

Minutes

MONTANA SENATE

51ST LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON SENATE BILL 431

Call to Order: by Senator Del Gage, Chairman, on Wednesday, April 19, 1989, at 7:14 p.m. in room 312-A of the state Capitol.

ROLL CALL

Members Present: All members were present.

Senate Members: Senator Del Gage, Chairman, Senator Bob Brown and Senator Joe Mazurek.

House of Representative Members: Representative Dave Brown, Chairman, Representative Budd Gould, and Representative Bill Strizich.

Members Excused: There were no members excused.

Members Absent: There were no members absent.

Staff Present: John McMaster, Legislative Council Attorney, and Mary Florence Erving, Secretary.

Announcements/Discussion: There were no announcements of discussion.

FREE CONFERENCE COMMITTEE ON SENATE BILL 431

Senator Gage asked if the committee would like to begin where the committee left off. No. Representative Dave Brown asked Representative Budd Gould if he wanted to discuss the other potential option. Yes. Representative Gould stated he would like to discuss the issue of having machines in establishments that have beer and wine licenses for off premises consumption. The language eliminates any concern mentioned about school hallways, libraries, and etc.

Senator Mazurek stated the subject has been talked about before informally. During the interim today, Mazurek stated he reviewed

the gambling commission report, the gaming advisory council's report, completed during the last interim. Senator Mazurek restated why the committee is where they are, and why he is where he is: It is the recommendation of the commission that commercial gaming, with the exception of live keno and live bingo, be restricted to establishments with licenses to sell alcoholic beverages for consumption on the premises. The recommendation is based, in part, upon testimony and upon a public opinion survey. Seventy-seven percent of the people responding thought video poker should be limited to the bars. Sixty-three percent of the people surveyed thought regular keno and bingo should be restricted to bars.

Senator Mazurek stated it seems like the committee is held up on a small issue, but, it is a fundamental issue, as to where we gamble. This is the reason why the grandfather clause is being offered. Senator Mazurek reinforced the reason why the committee had not discussed the issue in the morning: It was a recommendation. Recommendations, in these areas, are generally towards liberalization.

Representative Dave Brown said he guessed the negative recommendation issue leaves no leeway. Senator Mazurek stated the problem is: All premises, concerning the sale of beer and wine, means every grocery store, truck stop, appliance mart, gas station, and etc.

Representative Gould stated any violation a person might have will make them lose the machines. No. Senator Mazurek stated, under the bill, there will be four violation phases. The person will not lose the license until the fourth offense. Representative Gould stated he will go for changing it to a first offense.

Senator Mazurek asked if there are any other issues of interest that should be discussed.

Representative Strizich stated each side has given away everything, except the bottom line. The problems is we both settled on the same one.

Representative Gould stated it seems like the House Committee have given up on most everything. Representative Gould stated he wanted a pound of flesh, but, he will listen to the committee's thoughts.

Senator Gage stated the Free Conference Committee is at the conclusive point concerning some of the recommendations. The committee has strayed from some of the recommendations already. Senator Gage stated the recommendation was the commercial gaming, with the exception of live bingo and live keno, be restricted to

establishments licensed to sell alcoholic beverages on the premise. Senator Gage stated that he is not sure if this is the section Senator Mazurek is talking about. The recommendation was gaming hours will be limited from 8:00 a.m. to the following 2:00 a.m. of the following day. The time frame has strayed from the recommendation. Also, recommendations were heard concerning uniformed gaming laws and primary enforcement to rest in the state. Local governments should have options or ordinances, other than zoning. The committee has strayed from these recommendations.

Senator Gage stated one of his concerns is we are not going to be fair to everyone, regardless of how the committee handles the legislation. Senator Gage stated another big concern is we do not grandfather the folks in who are already in a two machine situation. The area of concern includes truck stops and other places. As I understand the legislation, the House Committee didn't want to grandfather these folks. Senator Gage stated he has a concern the committee does grandfather. Nothing under the House's scenario really makes any difference. Whether you grandfather or not, they can come back in and get a permit anyway. So, the grandfathering, under the House's scenario, as well as passing it from family member to family member, is really immaterial.

Representative Dave Brown stated, due to the language in the bill those people are grandfathered in anyway. Senator Gage said to the House Committee it was his understanding the House Committee did not want to grandfather.

