020 when the Licensee did not file a petition for review with the Commission.

Now, the Licensee has re-submitted his hearing request and staff has interpreted this as a motion for reconsideration of the final order based on the procedural history of this case.

Copies of the Licensee’s request for reconsideration; Commission Staff’s Response to the Licensee’s request; Administrative Law Judge’s Order; Prehearing Conference Order; Notice of Prehearing Conference; Licensee’s (initial) Request for Hearing; and Notice of Administrative Charges are in your Commission Meeting packet for your review and consideration.

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the License to
Conduct Gambling Activities of:)

NO. CR 2020-00014

GERARDO A. CANON
License No. 69-23740)

REQUEST FOR
ADMINISTRATIVE HEARING
AND INTERPRETER

Class III Certification.)

Please read this notice carefully.

This is an important notice, which determines whether you will have the right to a hearing in this matter. If you have any questions regarding your legal rights, you should contact an attorney.

If you have general questions about the hearings process, contact Rules Coordinator, Ashlie Laydon, at (800) 345-2529, extension 3473.

What do I need to do?

1. To discuss settlement options and to keep your right to a hearing, you **MUST** complete and sign this form, then return it within 23 days from the date of mailing the Notice of Administrative Charges.

You may mail it to:

Washington State Gambling Commission
Attention: Legal and Records Division
P. O. Box 42400, Olympia, Washington 98504-2400

2. Place a check mark next to the statement(s) that describe your requests in this matter.

I want the opportunity to discuss settlement options and keep the right to a hearing.

I do **NOT** want a hearing. I understand this may result in a Default Order for the revocation of my gambling license.

3. Current address and contact information

Address 30131 36th Pl S

Aburn, WA 98001

Phone number 253 457 0286

E-mail address gcanon802@gmail.com

Please initial here _____ if you would like to receive further contact and documents by E-mail only.

IN RE: GERARDO A. CANON

CR 2020-00014

REQUEST FOR ADMINISTRATIVE HEARING AND INTERPRETER

Page 1 of 2

Exhibit 3
Page 9 of 10

4. _____ I will be represented by an attorney
Name _____
Address _____
Phone Number _____

***Please have your attorney send the Commission a Notice of Appearance within 10 days.**

5. You may attach a letter or a statement explaining your position in this matter.

YES, letter or a statement attached.
 NO, letter or a statement is not attached.

How do I request an interpreter?

You have the right to have an interpreter for your administrative hearing, if you or any witness you call to testify, is a limited English-speaking person or a hearing-impaired person. This service is free of charge.

Place a check mark next to the statement(s) that describe your requests in this matter.

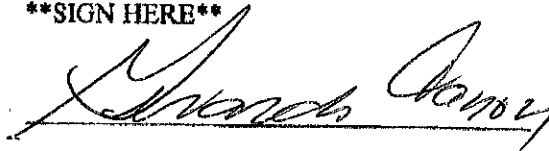
NO, I will **NOT** require an interpreter.
 YES, I will require an interpreter for the _____ language.
 I will require an interpreter for a hearing impairment.
 I will be calling a limited English speaking witness who will require an interpreter in the _____ language.
 I will be calling a hearing impaired person as a witness who will require an interpreter.

If you do not understand these documents, you are strongly encouraged to contact an attorney.

To request a hearing, you **MUST** complete, sign, date, and mail this form to the Washington State Gambling Commission as set out on page 1. Failure to do so will result in a waiver of your rights to a hearing in this matter and may lead to the revocation (taking) of your gambling license, under RCW 34.05.400 and WAC 230-17-010.

Dated this 9th day of October, 2020.

****SIGN HERE****



IN RE: GERARDO A. CANON

CR 2020-00014

REQUEST FOR ADMINISTRATIVE HEARING AND INTERPRETER
Page 2 of 2

Exhibit 3
Page 10 of 10

October 8, 2020

Re: CR 2020-00014 License 69-23740

To Whom It May Concern:

I am writing to request a hearing for the revocation of my gambling license. I was arrested for a Domestic Violence charge and plead guilty to an Assault in the Third Degree. I am also aware that I am outside of the 23 day allowance for requesting a hearing. I have had a difficult time coordinating my legal situation while navigating my lockdown with Covid 19. I have been without any resources to handle this on my own. I ask you to allow another opportunity to have a hearing. Thank you so much.

Sincerely,


Gerardo Canon

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BEFORE THE WASHINGTON STATE GAMBLING COMMISSION

In the Matter of:

GERARDO CANON
License No. 69-23740,

Class III Employee

OAH No. 02-2020-GMB-00148

GMB No. CR 2020-00014

**RESPONSE TO LICENSEE’S
SECOND REQUEST FOR
HEARING/PETITION FOR
RECONSIDERATION OF FINAL
ORDER**

I. INTRODUCTION

In December 2019, Gerardo Canon was convicted of assault in the third degree – domestic violence, a class C felony. The conviction stems from an incident in which Mr. Canon had an altercation with his wife, put a gun to her head, and threatened to kill her. On January 31, 2020, the Director of the WSGC issued a Notice of Administrative Charges (NAC), finding that Mr. Canon’s conviction for a crime involving physical harm to an individual or an intention to inflict physical harm on another person constituted sufficient grounds for revoking Mr. Canon’s gambling license.

The NAC informed Mr. Canon of the charges against him and notified him of his right to a hearing and how to request one. On February 6, 2020, Mr. Canon timely requested a hearing to contest the allegations in the NAC. On March 4, 2020, an Administrative Law Judge conducted a prehearing conference, at which Mr. Canon appeared and participated. At the prehearing conference, the parties agreed upon a case schedule order with deadlines and to the issues presented in the case. On May 28, 2020, the Administrative Law Judge issued a Second

1 Amended Initial Order on Summary Judgment Motion affirming the Gambling Commission
2 Staff's revocation of Mr. Canon's license. The Initial Order included notice to the parties of the
3 right to file a petition for review of the decision and that any such petition must be received by
4 the Commission within 20 days of the date of the Initial Order. More than three-and-a-half
5 months after the deadline passed for petitioning for review of the Initial Order, which became
6 the Final Order when Mr. Canon did not appeal it, he now submits a request for a second hearing.
7 On October 30, 2020, the Commission issued a Notice of Commission's Review for Mr. Canon's
8 "Petition for Reconsideration of a Final Order Revoking his Class III Certification." The review
9 hearing is scheduled for Tuesday, November 17, 2020.

10 Mr. Canon's request should be summarily denied because it was not filed within the time
11 required by Commission hearing rules and provisions of the Washington Administrative
12 Procedures Act. Nor does Mr. Canon's request specify any error of fact or law in the
13 Administrative Law Judge's order revoking his license. Even if Mr. Canon's request was not
14 time barred, it should be denied because Mr. Canon admits to his felony conviction for third
15 degree assault – domestic violence. That criminal conviction is the basis for the Notice of
16 Administrative Charges to revoke his license, and the basis for the Administrative Law Judge's
17 Initial Order affirming Commission Staff's revocation of Mr. Canon's license. Accordingly, a
18 second hearing is neither necessary nor warranted. For the above reasons, Commission Staff
19 respectfully requests that the Initial Order/Final Order revoking Mr. Canon's license be affirmed.

20 II. FACTS

21 A. Notice of Administrative Charges

22 The WSGC issued a "Class III" certification to Mr. Canon, authorizing Mr. Canon to
23 conduct employee activity for the Muckleshoot Indian Tribe at the Muckleshoot Casino.
24 Mr. Canon's license number was 69-23740. He also held a tribal license through the
25 Muckleshoot Gaming Commission.

26 ///

1 On December 18, 2019, Mr. Canon was convicted in King County Superior Court of
2 assault in the third degree – domestic violence, a class C felony. He was sentenced to 12 months
3 of community custody. According to the Prosecuting Attorney’s Case Summary, and the
4 Investigating Detective’s Certification for Determination of Probable Cause, Mr. Canon had an
5 altercation with his wife, put a gun to her head, and threatened to kill her.

6 The Muckleshoot Gaming Commission notified the WSGC of the charges. WSGC
7 Special Agent Julie Sullivan obtained certified copies of the court documents and, based on the
8 charges, the First Amended Information, the guilty plea, and judgment and sentence,
9 recommended revocation of Mr. Canon’s Class III certification. On January 31, 2020, the
10 Director of the WSGC issued a Notice of Administrative Charges to Mr. Canon, revoking
11 Mr. Canon’s Class III certification pursuant to RCWs 9.46.075(1), (4), and (8),
12 WAC 230-03-085(1), (2), and (6), and in accordance with Section V. (C)(1) of the Tribal-State
13 Compact for Class III Gaming between the Muckleshoot Indian Tribe and the State of
14 Washington. Mr. Canon filed a timely request for a hearing.

15 **B. Procedural Facts and Initial Order Revoking Mr. Canon’s License**

16 Mr. Canon’s request for a hearing was assigned to an Administrative Law Judge at the
17 Office of Administrative Hearings. The judge conducted a prehearing conference on
18 March 4, 2020. Mr. Canon appeared and participated in the conference. During this conference,
19 the parties agreed upon a case schedule and the case issues. On March 11, 2020, the judge issued
20 a prehearing conference order that summarized the conference, laid out the case schedule, the
21 issues, and the date of the hearing. Consistent with the conference, the prehearing conference
22 order included a March 30, 2020 deadline for the parties to file and serve motions.

23 On March 13, 2020, Commission Staff filed and served a motion for summary judgment.
24 Pursuant to the case schedule order, responses to motions were due April 13, 2020. Mr. Canon
25 did not file a response.

1 On May 26, 2020, the judge issued an Initial Order on Summary Judgment Motion
2 affirming the revocation of Mr. Canon’s license. On May 27, 2020, an Amended Initial Order
3 was issued because the notice of appeal rights was not included in the Initial Order. On
4 May 28, 2020, a Second Amended Initial Order on Summary Judgment Motion was issued,
5 solely to correct a typographical error. This Initial Order concluded:

6 No genuine dispute of material fact exists as to whether Appellant
7 Gerardo A. Canon’s guilty plea to Assault in the Third Degree – Domestic
8 Violence is grounds to revoke an active license per RCW 9.46.075(4), and
9 WAC 230-03-085(2), and in accordance with Section V.C(1) of the Muckleshoot
10 Tribal-State Compact. The Gambling Commission’s Motion for Summary
11 Judgment is GRANTED.

12 Appellant, has not proven by ‘clear and convincing evidence’ he is qualified for
13 licensure, as required by RCW 9.46.153(1).

14 The Commission is authorized to revoke the Appellant Gerardo A. Canon’s Class
15 III certification, pursuant to RCW 9.46.075(1),(4), and (8),
16 WAC 230-03-085(1),(2) and (6), and in accordance Section V.C(1) of the
17 Muckleshoot Tribal-State Compact. The Gambling Commission’s revocation of
18 Appellant’s CRE License, is AFFIRMED.

