

California Gambling Control Commission

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**MINUTES OF OCTOBER 22, 2014
REGULATIONS WORKSHOP**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Richard Lopes called the workshop to order at 1:30 p.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 Lauren Hammond, Tiffany Conklin and Richard Schuetz present.

3. Consideration of Approval to Commence the Formal Rulemaking Process for Regulations Concerning the Program for Responsible Gambling (Amend Title 4, CCR, Sections 12460, 12461, 12462, 12463, 12464, and 12466; and Adopt Title 4, CCR, Section 12465)

- Article Definitions (§ 12460)
- Posting Referral Information (§ 12461)
- Training Requirements (§ 12462)
- Self-Restriction Program (§ 12463)
- Self-Exclusion Program (§ 12464)
- Removal from the List of Self-Excluded Persons (§ 12465)
- Responsible Gambling Program Review (§ 12466)

Staff recommended that the Commission **approve** initiation of the formal rulemaking process for proposed amendment and adoption of regulations relating to the Program for Responsible Gambling, as provided in the proposed regulation text draft dated September 11, 2014.

Written comments were received prior to the workshop from Alan Titus, representing Artichoke Joe's, Charles G. Bates, representing Bay 101, Samy Bazine, Nathan

DaValle, representing the Department of Justice, Bureau of Gambling Control (Bureau), Robert Jacobson, representing the California Council on Problem Gambling, and Michael S. Liao, representing NICOS Chinese Health Coalition.

During the ensuing discussion, oral comments were received from:

- Charles Bates, Bay 101
- Terrie Sue Canale, Office of Problem and Pathological Gambling
- Nathan DaValle, Bureau
- David Fried, Oaks Card Club and California Grand Casino
- Susanne George, Bureau
- Joy Harn, Bicycle Casino
- Robert Jacobson, California Council on Problem Gambling
- Mi Le, NICOS Chinese Health Coalition
- Frank Louie, GPAC Member, owner of Louie's Restaurant and Catering and Chairman of the Stockton Boulevard Partnership
- Keith Sharp, Hawaiian Gardens
- Trent Smith, Artichoke Joe's
- Jong Weeks, Napa Valley Casino

During the discussions, the Commissioners considered staff's September 11, 2014 proposed regulations text draft. As a result of the discussion and additional comments at this workshop, the Commission accepted changes to September 11 text draft, as follows:

Section 12460 – Article Definitions

- The terms "Self-Exclusion" and "Self-Restriction" were modified to include only definition provisions with the operative provision to be moved to an operative section.

Section 12461 – Posting Referral Information

- Subsection (c) was modified to provide options for consideration.
 - To require that both 1-800-GAMBLER and <http://www.problemgambling.ca.gov> be required.
 - Provide that either 1-800-GAMBLER or <http://www.problemgambling.ca.gov> be required.
 - Provide for an exemption for specific types of advertising, such as promotional materials and digital advertisements of limited size.

Section 12462 – Training Requirements

- Subsection (a) was modified to clarify that a licensee is not required to develop a program, but can purchase a training program from another entity.
- Paragraph (1) of subsection (a) was modified to correct a grammatical error.

- Paragraph (1) of subsection (b) was modified to consider both the hire date and the start date in addition to the license or work permit issuance date and to allow for training to be conducted within 60 days.
- Paragraph (3) of subsection (b) was modified to permit maintenance of training records outside an employee's personnel file.
- Subsection (c) was modified to provide clarity to the term "current."

Section 12463 – Self-Restriction Program

- Subparagraph (B) of paragraph (4) of subsection (a) was modified to include the following options.
 - The original text.
 - That the gambling enterprise must only maintain records of any incidents of removal and need to automatically notify the Bureau.
- Subparagraph (C) of paragraph (4) of subsection (a) was modified to include the following options:
 - Removal of "loses recovered" requirement. Deny prizes and winnings and force the patron to leave.
 - Forfeiture of all winnings and any chips in the possession of the patron.
- Paragraph (7) of subsection (a) was modified to be consistent with paragraph (3) of subsection (b) of Section 12460.

Section 12464 – Self-Exclusion Program

- Paragraph (4) of subsection (a) was modified to provide options for consideration.
 - Verifying identity in relation to the list of self-excluded persons before cashing a check, extending credit or when purchasing and redeeming chips.
 - Verifying identity in relation to the list of self-excluded persons before cashing a check, extending credit or when purchasing and redeeming chips and when identity is already being verified.
 - Verifying identity in relation to the list of self-excluded persons at any time a patron's identity would otherwise be verified.
 - Verifying identity in relation to the list of self-excluded persons at any time a patron's identity is being verified in conjunction with a controlled game or gaming activity.

Section 12465 – Removal from the List of Self-Excluded Persons

OPTIONS 1 and 2

- Subsection (a) was modified to allow an individual to cancel a request for removal from the list of self-excluded persons during the "cool down" period.

Action:

Commissioner Hammond moved to approve staff's recommendation to commence the formal Administrative Procedure Act Rulemaking Process, with the agreed upon

modifications and the addition of options to the September 11, 2014 text draft. The motion was seconded by Commissioner Conklin and unanimously passed on a roll call vote with Chairman Lopes and Commissioners Hammond, Conklin and Schuetz voting yes.

PUBLIC COMMENT

None

ADJOURNMENT

Chairman Lopes adjourned the workshop at 4:05 p.m.