



Concise Explanatory Statement

You are receiving this notice because you commented or participated in a workgroup on these proposed rule changes:

Notice of Permanent Rules to Allow a Two-Person Team Conduct a Soft Count if Licensees Uses a Currency Counter

This explanatory statement concerns the Washington State Gambling Commission's adoption of:

- WAC 230-15-610 – Preparing to conduct a count
- WAC 230-15-615 – Conducting the count

The Administrative Procedure Act ([RCW 34.05.325\(6\)](#)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. This statement must be provided to anyone who provided comments regarding the proposed rule-making.

Once persons who provided comments during this rulemaking have had an opportunity to receive this document, the Washington State Gambling Commission will file the amended rules with the Office of the Code Reviser. These changes will become effective on January 1, 2019.

The Washington State Gambling Commission appreciates your involvement in the rule-making process. If you have any questions, please contact Ashlie Laydon, Rules Coordinator, at ashlie.laydon@wsgc.wa.gov or (360) 486-3473.

What are the agency's reasons for adopting this rule?

This rule change allows a card room to have two people, instead of three, conduct a soft count if:

- Card game gross gambling receipts were less than \$5 million in the previous fiscal year, or
- Card game gross gambling receipts were between \$5 million and \$15 million and the licensees use a currency counter.

New house-banked card rooms must have a three-person count team until the licensee submits financial statements to the Washington State Gambling Commission indicating their card room gross gambling receipts in the previous year. A summary of rule changes is provided in Table 1.

Table 1. Summary of Rule Changes.

Card Room Gross Gambling Receipts in the Previous Fiscal Year	Rule Changes	Requirements for Currency Counter with a Two-Person Count Team	Changes to the Count Process if Using a Currency Counter with a Two-Person Count Team
Less than \$5 million	<ul style="list-style-type: none"> ▪ Two-person count team allowed with approval. ▪ The approval process for a two-person count team. ▪ A surveillance employee must observe the entire count process as it occurs. 	N/A	N/A
Between \$5 million and \$15 million	<ul style="list-style-type: none"> ▪ Two-person count team allowed, with approval, if a currency counter is used as outlined in the rule. ▪ The approval process for a two-person count team. ▪ A surveillance employee must observe the entire count process as it occurs. ▪ New requirements for currency counters used with a two-person count team. 	<ul style="list-style-type: none"> ▪ Must automatically provide two separate counts of the funds at different stages in the count process. ▪ Display the total bill count and total dollar amount for each drop box on a screen that must be recorded by surveillance. 	<ul style="list-style-type: none"> ▪ Prior to each count, the accuracy of the currency counter must be verified. ▪ Able to combine currency from a drop box to be counted by currency counter. ▪ A surveillance employee must record, in the surveillance log, the currency verification amount prior to the count, and total bill and dollar count of each drop box and the combined dollar count of all drop boxes as the count is occurring.
More than \$15 million	<ul style="list-style-type: none"> ▪ A surveillance employee must observe the entire count process as it occurs. 	N/A	N/A

Summary of all public comments received on this rule proposal and consideration of the comments. If we responded to comments, add our response and how the final rule reflects consideration of the comments or why it fails to do so.

Public Comment:

An email was received from Phil Ziegler, Emerald Downs, on August 3, 2018 in favor of these changes. Washington State Gambling Commission did not respond.

Victor Mena, Washington Gold Casinos, spoke in support of the new rule language at the Commission Meeting held on September 13, 2018, stating that each of his properties may save \$1,000 in payroll, which is significant for his card rooms. Washington State Gambling Commission did not respond.

If there are variances from the proposed rule and final adopted rule, state the reasons for the differences (RCW 34.05.325(6)(a)(ii)).

No changes were made.