19 Therefore, the evidentiary hearing, scheduled for June 15, 2020, is
20 CANCELLED.

21 Second Amended Initial Order on Summary Judgment Motion, ¶¶5.1-5.4.

22 The order notified the parties that either party may file a petition for review of the order,
23 and that any such petition must be mailed to the Washington State Gambling Commission within
24 twenty days from the date the order was mailed to the parties. Mr. Canon never filed a petition
25 for review of the order. Instead, more than three-and-a-half months later, Mr. Canon submitted
26 a request to the Commission for a second hearing. For the reasons which follow, Mr. Canon’s
request should be denied and the order of revocation affirmed.

23 III. ARGUMENT

24 A. Mr. Canon’s Petition Should Be Dismissed Because It Was Not Filed on Time

25 Any party may appeal an Administrative Law Judge’s Initial Order by filing a petition
26 for review with the Commission. RCW 34.05.464 and WAC 230-17-090. A petition for review

1 must be filed within 20 days after service of the Initial Order. Under Commission hearing rules,
2 a document is deemed served three days after mailing. *See* WAC 230-17-035(2). As a
3 consequence, parties generally have 23 days from the day the Office of Administrative Hearings
4 mails the Initial Order to serve and file with the Commission a petition for review of the Initial
5 Order. If no timely petition for review is filed, the Initial Order automatically becomes the Final
6 Order of the Commission. WAC 230-17-085. A party may file a petition for reconsideration of
7 a final order, but must do so within ten days. *See* RCW 34.05.470(1) and WAC 230-17-140(1).

8 Here, Mr. Canon has previously been afforded ample due process to contest the
9 administrative charges against him. Following issuance of the NAC on January 31, 2020,
10 Mr. Canon timely requested a hearing on February 6, 2020. On March 4, 2020, an Administrative
11 Law Judge conducted a prehearing conference, at which Mr. Canon appeared and participated.
12 At the prehearing conference, the parties agreed upon a case schedule order with deadlines and
13 agreed upon the issues presented in the case. On March 13, 2020, Commission Staff filed a
14 motion for summary judgment, as permitted by the case schedule order. Mr. Canon did not file
15 a response to the motion. On May 28, 2020, the Administrative Law Judge issued a Second
16 Amended Initial Order on Summary Judgment Motion affirming the Gambling Commission
17 Staff's revocation of Mr. Canon's license.

18 The Initial Order included notice to the parties of the right to file a petition for review of
19 the decision and that any such petition must be received by the Commission within 20 days of
20 the date of the Initial Order. Accounting for the Commission's rule that a document is served
21 three days after mailing, and that the Initial Order was mailed to the parties on May 28, 2020,
22 Mr. Canon's petition for review of the Initial Order was due June 20, 2020. Mr. Canon filed no
23 petition for review. Accordingly, the Initial Order automatically became a Final Order because
24 no petition for review was filed. Pursuant to Commission hearing rules and RCW 34.05.470(1),
25 Mr. Canon then had 10 days from June 20, 2020, to file and serve a petition for reconsideration
26 of the final order. WAC 230-17-140(1).

1 Mr. Canon filed no timely petition for review of the Initial Order nor did he timely file a
2 petition for reconsideration. Instead, on or about October 8, 2020, more than three-and-a-half
3 months past the statutory and regulatory time for filing a petition for review or petition for
4 reconsideration, Mr. Canon submitted a request for a hearing on administrative charges he
5 previously contested. However Mr. Canon's October 8, 2020 request is characterized – whether
6 as a request for a hearing, a petition for review of the Initial Order, or petition for reconsideration
7 of the Final Order – it should be summarily rejected as untimely. Mr. Canon previously received
8 notice and opportunity to contest the administrative charges, he timely exercised his right to
9 contest the charges, and the Initial Order ruled against him. Mr. Canon did not petition for review
10 of the initial order, nor did he petition for reconsideration.

11 Even if the Commission were to characterize and accept Mr. Canon's October 8 hearing
12 request as a timely petition for reconsideration, his petition should be dismissed because it does
13 not identify what part(s) of the Initial Order/Final Order he disagrees with, nor does it refer to
14 any evidence in the record on which he relies in support of his petition. "Petitions must specify
15 the portions of the initial order the parties disagree with and refer to the evidence in the record
16 on which they rely to support their petition." WAC 230-17-090(3). Similarly, a party filing a
17 petition for reconsideration must "stat[e] the specific grounds upon which relief is requested."
18 RCW 34.05.470(1).

19 **B. The Commission Should Deny Mr. Canon's Request for a Second Hearing**

20 Mr. Canon is essentially requesting a second hearing before the Office of Administrative
21 Hearings. The Commission should deny the request. No evidentiary hearing is necessary for the
22 simple reason that Mr. Canon does not dispute his conviction for assault in the third degree –
23 domestic violence. He admits the same in his October 8 request. The criminal conviction formed
24 the basis for revocation of his license.

25 The Legislature granted the Commission authority to suspend or revoke a gambling
26 license or permits, such as a certification, issued by it, "for any reason or reason[s] it deems to

1 be in the public interest.” RCW 9.46.075. One reason that the Commission has explicitly listed
2 as a basis for revocation is when a licensee “[i]s subject to current prosecution or pending charges
3 . . . for any of the offenses included in subsection (4) of this section[.]” RCW 9.46.075(9). Among
4 the offenses included in subsection (4) of RCW 9.46.075 are “any crime, whether a felony or
5 misdemeanor involving . . . physical harm to individuals[.]” In turn, “physical harm to
6 individuals” means “any form of criminal assault, any crime involving a threat of physical harm
7 against another person, or any crime involving an intention to inflict physical harm on another
8 person[.]” WAC 230-03-085(2). Another basis for revocation is if the certificant/licensee is
9 “serving a period of probation or community supervision imposed as a sentence for any . . .
10 felony criminal offense[.]” WAC 230-03-085(6).

11 Mr. Canon was convicted of a felony crime, Assault in the Third Degree – Domestic
12 Violence. He had an altercation with his wife, held a gun to her head, and threatened to kill her.
13 The crime to which Mr. Canon pled guilty is clearly a crime involving a form of criminal assault,
14 a threat of physical harm against another person, or an intention to inflict physical harm on
15 another person. Mr. Canon was sentenced to twelve months of community custody. Accordingly,
16 revocation of Mr. Canon’s certification is appropriate pursuant to RCW 9.46.075(1), (4), and (9),
17 and WAC 230-03-085(1), (2), and (6). In addition, that Mr. Canon was employed at the
18 Muckleshoot Casino provides him no safe harbor from having his certification revoked. Under
19 the terms of the tribal-state gaming compact between the Muckleshoot Indian Tribe and the State
20 of Washington, “The State Gaming Agency may revoke . . . a State certification under the
21 provisions of RCW 9.46.075, and rules promulgated thereunder, for any reason or reasons it
22 deems to be in the public interest. In addition, these reasons shall include, but shall not be limited
23 to when [a] holder of certification . . . [i]s determined to be a person whose prior activities, [or]
24 criminal record . . . pose a threat to the effective regulation of gaming.”

1 **C. A Second Hearing Is Also Not Warranted Because Mr. Canon Cannot Prove by**
2 **Clear and Convincing Evidence that He Is Qualified for Licensure**

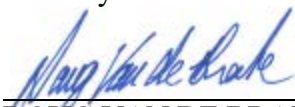
3 It is a certificant/licensee’s affirmative responsibility “to prove, by clear and convincing
4 evidence, that he, she or it is qualified in accordance with the provisions of [Chapter 9.46
5 RCW].” RCW 9.46.075(8) and RCW 9.46.153(1). The failure to do so is yet another ground for
6 disqualification. To prove that he remains qualified for certification, and hence licensure,
7 Mr. Canon would have to prove by clear and convincing evidence that there are no grounds for
8 revoking his license under RCW 9.46.075. *See* WAC 230-03-085(1). That he cannot do because
9 it is beyond dispute that he was convicted of Third Degree Assault – Domestic Violence, and
10 was sentence to twelve months of community custody. The Commission’s legal authority is
11 clear. It may revoke a licensee’s certification if he has violated or failed to comply “with the
12 provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW . . . or
13 any rules adopted by the commission[.]” RCW 9.46.075(1). Revocation of Mr. Canon’s Class III
14 certification therefore authorized and appropriate.

15
16 **IV. CONCLUSION**

17 For the reasons above, Commission Staff respectfully request that the Commission deny
18 Mr. Canon’s request for a second hearing/petition for reconsideration, and affirm the revocation
19 of Canon’s Class III Certification, License No. 69-23740.

20 DATED this 9th day of November 2020.

21
22 ROBERT W. FERGUSON
Attorney General

23 
24 _____
DOUG VAN DE BRAKE, WSBA #33644
Assistant Attorney General
25 Attorney for Washington State
26 Gambling Commission Staff

1 **PROOF OF SERVICE**

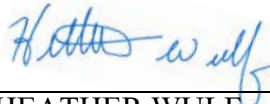
2 I declare that I served a true and correct copy of this document on all parties or their
3 counsel of record on the date below as follows:

4 GERARDO A. CANON
5 30131 36TH PL S
6 AUBURN, WA 98001

- 7 U.S. mail via state Consolidated Mail Service (with proper postage affixed)
- 8 courtesy copy via facsimile:
- 9 courtesy copy via electronic mail:
- 10 ABC/Legal Messenger

11 I declare under penalty of perjury under the laws of the state of Washington that the
12 foregoing is true and correct.

13 DATED this 9 day of November 2020, at Olympia, Washington.

14 
 15 _____
 16 HEATHER WULF
 17 Legal Assistant

**WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS**

In the matter of:

Gerardo A. Canon,

Appellant.

Docket No. 02-2020-GMB-00148

**SECOND AMENDED INITIAL ORDER ON
SUMMARY JUDGMENT MOTION**

Agency: Gambling Commission
Program: Washington State Gambling
Commission
Agency No. 2020-00014

****Amended to correct a typographical error throughout the order. All corrections are underlined.****

Language Access Notice

English

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Tagalog

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1. ISSUES:

- 1.1. Whether no genuine dispute of material fact exists as to whether Appellant Gerardo A. Canon's guilty plea to Assault in the Third Degree – Domestic Violence is grounds to revoke an active license per RCW 9.46.075(4), and WAC 230-03-085(2), and in accordance with Section V.C(1) of the Muckleshoot Tribal-State Compact?
- 1.2. Whether Appellant Gerardo A. Canon cannot prove by 'clear and convincing evidence' he is qualified for licensure, as required by RCW 9.46.153(1)?
- 1.3. Whether the Commission is authorized to revoke the Appellant Gerardo A. Canon Class III certification, pursuant to RCW 9.46.075(1),(4), and (8), WAC 230-03-085(1),(2) and (6), and in accordance Section V.C(1) of the Muckleshoot Tribal-State Compact?