Senator Bob Brown asked Representative Gould if he meant if somebody has more than two machines, no more than two machines would be grandfathered. Senator Mazurek stated he discussed the issue with Representative Strizich concerning two machines in a licensed off premises establishment and no grandfather.

Senator Gage said he did not like that concept either. Those folks could come back in and get a permit, whether they are grandfathered or not. It is up to two machines. The language concerns people who do not have off premises licenses.

Representative Dave Brown said he would go for eliminating two machines, keeping the grandfather clause in, putting back the Jacks or Better, and establishing the over \$800 amount. Senator Mazurek stated, in his opinion, Jacks or Better, as the game has been described, is not currently legal. Representative Brown's proposal would be an "extension".

Representative Dave Brown stated he wanted to have the record show, according to his perspective, he is willing to give up Jacks or

Better. It is entirely possible this bill will die in the House without the Jacks or Better. Even if the House Committee gets Jacks or Better out of the Free Conference Committee, based on my conversations around the floor and during the interim, since the committee met last, Rep. Brown doesn't think the language will be accepted.

Representative Dave Brown stated he wants to take out Jacks or better out because he believes it severely restricts the definition of poker. By having it in there, it severely limits that definition of poker. Especially, given the fact, no other major gambling legislation defines poker in statute or rules. Jacks or Better is considered a game the "house" controls. Representative Dave Brown stated he wants to take Jacks or Better out, but for a different reason than the Senate wants. Representative Brown stated he wants it clear in the records, and he wants the Attorney General to take into account what goes on in other states when he looks at those definitions.

Representative Dave Brown stated he would go from the eight hundred dollars to the one hundred dollars on the poker machines, with the understanding of committee members are trying to do. In his judgement, Jacks or Better is the only questionable item in the bill, in terms of the expansion of gambling. Representative Brown stated he does not know of any machines currently paying \$800. Maybe there are some, but Rep. Brown stated he didn't know about them.

Representative Brown stated he wants the record to clearly indicate there is a lot of interest concerning the \$800 payout. This will be evident when we come back with legislation next time to have the \$800 limit, in this area or any other area, to expand gambling. Representative Brown stated he wanted the record to clearly show we are trying to establish a base. We are trying to establish a uniform system of control for gambling in Montana, so everyone does not have to be as afraid of "it", as they were in the past. We can then have a legitimate discussion about individual pieces of expansion. I think, in giving in to those two areas, we give too much, certainly more than the two keno machines.

Senator Mazurek stated, in reply to Representative Dave Brown comments concerning Jacks or Better, the issue, if it comes out of the bill, is not a dead issue. As Rep. Brown and I both know, the Jacks or Better issue will be litigated at some point, probably very soon. So, whether it is in the bill or not, the battle will be decided in the courts. The issue is well preserved, and I am sure it will be fought.

Senator Mazurek agreed that Rep. Brown raised a good point: The committee is trying to establish a base. Senator Mazurek stated, if he was to error, he would like to error on the side of control, and get "control" in place. Then if you want to put the machines outside of the already, fairly well controlled licensed establishments, then let's do it after we get the control in place. Let's take a look at it, let the controls start, and get into operation. The legislature has been fighting numbers every session since the state has had machines, and will fight numbers every session hereafter. Senator Mazurek stated he thinks controls should be in place, grandfather those already there, and start the controls with the machines in taverns. We'll fight these limit battles and game battles every session from now until eternity.

Representative Dave Brown stated he thinks the legislature is already severely limiting the gambling issue. If the legislature was starting from ground zero, Rep. Dave Brown stated he could accept the limiting issue a lot better and would probably agree. The fact is the legislation is limiting what is already an "available opportunity". The opportunity is being limited severely seven to one. I don't know if anyone is taking full advantage of the situation in the non gaming situation. There are establishments that have five, six or seven machines. We are putting a limit of two into the legislation. As I understand your argument and other arguments, we are grandfathering establishments that have it, and we are preventing anyone else from getting it. I guess I don't think, for a state worried about it's economic development, we can afford to affect small businesses in this fashion.

