

WSR 22-23-161
PROPOSED RULES
GAMBLING COMMISSION
[Filed November 22, 2022, 5:04 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-17-078.

Title of Rule and Other Identifying Information: Amending WAC 230-14-260 Inventory control.

Hearing Location(s): On January 5, 2023, at 9:30 a.m., at Washington State Gambling Commission (WSGC), 4565 7th Avenue S.E., Lacey, WA 98503. The meeting time and location is tentative. Visit our website at www.wsgc.wa.gov approximately seven days prior to the meeting and select "Public Meetings" to confirm the hearing date, location, start time, and agenda items.

Date of Intended Adoption: January 5, 2023.

Submit Written Comments to: Jess Lohse, P.O. Box 42400, Olympia, WA 98504-2400, email rules.coordinator@wsgc.wa.gov, www.wsgc.wa.gov, by December 27, 2022.

Assistance for Persons with Disabilities: Contact Julie Anderson, phone 360-486-3453, TTY 360-486-3637, email Julie.anderson@wsgc.wa.gov, www.wsgc.wa.gov, by December 27, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rule amendment would: (1) Allow pull-tab licensees to write the date they put a pull-tab game in play on the flare instead of a purchase invoice; (2) clarify what records pull-tab licensees must record I.D. stamp numbers on; (3) eliminate duplicative language related to distributors and invoice requirements; and (4) amend language referring to I.D. stamps for consistency within the rule.

Reasons Supporting Proposal: WSGC received a petition from a licensee proposing to amend rules so that pull-tab licensees no longer need to write the date they put a pull-tab game in play on purchase invoices. Some pull-tab licensees already write the date in play information on records besides the purchase invoices and feel there is duplication. Amending rules may allow some licensees flexibility related to pull-tab inventory control.

Statutory Authority for Adoption: RCW 9.46.070.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Taek Kim, owner of Meeker Street Bar & Grill, Kent, Washington, public.

Name of Agency Personnel Responsible for Drafting: Jess Lohse, ARC, 4565 7th Avenue S.E., Lacey, WA 98503, 206-786-3530; Implementation: Tina Griffin, Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-507-3456; and Enforcement: Gary Drumheller, AD, 4565 7th Avenue S.E., Lacey, WA 98503, 509-325-7904.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

Scope of exemption for rule proposal from Regulatory Fairness Act requirements:

Is not exempt.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The amendment to WAC 230-14-260 provides an alternative recordkeeping option for pull-tab licensees with regards to

accounting for pull-tab inventory. The rule in question requires licensees to write the date they place a pull-tab series in play on the purchase invoice. The rule amendment does not change that requirement; however, it allows a licensee to write the date they place a pull-tab series in play on the flare instead of the purchase invoice. The rule change simplifies recordkeeping for licensees and places no additional burdens or restrictions on them. Licensees will not incur any additional costs if the rule amendment is approved.

November 21, 2022
Jess Lohse
Acting Rules Coordinator

OTS-4166.1

AMENDATORY SECTION (Amending WSR 08-03-053, filed 1/11/08, effective 2/11/08)

WAC 230-14-260 Inventory control. (1) Punch board and pull-tab operators must control and account for each punch board and pull-tab series they obtain. Operators must:

(a) Enter the I.D. stamp numbers for the series (~~in all records~~) on purchase invoices and monthly income summaries; and

(b) Attach the packing slip to the original invoice if the pull-tab series is packed in more than one container; and

(c) Record each pull-tab dispenser they purchase (~~(-~~

~~(2) Distributors must record every purchase of punch boards or pull-tabs on an invoice. Operators must use this record to account for each series between the time they purchase it and the time they remove it from play. Invoices must include space for the operator to attach:~~

~~(a) The I.D. stamp numbers for each board or series; and~~

~~(b) The date they placed the punch board or pull-tab series out for play.~~

~~(3))~~; and

(d) Record the date they place each series in play on a purchase invoice. Alternatively, operators may record the date they place each series in play on the game's flare.

(2) When operators receive punch boards or pull-tab series, they must ensure that the manufacturer or distributor recorded all required data by comparing the (~~Washington state identification~~) I.D. stamp number attached to each punch board and pull-tab series to the number recorded on the purchase invoice.

~~((4))~~ (3) Operators may use a separate computerized inventory record as long as they:

(a) Use an I.D. stamp or print a computer generated facsimile of the I.D. stamp number on the inventory record; and

(b) Record all other required information.

[Statutory Authority: RCW 9.46.070. WSR 08-03-053 (Order 622), § 230-14-260, filed 1/11/08, effective 2/11/08; WSR 07-17-058 (Order 614), § 230-14-260, filed 8/10/07, effective 1/1/08.]