1.4. If so, what is the appropriate penalty?

ORDER SUMMARY:

- 1.5. No genuine dispute of material fact exists as to whether Appellant Gerardo A. Canon's guilty plea to Assault in the Third Degree – Domestic Violence is grounds to revoke an active license per RCW 9.46.075(4), and WAC 230-03-085(2), and in accordance with Section V.C(1) of the Muckleshoot Tribal-State Compact. The Gambling Commission's Motion for Summary Judgment is **GRANTED**.
- 1.6. Appellant cannot prove by 'clear and convincing evidence' he is qualified for licensure, as required by RCW 9.46.153(1).
- 1.7. The Commission is authorized to revoke the Appellant Gerardo A. Canon Class III certification, pursuant to RCW 9.46.075(1),(4), and (8), WAC 230-03-085(1),(2) and (6), and in accordance with Section V.C(1) of the Muckleshoot Tribal-State Compact. The Gambling Commission's revocation of Appellant's CRE License, is **AFFIRMED**.

2. GAMBLING COMMISSION'S MOTION FOR SUMMARY JUDGMENT:

- 2.1. Hearing Date: No oral arguments
- 2.2. Administrative Law Judge: Travis Dupree
- 2.3. Appellant: Gerardo A. Canon
- 2.4. Agency: Gambling Commission
- 2.4.1. Representative: Doug Van de Brake, Assistant Attorney General
- 2.5. Documents Considered: I considered the following documents:

Doc. No.	Document Name	Document Date	No. Pages
1	Gambling Commission's Notice of Administrative Charges	01/31/20	6
2	Appellant's Request for Administrative Hearing	02/13/20	14
3	Office of Administrative Hearings (OAH) Prehearing Conference Order	03/11/20	8
4	Gambling Commission's Motion for Summary Judgment	03/13/20	9
5	Declaration of Special Agent Julie Sullivan in Support of Gambling Commission's Motion for Summary Judgment, with attached Exhibits 1-3	03/13/20	54

3. FACTS FOR PURPOSE OF SUMMARY JUDGMENT:

Jurisdiction

- 3.1. On January 31, 2020, the Washington State Gambling Commission issued the Notice of Administrative Charges revoking the Class III certification of Appellant, Gerardo Canon. The Gambling Commission's revocation asserted Appellant's License, Number 69-23740, was revoked for pleading guilty to a felony involving physical harm to individuals or an intention to inflict physical harm on another person, in violation of RCW 9.46.075(4).
- 3.2. On February 13, 2020, the Appellant contested the Gambling Commission's revocation of his Class III certification and requested an administrative hearing.

Gambling Commission Motion for Summary Judgment

- 3.3. On February 13, 2020, the Gambling Commission filed a Motion for Summary Judgment, along with the Declaration of Special Agent Julie Sullivan in Support of Commission's Motion for Summary Judgment, with attached Exhibits 1-3.
- 3.4. The Appellant did not file a response to the Commission's Motion for Summary Judgment.
- 3.5. As of the date of this Initial Order, the Appellant has failed to file any response, or provide any documentation, challenging the Commission's motion.

Appellant Guilty of Assault in the Third Degree

- 3.6. On November 2, 2019, the Appellant held a gun to the head of his spouse, Maria Elizabeth Canon, and threatened to kill her. After Ms. Canon called the 911, emergency line, the Appellant was arrested and charged with Assault in the Third Degree – Domestic Violence in King County. *Exhibit 1.*
- 3.7. On December 18, 2019, the Appellant pled guilty to the charge of Assault in the Third Degree – Domestic Violence in King County Superior Court. *Declaration of Sullivan and Ex. 1.*

Appellant's Class III Certification Revocation & Investigation

- 3.8. On November 18, 2019, Gambling Commission Special Agent Julie Sullivan received an Affidavit of Undisclosed Criminal History completed by Appellant from Muckleshoot Tribal Gaming Agency and conducted an investigation regarding Appellant's case. *Dec. of Sullivan, Ex. 2.*
- 3.9. Based on her investigation, Special Agent Sullivan recommended the revocation of Appellant's Class III certification for pleading guilty to a felony involving physical harm to individuals or an intention to inflict physical harm on another person. *Dec. of Sullivan: Ex. 2.*

- 3.10. On January 31, 2020, Gambling Commission Director, David Trujillo, issued the Notice of Administrative Charges revoking Appellant's Class III certification. *Dec. of Sullivan: Ex. 3.*

4. CONCLUSIONS OF LAW:

Jurisdiction

- 4.1. The Office of Administrative Hearings (OAH) has jurisdiction over the persons and subject matter of this case under Revised Code of Washington (RCW) 9.46.140(2) & (4), Washington Administrative Code (WAC) 230-17-025 and Chapters 34.05 and 34.12 RCW.

Summary Judgment Motions, Applicable Statutes, Regulations and Case Law

- 4.2. WAC 10-08-135 'Summary judgment' provides:

A motion for summary judgment may be granted and an order issued if the written record shows that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law.

- 4.3. "Summary judgment is appropriate only where the undisputed facts entitle the moving party to judgment as a matter of law." *Verizon NW, Inc. v. Employment Sec. Dep't*, 164 Wn.2d 909, 916 (2008), *citing Alpine Lakes Prot. Soc'y v. Dep't of Natural Res.*, 102 Wn. App. 1, 14 (1999).
- 4.4. Admissions, stipulations, procedural history, and uncontested declarations and affidavits establish facts for summary judgment.
- 4.5. In Superior Court matters, CR 56 governs summary judgment. Where the relevant procedural rules do not conflict with CR 56, it and the cases interpreting it serve as persuasive authority in the management of summary judgment under WAC 10-08-135.
- 4.6. Civil Rule 56(e) provides: "If the adverse party does not so respond, summary judgment, if appropriate, shall be entered against the adverse party."

Gambling Commission Policy, Rules & Regulations

- 4.7. RCW 9.46.010 establishes, in relevant part:

The public policy of the state of Washington on gambling is to keep the criminal element out of gambling and to promote the social welfare of the people by limiting the nature and scope of gambling activities and by strict regulation and control.

4.8. RCW 9.46.040 also authorizes the Gambling Commission to enforce the rules and regulations relating to gambling activities in the State.

4.9. The Gambling Commission may deny a license application, revoke or suspend a license for:

- Violating, failing or refusing to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW...;
- Having been convicted of, or forfeiting bond upon a charge of, or pled guilty to, forgery, larceny, extortion, conspiracy to defraud, wilful failure to make required payments or reports to a governmental agency at any level, or filing false reports therewith, or of any similar offense or offenses, or of bribing or otherwise unlawfully influencing a public official or employee of any state or the United States, or of any crime, whether a felony or misdemeanor involving any gambling activity or physical harm to individuals or involving moral turpitude, or
- Failing to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter 9.46 RCW.

RCW 9.46.075(1),(4), & (8).

4.10. The Gambling Commission is authorized to deny, suspend or revoke any application, license or permit, for any of the following reasons, in relevant part:

- Committing any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075; or
- Having been convicted of, or forfeiting bond on a charge of, or pleading guilty to a misdemeanor or felony crime involving physical harm to individuals. "Physical harm to individuals" includes any form of criminal assault, any crime involving a threat of physical harm against another person, or any crime involving an intention to inflict physical harm on another person;
- Is serving a period of probation or community supervision imposed as a sentence for any juvenile, misdemeanor, or felony criminal offense, whether or not the offense is covered under RCW 9.46.075(4).

WAC 230-03-085(1),(2), & (6).

4.11. Section V.C(1) of the Muckleshoot Tribal-State Compact provides in relevant part:

The State Gaming Agency may revoke... a State certification under the provisions of RCW 9.46.075, and rules promulgated thereunder, for any reason or reasons it deems to be in the public interest. In addition, these reasons shall include, but shall not be limited to when [a] holder of certification ... [i]s determined to be a person whose prior activities, [or] criminal record ... pose a threat to the effective regulation of gaming.

4.12. RCW 9.46.153(1) establishes:

It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted;

4.13. In the present case, on December 18, 2019, the Appellant pled guilty to one charge of Assault in the Third Degree.

4.14. Appellant did not file any response to the Commission's Motion for Summary Judgment, contesting he pled guilty to a felony involving physical harm to individuals or involving moral turpitude.

4.15. The Appellant has raised no genuine dispute of material fact as to whether or not his guilty plea to a felony Assault in the Third Degree – Domestic Violence, is an insufficient basis for the revocation of his Class III certification. Per RCW 9.46.075(4), and WAC 230-03-085(2), and in accordance with Section V.C(1) of the Muckleshoot Tribal-State Compact, the Commission's Motion for Summary Judgment is **GRANTED**.

4.16. The Gambling Commission is authorized to revoke Appellant's CRE License per RCW 9.46.075(1),(4), and (8), WAC 230-03-085(1),(2) and (6), and in accordance Section V.C(1) of the Muckleshoot Tribal-State Compact. The Gambling Commission's revocation of Appellant's CRE License, is **AFFIRMED**.

4.17. Since the revocation of Appellant's Class III certification is **AFFIRMED**, no fact-finding hearing is warranted. Therefore, the evidentiary hearing, scheduled for June 15, 2020, is **CANCELLED**.

5. INITIAL ORDER:

5.1. No genuine dispute of material fact exists as to whether Appellant Gerardo A. Canon's guilty plea to Assault in the Third Degree – Domestic Violence is grounds to revoke an active license per RCW 9.46.075(4), and WAC 230-03-085(2), and in accordance with Section V.C(1) of the Muckleshoot Tribal-State Compact. The Gambling Commission's Motion for Summary Judgment is **GRANTED**.

- 5.2. Appellant, has not proven by 'clear and convincing evidence' he is qualified for licensure, as required by RCW 9.46.153(1).
- 5.3. The Commission is authorized to revoke the Appellant Gerardo A. Canon's Class III certification, pursuant to RCW 9.46.075(1),(4), and (8), WAC 230-03-085(1),(2) and (6), and in accordance Section V.C(1) of the Muckleshoot Tribal-State Compact. The Gambling Commission's revocation of Appellant's CRE License, is **AFFIRMED**.
- 5.4. Therefore, the evidentiary hearing, scheduled for June 15, 2020, is **CANCELLED**.

SIGNED at Tacoma, Washington on the date of mailing.



Travis Dupree
Administrative Law Judge
Office of Administrative Hearings

CERTIFICATE OF SERVICE ATTACHED

PETITION FOR REVIEW

Any party to this proceeding may file a Petition for Review of this Initial Order. The written Petition for Review must be mailed to the Washington State Gambling Commission at:

Washington State Gambling Commission
PO Box 42400
Olympia, WA 98504

The Petition for Review must be received by the Commission within twenty (20) days from the date this Initial Order was mailed to the parties. A copy of the Petition for Review must be sent to all parties of record. The Petition for Review must specify the portions of the Initial Order with which the party disagrees, and must refer to the evidence in the record which supports the party's position. The other party's reply must be received at the address above, and served on all parties of record, within thirty (30) days from the date the petition for review was mailed.

