

California Gambling Control Commission

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**MINUTES OF April 17, 2013
REGULATION HEARING**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Richard Lopes called the hearing 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 Richard Lopes and Commissioners Tiffany Conklin, Lauren Hammond and Richard Schuetz present.

3. Consideration of Final Adoption of, and Approval for Filing with the Office of Administrative Law, Regulations Concerning Notification of Changes in Licensee's Contact Information and of Relocation of Gambling Establishments (Amend Title 4, CCR, Section 12004; Adopt Title 4, CCR, Section 12364)

Jim Allen, Manager of the Commission's Regulatory Actions Unit, stated that this meeting was scheduled for the purpose of the Commission considering comments received concerning modifications previously made to the proposed regulations concerning providing notification to the Bureau of Gambling Control (Bureau) of changes in a licensee's contact information and providing notification to the Bureau of the relocation of a gambling establishment.

Mr. Allen explained that on November 1, 2012, the Commission approved the proposed regulations with modifications subject to a 15-day written comment period. The commission's motion for approval of the modified text included delegation to the Chairman and the Executive Director of the authority to determine whether any 15-day comments were substantive and if the Commission would be required to review any submitted comments. Several written comments were received during the subsequent 15-day comment period that ended November 29, 2012. It was initially determined that none of the 15-day comments were substantive and the Rulemaking File was submitted to the Office of Administrative Law (OAL) on January 11, 2013 for review and approval. During the review process, OAL expressed concern that

the some of the 15-day comments were relevant and that the Commission should have an opportunity to consider them at a hearing. On March 25, 2013, the Rulemaking File was withdrawn from OAL review to allow for that additional Commission review.

Mr. Allen further stated that since all public comment periods required under the Administrative Procedure Act (APA) have closed, the Commission may consider and deliberate on the final adoption of the proposed regulations without taking further public comment. It is staff's recommendation that the Commission, after considering the 15-day change written comments received, affirm its prior adoption of, and approve for filing with the Office of Administrative Law, the regulations as previously modified and adopted November 1, 2012.

Action:

All public comment periods mandated under the rulemaking provisions of the APA having ended, and after consideration of all public comments received during those comment periods, including those received during the 15-day comment period that ended November 29, 2012, the Commission proceeded with the final adoption of the proposed regulations.

Commissioner Hammond moved to adopt and approve staff's recommendation concerning the proposed regulations as previously adopted November 1, 2012. The motion was seconded by Chairperson Lopes and unanimously passed on a roll call vote with Chairperson Lopes and Commissioners Conklin, Hammond and Schuetz voting yes.

PUBLIC COMMENT

None

ADJOURNMENT

Chairman Lopes adjourned the hearing at 10:05 a.m.