

California Gambling Control Commission
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**MINUTES OF FEBRUARY 4, 2010
REGULATION HEARING**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Dean Shelton called the meeting to order at 10:00 a.m., and asked everyone to stand for the Pledge of Allegiance.

2. Roll Call of Commissioners.

Roll Call of Commissioners was taken with Chairman Dean Shelton and Commissioners Stephanie Shimazu, and Alexandra Vuksich present.

3. Consideration of Final Adoption of, and Approval for Filing with the Office of Administrative Law, Regulations Concerning Portable Personal Key Employee Licenses (Adopt Title 4, CCR Sections 12350, 12351, 12352, 12353, 12354, and 12355; Amend Title 4, CCR, Sections 12008, 12335, 12340, 12342, 12343, 12344, 12345, 12346 and 12347)

- License Renewals; Required Forms; Processing Times
- Employment Status Notification; Replacement License; Required Forms; Processing Times
- License Content; License Display and Presentation
- Interim Key Employee Licenses; Processing Times
- Mandatory and Discretionary Grounds for Denial of Application for a Key Employee License

Regulations Manager James Allen introduced this item for the Commission's consideration. Mr. Allen explained that this regulatory action is described in the Notice of Proposed Action duly published in the *California Regulatory Notice Register* on December 4, 2009, and distributed to the Commission's regulations mailing list. The Public comment period closed at 5:00 p.m., January 19, 2010, and a hearing was not scheduled or requested.

Mr. Allen noted that the Commission had received written comments, during the public comment period, from the Bureau of Gambling Control (Bureau) in a letter dated January 8, 2010 (see Attachment A). Staff has reviewed the Bureau's comments and suggestions and has prepared a summary with recommended responses (see Attachment B), as well as recommendations for modification of the proposed regulation text (see Attachment C). Mr. Allen stated that, if the Commissioners accepted the recommended text modifications, it would be necessary to publish a Notice of Availability of Modified Text and provide a 15-day period for acceptance of written comments on the modifications.

Mr. Allen presented the following staff recommendation:

- (1) Approve staff's recommended modifications to the text of the proposed regulations for publication of a 15-day change notice;
- (2) Adopt, and approve for filing with OAL, the final text of the proposed regulation, as modified today, subject to the receipt of no comments concerning the modified text during the 15-day comment period; and
- (3) Authorize staff to make any necessary non-substantive changes that may be required by OAL during their review process.

Chairman Shelton opened this matter for public comment; however, no member of the public came forward to comment.

Commissioner Vuksich made the following comments:

"It is easy, if not even easier for someone who might not be a stellar employee to move from club to club. This is an issue that can only be fixed at the establishment owner level. I would hope they would feel comfortable enough with investigating staff in licensing to provide information about an employee and employee's departure that would help in the licensing process. This is now something that belongs to a person, and has not been entwined with the owner. It is probably not the good housekeeping seal of approval on that employee that it should be. If you could monitor this as closely as you can to see where those vulnerabilities are and come back to us with clean up – that would be helpful."

Upon motion by Commissioner Shimazu, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shimazu and Vuksich voting yes, the Commission approved staff's recommendations.

PUBLIC COMMENT

There were no comments from the public during this portion of the meeting.

ADJOURNMENT

Chairman Shelton adjourned the meeting at 10:07 a.m.