Any party may file a cross appeal. Parties must file cross appeals with the Washington State Gambling Commission within ten days of the date the petition for review was filed with the Washington State Gambling Commission. Copies of the petition or cross appeal must be served on all other parties or their representatives at the time the petition or appeal is filed.

CERTIFICATE OF SERVICE FOR OAH DOCKET NO. 02-2020-GMB-00148

I certify that true copies of this document were served from Tacoma, Washington via Consolidated Mail Services upon the following as indicated:

<p>Gerardo A. Canon 30131 36th PI S Auburn, WA 98001 Appellant</p>	<p><input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail</p>
<p>Doug Van de Brake, AAG Office of the Attorney General MS: 40100 PO Box 40100 Olympia, WA 98504 Agency Representative</p>	<p><input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-mail: Doug.VandeBrake@atg.wa.gov jordan.nimon@atg.wa.gov</p>
<p>Ashlie Laydon Washington State Gambling Commission MS: 42400 PO Box 42400 Olympia, WA 98504 Agency Contact</p>	<p><input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail</p>

Date: Thursday, May 28, 2020

OFFICE OF ADMINISTRATIVE HEARINGS

Amber Guarnacci

Amber Guarnacci
Legal Assistant 2



WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS

In the matter of:

Gerardo A. Canon,

Appellant.

Docket No. 02-2020-GMB-00148

PREHEARING CONFERENCE ORDER

Agency: Gambling Commission
Program: Washington State Gambling
Commission
Agency No. 2020-00014

Language Access Notice

English

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1. CASE SCHEDULE:

Date and Time	Event
March 30, 2020 by 5:00 pm	Final day for filing and serving motions
April 13, 2020 by 5:00 pm	Final day for filing and serving responses to the other party's motions
April 27, 2020 by 5:00 pm	Final day for filing and serving replies in support of motions
June, 1, 2020 by 5:00 pm	Final day for filing and serving Witness Lists, Exhibit Lists, and marked Exhibits

Set upon request	Final Status Conference, if requested
June 15, 2020 at 10:00 am	Evidentiary Hearing; see enclosed Notice of Hearing for more information and instructions

1.1 **DEFAULT:** If you do not participate in any stage of the proceedings or if you fail to appear at your hearing, you may be held in default. This means you lose the right to a hearing and your appeal will be dismissed. RCW 34.05.440.

2. PREHEARING CONFERENCE SUMMARY:

2.1 Administrative Law Judge Travis Dupree conducted the prehearing conference on Wednesday, March 4, 2020.

2.2 Doug Van De Brake, Assistant Attorney General, appeared and represented Gambling Commission.

2.3 Gerardo A. Canon appeared and represented himself.

3. AGREEMENTS AT THE PREHEARING CONFERENCE: During the prehearing conference, the parties agreed to the following:

3.1 ISSUES:

3.1.1 Whether Appellant Gerardo A. Canon guilty plea to Assault in the Third Degree – domestic Violence is grounds to revoke an active license per RCW 9.46.075(4), and WAC 230-03-085(2), and in accordance with Section V.C(1) of the Muckleshoot Tribal-State Compact?

3.1.2 Whether Appellant Gerardo A. Canon cannot prove by 'clear and convincing evidence' he is qualified for licensure, as required by RCW 9.46.153(1)?

3.1.3 Whether the Commission is authorized to revoke the Appellant Gerardo A. Canon Class II certification, pursuant to RCW 9.46.075(1),(4), and (8), WAC 230-03-085(1),(2) and (6), and in accordance Section V.C(1) of the Muckleshoot Tribal-State Compact?

3.1.4 If so, what is the appropriate penalty?

3.1.5 The hearing in this matter will be limited to these issues, unless they are modified at a later prehearing conference.

3.2 CASE SCHEDULE: The Case Schedule in Section 1 governs this case.

4. HEARING PROCEDURES:

4.1 FILING AND SERVING DOCUMENTS

4.1.1 **FILING WITH OAH:** To "file" a document, you must provide the original to OAH and a copy to the other party. You can deliver those documents by hand delivery, mail, or fax followed by same-day mailing. Documents filed by fax should not exceed fifteen pages.¹ The date of filing will be the date of receipt by OAH during regular business hours.² Documents may be filed with OAH at the following address:

Office of Administrative Hearings
949 Market Street Suite 500
Tacoma, WA 98402
Phone: (253) 476-6888
Fax: (253) 593-2200

4.1.2 **SERVING ON OTHER PARTIES:** When you file documents with OAH, you must also serve copies on the other party and the other party's representative, if applicable.³ You can serve those copies by hand delivery, mail, or fax followed by same-day mailing.⁴

4.2 **CONTINUANCES:** You may request a continuance of any hearing event. If you have good reason for a continuance, file your request before the event. Your request should explain the good reason you are seeking a continuance. If the request is urgent, call (253) 476-6888. You must appear at the hearing event, unless OAH has informed you it has continued the hearing.

4.3 **PRESENTING WITNESSES:** If you want to present witnesses at the hearing, you must file a witness list. Your witness list must include the following information about each witness: (a) name, (b) role, (c) phone number, (d) address, (e) the testimony you expect the witness to give, and (f) whether your witness will appear in-person or by telephone. Without approval from the ALJ, only witnesses named in a timely filed witness list will be allowed to testify. Find a form attached.

4.4 PRESENTING EXHIBITS:

4.4.1 **Preparing an Exhibit List:** Exhibits are documents used as evidence. If you want to introduce exhibits, you must file an exhibit list and a fully marked set of your exhibits. For each exhibit, your list must include: (a) title or description, (b) date, and (c) number of pages. Without

¹ WAC 10-08-110(1)(b)(iv)

² WAC 10-08-110(1)(a)

³ WAC 10-08-110(2)(a)

⁴ WAC 10-08-110(2)(b)

approval from the ALJ, only exhibits named in a timely filed exhibit list will be admitted. Find a form attached.

4.4.2 **Marking Exhibits:** you must mark each page of your exhibits in the lower right hand corner with an exhibit number and a page number. Gambling Commission will identify exhibits numerically. Gerardo A. Canon will identify exhibits alphabetically. For example:

- Gambling Commission: Exhibit 1, page 1 of 10
- Gerardo A. Canon: Exhibit A, page 1 of 10

4.5 **CONTACT INFORMATION:** If your address or telephone number changes, you must immediately update OAH.

4.6 **RIGHT TO REPRESENTATION:** You have a right to representation at your own expense. If you plan to seek representation, start looking now. If you delay, your representative may not be available for the hearing.

4.7 **INTERPRETER:** Gerardo A. Canon requires a Tagalog interpreter to fully participate in the hearing. OAH will provide a Tagalog interpreter at the hearing at no cost to any party.

4.8 **WEAPONS:** Except for law enforcement personnel, no one may bring firearms or other dangerous weapons to an administrative hearing or an OAH facility.⁵

5. ORDER:

IT IS HEREBY ORDERED:

- 5.1 This order governs this matter unless modified by the Administrative Law Judge.
- 5.2 Because I have not made any substantive discretionary ruling, OAH may assign this matter to a different Administrative Law Judge.

ISSUED from Tacoma, Washington, on the date of mailing.



Travis Dupree
Administrative Law Judge
Office of Administrative Hearings

⁵ Chapter 10-20 WAC

Objections: Each party has 10 days to file an objection to this order. If no party timely objects, this order governs this matter as written, unless modified by an Administrative Law Judge.⁶

CERTIFICATE OF SERVICE ATTACHED

⁶ WAC 10-08-130

EXHIBIT LIST

Case Name: In the matter of Gerardo A. Canon, Docket No. 02-2020-GMB-00148

Party Proposing Exhibits:

Exhibit Number Or Letter	Name and Date of Document Example: Investigative Report, January 12, 2017	Number Of Pages	Treatment Of Exhibit (FOR ALJ USE ONLY)

WITNESS LIST

Case Name: In the matter of Gerardo A. Canon, Docket No. 02-2020-GMB-00148

Party Proposing Witnesses:

Witness Name	Relationship to Case (Example: Department Investigator)	Telephone Number	Contact Address	Method of Appearance (In-Person/By Phone)
Brief Description of Testimony:				
Brief Description of Testimony:				
Brief Description of Testimony:				
Brief Description of Testimony:				
Brief Description of Testimony:				

CERTIFICATE OF SERVICE FOR OAH DOCKET NO. 02-2020-GMB-00148

I certify that true copies of this document were served from Tacoma, Washington via Consolidated Mail Services upon the following as indicated:

<p>Gerardo A. Canon 30131 36th PI S Auburn, WA 98001 Appellant</p>	<p><input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail</p>
<p>Doug Van de Brake, AAG Office of the Attorney General MS: 40100 PO Box 40100 Olympia, WA 98504 Agency Representative</p>	<p><input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail:</p>
<p>Ashlie Laydon Washington State Gambling Commission MS: 42400 PO Box 42400 Olympia, WA 98504 Agency Contact</p>	<p><input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail</p>

Date: Wednesday, March 11, 2020

OFFICE OF ADMINISTRATIVE HEARINGS

Amber Guarnacci

Amber Guarnacci
Legal Assistant 2

**WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS**

In the matter of:

Gerardo A. Canon,

Appellant.

Docket No. 02-2020-GMB-00148

NOTICE OF HEARING

Agency: Gambling Commission
Program: Washington State Gambling
Commission
Agency No. 2020-00014

Language Access Notice

English

This document has important information about your hearing. If you do not appear or take other action, you could lose important rights. Please call 1-800-845-8830 if you need help understanding this document.

Tagalog

Ang dokumentong ito ay mayroong mahalagang impormasyon tungkol sa iyong pagdinig. Kung hindi ka pupunta o gagawa ng ibang aksyon, maaaring mawalan ka ng mga mahalagang karapatan. Mangyaring tumawag sa 1-800-845-8830 kung kailangan mo ng tulong sa pag-unawa ng dokumentong ito.

As set out in the enclosed Prehearing Conference Order issued March 11, 2020, the Office of Administrative Hearings (OAH) has scheduled a hearing with an administrative law judge as follows:

Date: Monday, June 15, 2020
Time: 10:00 AM
Location: Gambling Commission Headquarters
4565 7th Avenue SE
Lacey, WA 98503
Judge: Travis Dupree

You must attend the hearing. If you fail to attend, the administrative law judge may hold you in default and dismiss your appeal. RCW 34.05.440(2)

If you are unable to attend the hearing, you may request a continuance. A request must include a reason. The continuance will only be granted if you can show good cause. Please send your request to the assigned administrative law judge at:

Office of Administrative Hearings
949 Market Street Suite 500
Tacoma, WA 98402
Fax: (253) 593-2200

You must send a copy of your request to everyone listed on the Certificate of Service. If the request is urgent, call (253) 476-6888. You must call in unless the Office of Administrative Hearings notifies you that the hearing is continued.

