
HOUSE BILL 2688

State of Washington 58th Legislature 2004 Regular Session

By Representative Wood; by request of Lottery Commission

Read first time 01/19/2004. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to criminal history background checks by the state
2 lottery; and amending RCW 67.70.060.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 67.70.060 and 1989 c 175 s 123 are each amended to
5 read as follows:

6 (1) The director or the director's authorized representative may:

7 (a) Make necessary public or private investigations within or
8 outside of this state to determine whether any person has violated or
9 is about to violate this chapter or any rule or order (~~hereunder~~)
10 adopted under this title, or to aid in the enforcement of this chapter
11 or in the prescribing of rules and forms (~~hereunder; and~~) adopted
12 under this title;

13 (b) Inspect the books, documents, and records of any person lending
14 money to or in any manner financing any license holder or applicant for
15 a license or receiving any income or profits from the use of such
16 license for the purpose of determining compliance or noncompliance with
17 the provisions of this chapter or the rules (~~and regulations~~) adopted
18 (~~pursuant thereto~~) under this chapter; and

1 (c) Conduct necessary criminal history background checks on any
2 person seeking employment or a contract with the lottery, and any
3 person seeking a license under this chapter. All national criminal
4 history background checks must include the submission of applicant
5 fingerprints to the United States department of justice, federal bureau
6 of investigation.

7 (2) For the purpose of any investigation or proceeding under this
8 chapter, the director or an administrative law judge appointed under
9 chapter 34.12 RCW may conduct hearings, administer oaths or
10 affirmations, or upon the director's or administrative law judge's
11 motion or upon request of any party may subpoena witnesses, compel
12 attendance, take depositions, take evidence, or require the production
13 of any matter which is relevant to the investigation or proceeding,
14 including but not limited to the existence, description, nature,
15 custody, condition, or location of any books, documents, or other
16 tangible things, or the identity or location of persons having
17 knowledge or relevant facts, or any other matter reasonably calculated
18 to lead to the discovery of material evidence.

19 (3) Upon failure to obey a subpoena or to answer questions
20 propounded by the administrative law judge and upon reasonable notice
21 to all persons affected thereby, the director may apply to the superior
22 court for an order compelling compliance.

23 (4) The administrative law judges appointed under chapter 34.12 RCW
24 may conduct hearings respecting the suspension, revocation, or denial
25 of licenses, may administer oaths, admit or deny admission of evidence,
26 compel the attendance of witnesses, issue subpoenas, issue orders, and
27 exercise all other powers and perform all other functions set out in
28 chapter 34.05 RCW.

29 (5) Except as otherwise provided in this chapter, all proceedings
30 under this chapter shall be in accordance with the Administrative
31 Procedure Act, chapter 34.05 RCW.

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