Representative Gould stated Missoula County has twenty-six machines at the present time. In a county, extending one hundred miles from Lolo to Condon, you are looking at twenty-six machines in thirteen locations. I don't think there is any effort to have fifty establishments with two machines. Representative Gould stated, in an effort to get more concessions from the legislation, he would agree with just about everything, including mandating positive action of the city, county gaming commission, or whatever the restrictions might be: perhaps city government or county commissioners. Representative Gould stated the House Committee expected to gain the locations that have beer and wine licenses. Representative Gould stated the House Committee also gave up the Gallatin amendment.

Senator Mazurek stated the Senate Committee gave up the Gallatin amendment. The Gallatin amendment would have caused local governments to limit the number of machines in a county. The Senate conceded that one away that the local governments can't do that. The Senate also gave up the state wide hours in favor of local

options. Senator Mazurek stated he went through the amendment list to look for areas of concessions. Senator Mazurek stated the following are his own calculation concerning the losses. The concessions may concern the committee losses, but they also take into account other's losses. My impressions is: The Senate gave away 1) cashing checks in the bars for cash; 2) increasing the limit from one hundred to three hundred; 3) the state wide hours, local options on hours; 4) the allocation machines; and 5) no limit on the number of machines. The House gave on 1) the poker machine limit from 800-100, and 2) the Jacks or Better.

Representative Gould asked if the Senate wanted the local limitation. Senator Mazurek stated there is no question: The Senate wants limitation. The Senate voted to allow local governments to restrict the number of machines to some levels, not to wipe them out completely. The figure was 5 and 7 or 5 and 5.

Representative Gould stated, according to what he was told, the figure was 5 and 7. Representative Gould stated he would vote to give this back, if the Senate wanted, and go with allowing ten machines, whatever machines the establishment wanted. Senator Mazurek asked if this proposal was in exchanged for the two machines. Representative Gould said yes, and you can maximize what ever works best for the Senate and keep the figure at ten.

Representative Gould stated he thinks the Senate Committee is trying to do is get the best revenue for the local government. Senator Mazurek stated the legislation proposed would make the industry nervous because gambling will become a local city council election issue. The topic is a current political issue in Bozeman. Representative Gould stated he remembers when Bozeman closed their bars at midnight.

Senator Gage asked if anyone would like to make a motion at this point.

Attorney General Racicot requested an opportunity to speak. The Attorney General stated we are eighty-nine days into this session, and he does not think anyone put as much time into the bill as the Justice Department or the Legislative Council. Racicot also stated he did not think any state department collected as much information, or tried to be as involved as the Justice department did concerning the legislation. Yet, Racicot stated he does not know what is precisely going on, besides the dynamics of the issue concerned. Racicot wanted to know if there is some symbolic plight involved in this process. Racicot stated he thinks it is a shame, for those who have been involved in this process, to allow anything to interfere. The issue of the two machines, being discussed, was never an issue until today. Racicot stated at one point in time, there was a compromise worked out in the House Judiciary Committee

so everybody would be grandfathered in because the committee was reacting to language put in by the Senate. The Senate language said nobody was going to be grandfathered in. They were all going to be in places that sold alcohol for consumption on the premises. Sometime between that time and today, this issue has become very significant. The Attorney General stated he does not know why because the committee is dealing with a generation of unborn machine owners at this point. The Attorney General stated, from his perspective and for most of the people's perspective in the room, he does not know the reason for the stalemate, although he understands the philosophy. We have previously dealt with much more difficult issues compared to what is being dealt with now, and we have been able to deal with every issue. If it is a symbolic struggle, AG Racicot stated he would like to know about it.

Representative Dave Brown stated this has been a big issue ever since the bill came to the House, but it was never discussed. Representative Brown stated the position is pretty well taken. A lot of people would like to have the full blown issue back to where it was, which was fifteen machines. Representative Brown stated he thought risks were taken by limiting the number to two. Many of us have talked about accepting the initiative hearing process, when two or three people came in involving local government. This item has always been an issue. It is one that we have not just talked about. The interim subcommittee thought they would deal with it when the time was right.

Attorney General Mark Racicot stated the situation it is not an issue with the Justice Department, and stated he didn't think it is a issue with the committee or the industry. Attorney General Racicot asked Representative Brown if he wanted to see the bill die. Representative Brown stated, since being asked, the starting point on the negotiation lists were wrong. The survey specifically says that twenty machines should be up to eight hundred dollars. The industry never had a chance to comment on the Senate Bill 431 when it first come out the night before with the hearing the next day.