You may be represented by an attorney or other representative at your own expense. RCW 34.05.428. If you need an interpreter, we will provide one at no cost. If you have a disability and need accommodation, we may be able to help. Please contact the Office of Administrative Hearings at (253) 476-6888 to request an interpreter or accommodation.

You can find more information about the hearing process at www.oah.wa.gov.

Firearms and other dangerous weapons are prohibited at hearings and in all Office of Administrative Hearings facilities. WAC 10-20-010.

CERTIFICATE OF SERVICE ATTACHED

CERTIFICATE OF SERVICE FOR OAH DOCKET NO. 02-2020-GMB-00148

I certify that true copies of this document were served from Tacoma, Washington via Consolidated Mail Services upon the following as indicated:

Gerardo A. Canon 30131 36th PI S Auburn, WA 98001 Appellant	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail
Doug Van de Brake, AAG Office of the Attorney General MS: 40100 PO Box 40100 Olympia, WA 98504 Agency Representative	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail:
Ashlie Laydon Washington State Gambling Commission MS: 42400 PO Box 42400 Olympia, WA 98504 Agency Contact	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail

Date: Wednesday, March 11, 2020

OFFICE OF ADMINISTRATIVE HEARINGS

Amber Guarnacci

Amber Guarnacci
 Legal Assistant 2

**WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS**

In the matter of:

Gerardo A. Canon,

Appellant.

Docket No. 02-2020-GMB-00148

NOTICE OF PREHEARING CONFERENCE

Agency: Gambling Commission
 Program: Washington State Gambling
 Commission
 Agency No. 2020-00014

The administrative law judge will conduct a Prehearing Conference. At the Prehearing Conference, the administrative law judge will schedule the hearing and plan the hearing process. Under RCW 34.05.431 and WAC 10-08-130, a Prehearing Conference is scheduled for:

Date: Wednesday, March 4, 2020
 Time: 2:00 PM
 Location: Telephone Conference Call (see instructions below)
 Judge: Travis Dupree
 Access Code: 802 747 544

To participate in the Prehearing Conference, call **1-855-929-3239** at the time specified above. When prompted, **enter 802 747 544, followed by the # key**. You will not have an Attendee ID Number. When prompted by the system for your Attendee ID Number, just press #. You will now be in the conference and may hear other participants on the call. Please announce yourself as you join the conference. Make sure your phone has reception and is charged to last at least an hour, and that you are in a quiet place where you can hear and be heard clearly.

If you have problems joining the telephone conference, or if the judge does not join within ten minutes after the Prehearing Conference start time, immediately call the Office of Administrative Hearings (OAH) at (253) 476-6888. If you get disconnected, call back in using the same code. If you have trouble getting reconnected to the telephone conference, call (253) 476-6888 immediately for help.

You must call in to the conference. If you fail to call in, the administrative law judge may hold you in default and dismiss your appeal. RCW 34.05.440(2)

If you are unable to call in, you may request a continuance of the Prehearing Conference. A request must include a reason. The continuance will only be granted if you can show good cause. Please send your request to the assigned administrative law judge at:

Office of Administrative Hearings
949 Market Street Suite 500
Tacoma, WA 98402
Fax: (253) 593-2200

You must send a copy of your request to everyone listed on the Certificate of Service. If the request is urgent, call (253) 476-6888. You must call in unless the Office of Administrative Hearings notifies you that the Prehearing Conference is continued.

You may be represented by an attorney or other representative at your own expense. RCW 34.05.428. If you need an interpreter, we will provide one at no cost. If you have a disability and need accommodation, we may be able to help. Please contact the Office of Administrative Hearings at (253) 476-6888 to request an interpreter or accommodation.

You can find more information about the hearing process at www.oah.wa.gov.

Firearms and other dangerous weapons are prohibited at hearings and in all Office of Administrative Hearings facilities. WAC 10-20-010.

CERTIFICATE OF SERVICE ATTACHED

CERTIFICATE OF SERVICE FOR OAH DOCKET NO. 02-2020-GMB-00148

I certify that true copies of this document were served from Tacoma, Washington via Consolidated Mail Services upon the following as indicated:

Gerardo A. Canon 30131 36th PI S Auburn, WA 98001 Appellant	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail
Doug Van de Brake, AAG Office of the Attorney General MS: 40100 PO Box 40100 Olympia, WA 98504 Agency Representative	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail:
Ashlie Laydon Washington State Gambling Commission MS: 42400 PO Box 42400 Olympia, WA 98504 Agency Contact	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail

Date: Thursday, February 20, 2020

OFFICE OF ADMINISTRATIVE HEARINGS

Amber Guarnacci

Amber Guarnacci
 Legal Assistant 2

WSGC

FEB 12 2020

RECORDS

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the License to
Conduct Gambling Activities of:)

NO. CR 2020-00014

GERARDO A. CANON)
License No. 69-23740)

**REQUEST FOR
ADMINISTRATIVE HEARING
AND INTERPRETER**

Class III Certification.)

Please read this notice carefully.

This is an important notice, which determines whether you will have the right to a hearing in this matter. If you have any questions regarding your legal rights, you should contact an attorney.

If you have general questions about the hearings process, contact Rules Coordinator, Ashlie Laydon, at (800) 345-2529, extension 3473.

What do I need to do?

1. To discuss settlement options and to keep your right to a hearing, you MUST complete and sign this form, then return it within 23 days from the date of mailing the Notice of Administrative Charges.

You may mail it to:

**Washington State Gambling Commission
Attention: Legal and Records Division
P. O. Box 42400, Olympia, Washington 98504-2400**

2. Place a check mark next to the statement(s) that describe your requests in this matter.

I want the opportunity to discuss settlement options and keep the right to a hearing.

I do **NOT** want a hearing. I understand this may result in a Default Order for the revocation of my gambling license.

3. Current address and contact information.

Address 30131 36th Pl S.

Auburn, WA 98001

Phone number (253) 218-5069

E-mail address gerardocanon488@yahoo.com

Please initial here _____ if you would like to receive further contact and documents by E-mail only.

IN RE: GERARDO A. CANON

CR 2020-00014

REQUEST FOR ADMINISTRATIVE HEARING AND INTERPRETER

4. _____ I will be represented by an attorney

Name _____

Address _____

Phone Number _____

***Please have your attorney send the Commission a Notice of Appearance within 10 days.**

5. You may attach a letter or a statement explaining your position in this matter.

YES, letter or a statement attached.

NO, letter or a statement is not attached.

How do I request an interpreter?

You have the right to have an interpreter for your administrative hearing, if you or any witness you call to testify, is a limited English-speaking person or a hearing-impaired person.

This service is free of charge.

Place a check mark next to the statement(s) that describe your requests in this matter.

NO, I will **NOT** require an interpreter.

YES, I will require an interpreter for the _____ language.

I will require an interpreter for a hearing impairment.

I will be calling a limited English speaking witness who will require an interpreter in the _____ language.

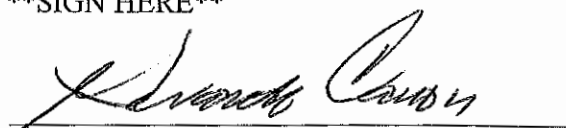
I will be calling a hearing impaired person as a witness who will require an interpreter.

If you do not understand these documents, you are strongly encouraged to contact an attorney.

To request a hearing, you MUST complete, sign, date, and mail this form to the Washington State Gambling Commission as set out on page 1. Failure to do so will result in a waiver of your rights to a hearing in this matter and **may lead to the revocation (taking) of your gambling license**, under RCW 34.05.400 and WAC 230-17-010.

Dated this 6th day of February, 2020.

****SIGN HERE****





STATE OF WASHINGTON
GAMBLING COMMISSION

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

January 31, 2020

Gerardo A. Canon
30131 36 Pl S
Auburn, WA 98001

Subject: Administrative Charges

- Enclosed is a Notice of Administrative Charges issued by the Director of the Gambling Commission alleging you have violated gambling rules and your license may be suspended or revoked.

What should I do?

- To discuss settlement options and to preserve your right to a hearing, you must complete and sign the attached Hearing Request Form.
- We must receive your Hearing Request within 23 days from the date the charges were mailed.

What happens once I send in the Request for Hearing?

- Once we receive your hearing request, we will contact you about settling your case. If we cannot settle the case, a hearing will be scheduled.

What happens if I do NOT return the Hearing Request?

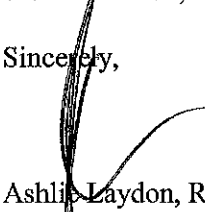
- If you do NOT return the hearing request form on time, an Order of Default suspending your license will be presented to the Commission, with no further notice to you.

Can I continue to work?

- You may continue to work authorized gambling activities until there is a final order on your case.

You must submit your hearing request on time. If you have questions, please call (800) 345-2529, extension 3473, or e-mail ashlie.laydon@wsgc.wa.gov.

Sincerely,


Ashlie Laydon, Rules Coordinator
Licensing, Regulation, and Enforcement

Enclosures

Important Notice of Administrative Charges against Gambling License or Class III Certification

The Director of the Gambling Commission has sent a Notice of Administrative Charges against you or your employee. A copy of the charges has been sent with this notice.

Information for Licensees and Certified Employees Named in Administrative Charges

- You have the right to a hearing. The Request for Administrative Hearing and Interpreter form **MUST** be completed by the charged individual/entity and *received* by us either within 23 days from the date the Charges were mailed via regular mail or within 20 days from the date you receive the Charges by certified mail or personal service.
- If the form is not received on time, your license/certification can be revoked (cancelled) and you will be unable to work or conduct gambling activities.
- You may continue to work or operate gambling activities until a final order in your case.

Information for Employers

- Our records show the employee named in the charges is a current or former employee. This is a courtesy copy of the charges, you need not respond.

If you have questions, please call (800) 345-2529, extension 3473, or e-mail Ashlie.laydon@wsgc.wa.gov.

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**STATE OF WASHINGTON
GAMBLING COMMISSION**

In the Matter of:

NO. CR 2020-00014

GERARDO A. CANON,
License No. 69-23740,

NOTICE OF ADMINISTRATIVE
CHARGES

Class III Employee.

These administrative charges are brought under and in accordance with Chapter 9.46 RCW, the Washington State Gambling Act, Chapter 34.05 RCW, the Administrative Procedure Act, Title 230 WAC, Rules adopted by the Gambling Commission, and the Muckleshoot Tribal-State Gaming Compact.

I. LICENSE

1. The Washington State Gambling Commission (WSGC) issued a Class III Certification to Gerardo A. Canon, License number: 69-23740, authorizing Class III Employee activity for the Muckleshoot Indian Tribe.

2. This certification, which expires on September 11, 2020, was issued subject to Gerardo Canon's compliance with state gambling laws and Commission rules in accordance with the Muckleshoot Tribal-State Gaming Compact.

1 **II. FACTUAL BACKGROUND**

2 1. On November 18, 2019, a WSGC Special Agent received an Affidavit of
3 Undisclosed Criminal History completed by licensee Gerardo Canon from the Muckleshoot
4 Tribal Gaming Agency (MTGA). In the Affidavit, Canon stated that the crime he was charged
5 with was “Domestic Violence.”

6 2. Upon receiving the Affidavit, the Special Agent ran a criminal history search
7 for Canon. Discovering that the underlying case was filed in King County Superior Court, the
8 Agent ordered certified copies of all documents.

9 3. A review of the certified copies revealed that on December 18, 2019, Canon
10 entered a plea of guilty for one charge of Assault in the Third Degree – Domestic Violence, a
11 Class C Felony. RCW 9A.36.031 outlines a person is guilty of that crime if they, “With
12 criminal negligence, cause bodily harm accompanied by substantial pain that extends for a
13 period sufficient to cause considerable suffering.” As part of the plea agreement, Canon was
14 required to serve twelve months in community custody.

15 4. On January 3, 2020, the Special Agent forwarded the certified copies of the
16 final paperwork to MTGA. The MTGA informed the Special Agent that the documents would
17 be presented at a future Muckleshoot Gaming Commission meeting.

18 **III. BASIS FOR REVOCATION**

19 1. Gerardo Canon pleaded guilty to Assault in the Third Degree – Domestic
20 Violence, a felony crime involving physical harm to individuals or an intention to inflict
21 physical harm on another person. This is grounds to revoke an active license per RCW
22 9.46.075(4), WAC 230-03-085(2), and Section V.C.(1) of the Muckleshoot Tribal-State
23 Compact.

24 2. Gerardo Canon cannot prove by clear and convincing evidence that he is
25 qualified for licensure, as required by RCW 9.46.153(1).
26

1 3. The Commission is authorized to revoke Gerardo Canon's Class III
2 certification pursuant to RCW 9.46.075(1), (4), and (8) and WAC 230-03-085(1), (2), and (6),
3 and in accordance with Section V.C. (1) of the Muckleshoot Tribal-State Gaming Compact.

4 **IV. REVOCATION**

5 1. The above-referenced findings are a sufficient basis for revoking Gerardo
6 Canon's Class III Employee certification.

7 2. Based on the facts and violations referenced above, the penalty for Gerardo
8 Canon's actions is **REVOCATION** of his Class III certification.

9
10 I have read this Notice of Administrative Charges, know the contents of it, believe it to
11 be true, and have executed this Notice in my capacity as Director of the Washington State
12 Gambling Commission.

13
14 
15 _____
16 DAVID TRUJILLO, DIRECTOR

17
18 _____
19 1/31/2020
20 Date

1 **HEARING NOTICE**

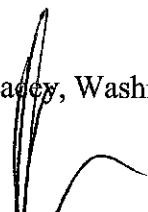
2 You have the opportunity to request a hearing to contest the Commission's decision to
3 revoke your Class III certification. To request a hearing and/or discuss settlement options, the
4 Commission must receive the enclosed hearing request form within 23 days from date of our
5 mailing identified below. *Failure to return the enclosed hearing request will result in a*
6 *default order revoking your certification.*

CERTIFICATE OF SERVICE

I certify that on the date below I served a copy of the foregoing document on all parties or their counsel by United States Postal Service regular and certified mail to the following:

GERARDO A CANON
30131 36 PL S
AUBURN, WA 98001

EXECUTED this 31 day of January, 2020, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator

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Important Notice

This is an important notice about your gambling license. If you do not respond, you may lose your license and be unable to work. If you have questions about these papers, please call (360) 486-3471. Please call an attorney if you have legal questions.

ອີ່ມນີ້ແມ່ນໃບຮຽງການສຳຄັນກ່ຽວກັບໃບອະນຸຍາດການພະນັນຂອງທ່ານ. ຖ້າຫາກວ່າທ່ານບໍ່ຕອບມາ, ທ່ານຈະເສັຽໃບອະນຸຍາດຂອງທ່ານ ແລະ ຈະບໍ່ສາມາດທີ່ຈະເຮັດວຽກໄດ້. ຖ້າຫາກວ່າທ່ານມີຄຳຖາມກ່ຽວກັບເຈ້ງເຫຼົ່ານີ້, ກະຮຸນາໂທຫາ (360) 486-3471. ກະຮຸນາໂທຫາທະນາຍຄວາມຖ້າຫາກວ່າທ່ານມີຄຳຖາມດ້ານກົດໝາຍ.

Laotian Translation

Đây là thông báo quan trọng về giấy phép hành nghề cờ bạc của quý vị. Nếu quý vị không hỏi đáp, quý vị có thể bị mất giấy phép và không thể làm việc. Nếu quý vị có thắc mắc gì về những giấy tờ này, xin gọi số (360) 486-3471. Xin liên lạc với luật sư nếu quý vị có thắc mắc liên quan đến vấn đề pháp lý.

Vietnamese Translation

본 내용은 귀하의 gambling 라이선스에 대한 중요한 고지 사항입니다. 회신을 하지 않을 경우 라이선스가 취소되고 영업(업무)을 할 수 없게 됩니다. 본 문건과 관련하여 문의 사항이 있으면(360) 486-3471번으로 연락해 주십시오. 법률 관련 질문이 있으신 경우 변호사에게 문의해 주십시오.

Korean Translation

以下是有关您的博彩业执照的重要通知。如果您不回复，您可能会失去执照，并无法工作。如果您对这些文件有疑问，请电洽(360) 486-3471。如果您有法律方面的问题，请打电话向律师咨询。

Chinese Translation

Это важное извещение, касающееся вашей лицензии на осуществление деятельности по организации и проведению азартных игр. Если вы не ответите на него, вы можете потерять свою лицензию и не сможете продолжить работу. Если у вас есть вопросы по поводу этих документов, позвоните по телефону (360) 486-3471. С вопросами юридического характера обратитесь к адвокату.

Russian Translation

Este es un aviso importante acerca de su licencia para juegos de azar. Si usted no responde, puede perder su licencia y no podrá trabajar. Si tiene preguntas acerca de estos documentos, llame al (360) 486-3471. Por favor llame a un abogado si tiene preguntas legales.

Spanish Translation

នេះគឺជាសេចក្តីជូនដំណឹងសំខាន់អំពីអាជ្ញាប័ណ្ណអាជីវកម្មល្បែងស៊ីសងរបស់អ្នក។ បើអ្នកមិនឆ្លើយតបវិញទេ អ្នកអាចនឹងបាត់បង់អាជ្ញាប័ណ្ណរបស់អ្នក ហើយនឹងមិនអាចធ្វើការបានទេ។ បើអ្នកមានសំណួរនានាអំពីក្រដាសទាំងនេះ សូមហៅទូរស័ព្ទទៅលេខ (360) 486-3471។ សូមហៅទូរស័ព្ទទៅមេធាវីម្នាក់ បើអ្នកមានសំណួរនានាផ្នែកច្បាប់។

Khmer Translation

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the License to)
Conduct Gambling Activities of:)

NO. CR 2020-00014

GERARDO A. CANON)
License No. 69-23740)

**REQUEST FOR
ADMINISTRATIVE HEARING
AND INTERPRETER**

Class III Certification.)

Please read this notice carefully.

This is an important notice, which determines whether you will have the right to a hearing in this matter. If you have any questions regarding your legal rights, you should contact an attorney.

If you have general questions about the hearings process, contact Rules Coordinator, Ashlie Laydon, at (800) 345-2529, extension 3473.

What do I need to do?

1. To discuss settlement options and to keep your right to a hearing, you MUST complete and sign this form, then return it within 23 days from the date of mailing the Notice of Administrative Charges.

You may mail it to:

**Washington State Gambling Commission
Attention: Legal and Records Division
P. O. Box 42400, Olympia, Washington 98504-2400**

2. Place a check mark next to the statement(s) that describe your requests in this matter.

I want the opportunity to discuss settlement options and keep the right to a hearing.

I do NOT want a hearing. I understand this may result in a Default Order for the revocation of my gambling license.

3. Current address and contact information.

Address _____

Phone number _____

E-mail address _____

Please initial here _____ if you would like to receive further contact and documents by E-mail only.

IN RE: GERARDO A. CANON

CR 2020-00014

REQUEST FOR ADMINISTRATIVE HEARING AND INTERPRETER

4. _____ I will be represented by an attorney

Name _____

Address _____

Phone Number _____

***Please have your attorney send the Commission a Notice of Appearance within 10 days.**

5. You may attach a letter or a statement explaining your position in this matter.

_____ YES, letter or a statement attached.

_____ NO, letter or a statement is not attached.

How do I request an interpreter?

You have the right to have an interpreter for your administrative hearing, if you or any witness you call to testify, is a limited English-speaking person or a hearing-impaired person. This service is free of charge.

Place a check mark next to the statement(s) that describe your requests in this matter.

_____ NO, I will **NOT** require an interpreter.

_____ YES, I will require an interpreter for the _____ language.

_____ I will require an interpreter for a hearing impairment.

_____ I will be calling a limited English speaking witness who will require an interpreter in the _____ language.

_____ I will be calling a hearing impaired person as a witness who will require an interpreter.

If you do not understand these documents, you are strongly encouraged to contact an attorney.

To request a hearing, you **MUST** complete, sign, date, and mail this form to the Washington State Gambling Commission as set out on page 1. Failure to do so will result in a waiver of your rights to a hearing in this matter and **may lead to the revocation (taking) of your gambling license**, under RCW 34.05.400 and WAC 230-17-010.

Dated this _____ day of _____, 2020.

****SIGN HERE****



**STATE OF WASHINGTON
GAMBLING COMMISSION**

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

November 9, 2020

TO: **COMMISSIONERS** **EX OFFICIO MEMBERS**
Bud Sizemore, Chair Senator Steve Conway
Julia Patterson, Vice-Chair Senator Jeff Holy
Alicia Levy Representative Shelley Kloba
Lauren King Representative Brandon Vick

FROM: Brian J. Considine, Legal and Legislative Manager

SUBJECT: CREDIT CARD RULE-MAKING UPDATE

At our October 15, 2020 public meeting, staff gave a presentation and provided a stakeholder panel discussion related to the agency’s credit card rule language you approved for filing and further discussion during our September public meeting. The proposed rule language and chart showing what is currently authorized is attached.

At the end of our October public meeting, you asked staff to look at possible options related responsible gaming and problem gambling policy areas discussed by Maureen Greeley, Evergreen Council on Problem Gambling, during her presentation to you. In summary, Ms. Greeley’s presentation focused on the broader issue of cashless payment systems and she identified four areas of focus (1) Player limits/controls; (2) Responsible Gaming information/messages; (3) Self-exclusion options; and (4) Know Your Customer: Verification and Data.

Staff asked Evergreen Council on Problem Gambling for suggested language related to our proposed rule change authorizing credit cards to be accepted for card game, bingo, and pull-tab activities. We did not receive suggested rule language but recommendations for (1) spending/buy-in limits; and (2) a restriction on credit card advances to only be available at a Cashier’s Cage or Sales Kiosk.

Wager limits are already addressed in law and rule, and a credit card cash advance currently is an authorized practice and a transaction completed by an employee of a commercial or nonprofit licensee based on internal controls or practical considerations of the activity and business. Additionally, the legal notice we filed, and must abide by, is narrowly focused on whether credit cards should be added to the current list of allowable forms of payment. Therefore, these two recommendations are outside the scope of the current rule-making.

Consequently, staff does not have any additional rule language recommendations and we will have the attached rules up for review and possible final action at our December 17, 2020 public meeting. However, staff understands these recommendations, and emerging research, is to have responsible gaming policies that create a “break” for the player when they are gambling or withdrawing money to gamble. This is an important consideration that may be best addressed in consultation with Problem Gambling Task Force and once we have results of the forthcoming state prevalence study. Therefore, staff can bring this issue back to you for consideration after the prevalence study is completed and the Problem Gambling Task Force has submitted its final report and recommendations.

Authorized forms of payment

	Cash	Check	Cash Advance	Credit Card	Extension of Credit	Nearby ATMs
CARD GAMES	✓	✓	✓			✓
PULL-TABS	✓	✓				✓
BINGO	✓	✓				✓
RAFFLES	✓	✓		✓		✓
TRIBAL CASINOS	✓	✓		✓	✓	✓



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 16, 2020

TIME: 11:06 AM

WSR 20-19-084

Agency: Washington State Gambling Commission

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 19-19-081 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 230-06-035- Credit, loans, or gifts prohibited; WAC 230-14-047- Standards for electronic video pull-tab dispensers.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
October 15, 2020 November 17, 2020	9:00am 9:00am	Washington State Gambling Commission 4564 7 th Ave SE Lacey, WA 98503	Public hearings will take place at scheduled Commission meetings. The meeting dates, times, and locations are tentative. Visit our website at www.wsgc.wa.gov approximately seven days prior to the meeting, select "The Commission", and then select "Public Meetings", to confirm hearing date, location, start time, and agenda items.

Date of intended adoption: November 17, 2020 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Ashlie Laydon

Address: PO Box 42400, Olympia, WA 98504-2400

Email: rules.coordinator@wsgc.wa.gov

Fax: (360) 486-3632

Other:

By (date) November 5, 2020

Assistance for persons with disabilities:

Contact Julie Anderson

Phone: (360) 486-3453

Fax:

TTY: (360) 486-3637

Email: julie.anderson@wsgc.wa.gov

Other:

By (date) November 5, 2020

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Gambling Commission is considering amending its payment method rules to accept credit cards as a payment method option for card games, pull-tabs, and bingo.

Reasons supporting proposal: Under the current rules, the following payment methods are accepted for the participation of gambling activities: cash, check, gift certificate, gift card, and electronic point-of-sale transfer. The agency received a petition asking that commercial pull-tab operators be allowed to accept credit cards. The petition was accepted but with the purpose to take a broader review at allowing credit cards to be used for all gambling activities where it is not currently allowed. The proposed changes will allow operators the option to accept credit cards as a method of payment for card games, pull-tabs, and bingo (raffles already allow the use of credit cards). Amusement games are excluded at this time because they were not contemplated at the time the petition was accepted and staff has not had the opportunity to explore how credit cards could be used for amusement games while continuing to ensure they operate as intended by the legislature and how the use of credit cards for amusement games may impact minors who play these games.

Statutory authority for adoption: RCW 9.46.070

Statute being implemented: RCW 9.46.070

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: Businesses have the option to accept credit cards as a method of payment.

Name of proponent: (person or organization) Steven Berven Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Brian Considine, Attorney	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3469
Implementation:	David Trujillo, Director	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3512
Enforcement:	Tina Griffin, Assistant Director	4565 7 th Ave SE, Lacey, WA 98503	(360) 486-3546

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: A cost-benefit analysis is not required per RCW 34.05.328(5)(a)(i).

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES


If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. The proposed rule change was requested by a licensee to help his business and the proposed rules look to put into effect the licensee's request. Additionally, the proposed rule amendments allow, but do not require, businesses to accept credit cards as a method of payment for card games, pull-tabs, and bingo. Therefore, a licensee does not need to incur any costs under these proposed rules unless it determines accepting credit cards is in its best business interests. Then, the implementation of this option may impose some minor costs upfront to businesses if they choose to accept credit cards, such as making changes to their point-of-sale system and/or credit card transaction fees. However, if a business chooses to implement this change, the Commission expects the change would result in positive net revenue or the business would not decide to accept credit cards, which is still an option. Therefore, it is unlikely to have a net cost to businesses that choose to implement this change.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: September 11, 2020	Signature: 
Name: Ashlie Laydon	
Title: Rules Coordinator	

WAC 230-06-035 Credit, loans, or gifts prohibited. (1) Licensees, employees, or members must not offer or give credit, loans, or gifts to any person playing in an authorized gambling activity or which makes it possible for any person to play in an authorized gambling activity.

(2) Gifts are items licensees give to their customers. Licensees must not connect these gifts to gambling activities we regulate unless the gifts are:

- (a) Gambling promotions; or
- (b) Transportation services to and from gambling activities; or
- (c) Free or discounted food, drink, or merchandise which:
 - (i) Costs less than five hundred dollars per individual item; and
 - (ii) Must not be traded back to you for cash; and
 - (iii) Must not give a chance to participate further in an authorized gambling activity.

(3) You must collect the price required to participate in the gambling activity in full before allowing someone to participate. Licensees must collect cash, check, gift certificate, gift card, credit card, or electronic point-of-sale bank transfer.

(4) If the price paid for the opportunity to play a punch board or pull-tab series is ten dollars or less, licensees may collect the price immediately after the play is completed.

(5) If a charitable or nonprofit organization has a regular billing system for all of the activities of its members, it may use its billing system in connection with the playing of any licensed activities as long as the organization limits play to full and active members of its organization.

~~((6) Charitable or nonprofit organizations may allow credit cards, issued by a state regulated or federally regulated financial institution, for payment to participate in raffles.))~~

WAC 230-14-047 Standards for electronic video pull-tab dispensers. Electronic video pull-tab dispensers must be approved by us prior to use.

(1) Electronic video pull-tab dispensers must dispense a paper pull-tab as defined in WAC 230-14-010 and follow the rules for:

- (a) Pull-tabs; and
- (b) Flares; and
- (c) Authorized pull-tab dispensers.

(2) Electronic video pull-tab dispensers that use a reading and displaying function must:

- (a) Use a video monitor for entertainment purposes only; and
- (b) Open all, or a portion of, the pull-tab in order to read encoded data that indicates the win or loss of the pull-tab if the dispenser is equipped to automatically open pull-tabs; and
- (c) Dispense the pull-tab to the player and not retain any portion of the pull-tab; and
- (d) Read the correct cash award from the pull-tab either when it is dispensed or when the pull-tab is reinserted into the dispenser; and

(e) Display the cash award from the pull-tab, one pull-tab at a time; and

(f) Provide:

- (i) An electronic accounting of the number of pull-tabs dispensed; and
- (ii) A way to identify the software version and name; and
- (iii) A way to access and verify approved components; and
- (iv) Security on the dispenser to prevent unauthorized access to graphic and prize amount displays.

(3) Cash cards used in electronic video pull-tab dispensers must:

(a) Be purchased with cash, check, gift certificates, credit card, or electronic point-of-sale bank transfer before use in the dispenser; and

(b) Be convertible to cash at any time during business hours; and

(c) Subtract the purchase price of the pull-tab one pull-tab at a time.

(4) Electronic video pull-tab dispensers that accept cash cards may award any pull-tab cash prize of twenty dollars or less onto the cash card.



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

November 2020 – Discussion & Possible Filing
August 2020 – Initiate Rule-Making

Tab 4: NOVEMBER 2020 Commission Meeting Agenda.	Statutory Authority 9.46.070
Who Proposed the Rule Change?	
Washington State Gambling Commission Staff	
Background	
<p>Bold = Changes made after August 2020 Commission Meeting.</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. Today, draft language is before you for further discussion and possible filing.</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"> • WAC 230-03-133 • Stakeholder Feedback 	
Stakeholder Outreach and Feedback	
<p>Draft language was sent out to stakeholders who are organized and operating for scientific purposes and have applied for licensure in the past.</p>	
Staff Recommendation	
Staff recommends filing the draft language for further discussion.	

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 benefitting 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; or
- (4) Aiding a community or geographical area by attracting new industry to the community or area.

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](#)

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.

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

From: Laydon, Ashlie (GMB) [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 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



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](#)

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

From: Laydon, Ashlie (GMB) [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 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



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> wrote:

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 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



Washington State
GAMBLING
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

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.

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](#)

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.

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,

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 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



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

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.

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

Ron's Custom T-Shirts

712 NE 130th St.

Vancouver, WA 98685

www.ronscustomtshirts.com

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

Hello Ron,

Thank you for your 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

From: Ron Fryer <rcfryer@gmail.com>

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

To: Laydon, Ashlie (GMB) <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



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.**

November 2020 – Discussion & Possible Filing
June 2020 – Commission Review
May 2020 – Rule-Making Petition Received

Tab 5: NOVEMBER 2020 Commission Meeting Agenda.	Statutory Authority 9.46.070
Who Proposed the Rule Change?	
Katie Doyle, Washington Hospitality Association, Olympia, Washington	
Background	
<p>Bold = Changes made after the June 2020 Commission Meeting.</p> <p>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. The draft language before you today:</p> <ul style="list-style-type: none"> • Increases single cash prize limits from \$2,500 to \$5,000, • Increases merchandise prize limits from \$2,500 to \$5,000, • Increases carry-over jackpot prize limits from \$5,000 to \$10,000, • Requires operators to pay out a minimum of \$2,500 in cash for verified prizes and to pay the remaining balance within twenty-four hours, • Offers operators the option to pay out the remainder of the balance by check, and • Requires that operators have funds available to pay out all cash prizes offered. <p>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.</p> <p>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.</p> <p>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.</p>	

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.**

Staff Recommendation

Staff recommends filing the draft language for further discussion.

From: 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

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>

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.

[Statutory Authority: RCW 9.46.070. WSR 09-17-077 (Order 657), § 230-14-080, filed 8/14/09, effective 1/1/10; WSR 08-03-062 (Order 623), § 230-14-080, filed 1/14/08, effective 2/14/08; WSR 07-17-058 (Order 614), § 230-14-080, filed 8/10/07, effective 1/1/08.]

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. [Statutory Authority: RCW 9.46.070. WSR 08-11-044 (Order 628), § 230-14-085, filed 5/14/08, effective 7/1/08; WSR 07-17-058 (Order 614), § 230-14-085, filed 8/10/07, 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.

[Statutory Authority: RCW 9.46.070. WSR 07-21-116 (Order 617), § 230-14-220, filed 10/22/07, effective 1/1/08; WSR 07-17-058 (Order 614), § 230-14-220, filed 8/10/07, effective 1/1/08.]

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 \$2,500 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.

[Statutory Authority: RCW 9.46.070 and 9.46.0273. WSR 10-09-032 (Order 667), § 230-14-090, filed 4/14/10, effective 7/1/10.

Statutory Authority: RCW 9.46.070. WSR 07-17-058 (Order 614), § 230-14-090, filed 8/10/07, effective 1/1/08.]

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](#)

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 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:

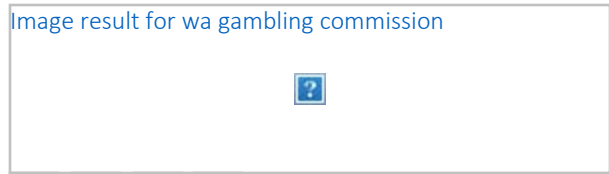
- WAC 230-14-080, Prize limits and percentage of winners required.
- WAC 230-14-085, Calculating markup for merchandise prizes.
- WAC 230-14-220, Prize limits for carry-over jackpot pull-tab series.
- WAC 230-14-090, Controlling prizes.

If you would like to comment on these proposed changes, please do so by email at ashlie.laydon@wsgc.wa.gov 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





Budget Review & Financial Update

November 17, 2020
Christopher Stanley
Chief Financial Officer



FY 2021 continues to improve over time

FY 2021 Revenue by Category/Subsource

Total Revenue by Category	2021 Expected Revenue	2021 Actual Revenue	2021 Projected Remaining	2021 Revenue Variance
Activity Licenses - Commercial	\$ 4,632,920	\$ 555,418	\$ 3,421,482	\$ (2,922,259)
Activity Licenses - Non-Profit	\$ 956,652	\$ 101,641	\$ 668,938	\$ (615,465)
Individual Licenses	\$ 2,692,116	\$ 768,571	\$ 1,368,453	\$ (155,277)
Vendor Licenses	\$ 1,450,927	\$ 175,173	\$ 819,383	\$ (417,924)
Tribal Reimbursements	\$ 3,766,508	\$ 1,112,536	\$ 2,819,881	\$ 165,909
Other Sources*	\$ 292,632	\$ 6,742	\$ 45,590	\$ (285,890)
Agency Total	\$ 13,791,755	\$ 2,720,081	\$ 9,143,726	\$ (1,927,948)

Anticipated revenue losses have declined by ~\$600k since the last report to the Commission in October.

FY 2021 continues to reflect underspend

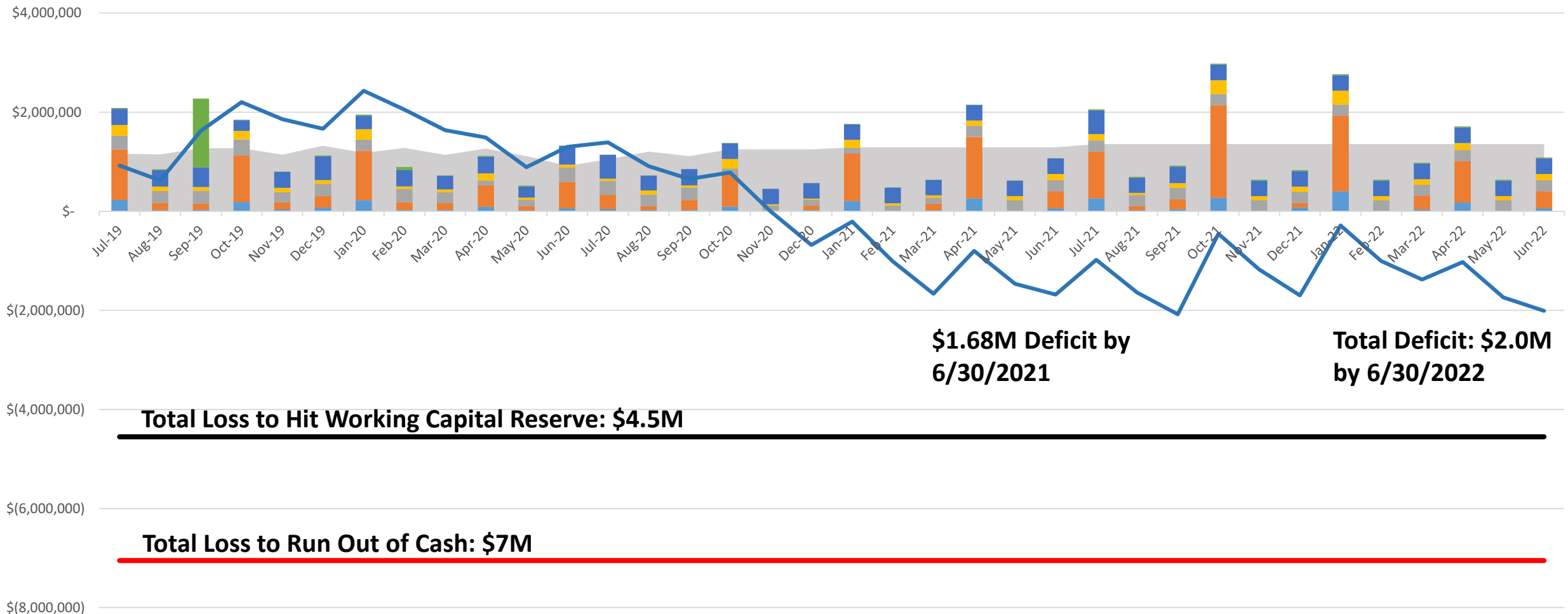
FY 2021 Sub-Program / Program Index-Level View

Agency Total by Object	2021 Total Budgeted	2021 Spent To-Date	2021 Projected Remaining	2021 Variance (Bd-Sp-Pr=Var)
FTEs	119.25	97.33		21.92
Salaries	\$ 9,884,986	\$ 1,893,055	\$ 7,043,053	\$ 948,878
Benefits	\$ 3,395,212	\$ 714,813	\$ 2,419,089	\$ 261,310
Contracts	\$ 14,700	\$ -	\$ 10,474	\$ 4,226
Goods & Services	\$ 2,517,992	\$ 603,731	\$ 1,794,069	\$ 120,191
Travel	\$ 318,360	\$ 6,160	\$ 226,832	\$ 85,369
Capital Expenses	\$ 461,794	\$ 146,739	\$ 329,028	\$ (13,973)
Grants & Benefits	\$ 2,712	\$ 600	\$ 1,932	\$ 180
Agency Total	\$ 16,595,756	\$ 3,365,098	\$ 11,824,476	\$ 1,406,182

The agency has underspent its budget for FY 2021 by 8% due to the July furloughs and vacancy savings.

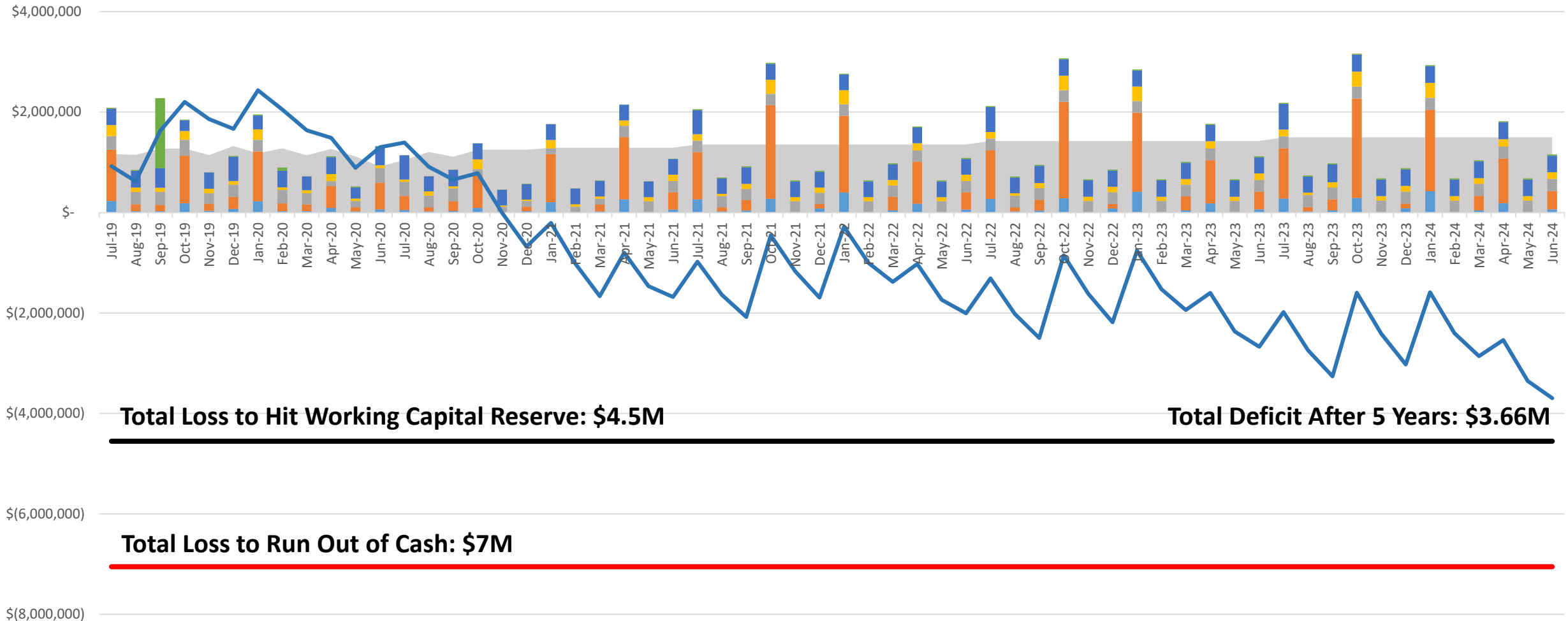
Gambling Revolving Fund Short-Term Forecast

**Based on Estimated Revenue and Expenditure Levels with Inflation*



Gambling Revolving Fund Long-Term Forecast

**This 5-year view is less certain the further out the forecast runs.*





Questions?

Christopher Stanley
Chief Financial Officer