Retraction is taking away when it has been already given. It is grandfathered for the person who has it now, but the person next door doesn't have.

Representative Dave Brown stated the industry did not have a chance to comment on the Senate bill when it first came out, the night before it was heard in the House. The Attorney General stated the constituents are not here claiming that is what they want.

Senator Mazurek stated he would like to offer amendments that were prepared by McMaster, so the amendments will be entered in the

record. Some, have already been adopted. All the amendments have previously been discussed. Number one strikes Jacks or Better. Number two is not being offered. It would have required "Games must be played between the dealer and other players and may not be played against the house." Amendments three and four are being offered. The amendment strikes the two machines of the nongame and non licensed, and it grandfatheres all existing machines, but it does not allow transfers. Amendment five draws up machine limits from eight hundred to one hundred on poker. Senator Mazurek moved the amendments. If the amendments pass, Senator Mazurek stated he has the Free Conference Committee papers prepared to be signed. The papers include all the other amendments, which have been adopted.

Senator Mazurek stated the issues are far from over in the grand scheme of things. The Attorney General's points are well made. Senator Mazurek stated he thinks we should start here to take care of the gambling issues. We will be fighting these battles in the years to come.

Representative Dave Brown stated, as far as he is concerned, all the House Committee did was give.

Senator Mazurek stated, in terms of who gave and who didn't and in terms of the list, Representative Dave Brown's House Committee has given, but the Senate has given on machine mix, local limits, pot limits in games, and cash at the bar for checks, which is a significant benefit to the industry.

Senator Gage asked Representative Gould if the House Committee would like to caucus. Representative Gould stated he would hate to lose this the bill after all the work has gone in it. Representative Dave Brown stated he would rather lose the bill, than to give in to folks who just plain don't think gambling is worth a d\_\_\_\_.

Senator Mazurek stated he hoped Representative Dave Brown's comment was not directed at him. Senator Mazurek stated he is trying to keep things within reasonable limits; consistent to what has been recommended; and to what the majority of people in the state want.

Senator Gage stated he represents a particular area where the game, Jacks or Better, was ruled not to be poker, and ruled not a legal game. Therefore, we do not have the game in my area. Primarily, Gage stated he is being directed by opinions gathered by the interim committee, and the opinion of the interim committee was to keep within licensed premises.

Representative Brown stated he would like to adjourn for the



purpose a having a caucus. The Attorney General asked to make a statement. The Justice Department will not be inclined to become involved in a tortuous process again. The opportunity is here to take advantage of at this time. The meeting was adjourned at 7:43 P.M. and reconvened at 7:57 P.M.

Representative Brown stated, for the record, the advisory council report cuts both ways. In addition to recommending limiting machines to buyers, it suggests a 800 limit on machines, 800 limit on card games and twenty machines, mixed or matched, without limit on poker machines. Representative Dave Brown stated he honestly does not know what to do. There is a tremendous amount of time tied up in the bill, and that is a tough thing to throw away. On the other hand, if the Free Conference Committee adopts these minutes, I am not sure they will pass the House. It will be fought on the House floor. We could go back to Senator Jack Galt and see if we could get another committee appointed.

#### Amendments and Votes:

Senator Gage stated he would like a vote on the 4 amendment motion to see what the committee's position is. The motion to amend the bill includes the following: In addition to the amendments previously adopted, 1) strike Jacks or Better; 2) grandfather existing non-licensed non-gaming establishments; and 3) reduce 800 to 100 on poker machines.

Representative Dave Brown said how about \$200 on poker machines.

Senator Mazurek stated he did not know the significant of the \$200, but his suspicion is that people incur reprogramming costs.

Representative Gould stated he would like to have it firmly stated in the records the House Committee hopes the industry's people will be working on programs or kits between now and the next session in order to make the machines do the same as a keno machine does now.

#### Amendment and Vote:

A roll call vote was taken. Senators Mazurek, Gage, Bob Brown, Representative Strizich voted YES. Representatives Gould and Dave Brown voted NO. The motion passed.

Representative Dave Brown moved to amend the legislation. In the place where Jacks or Better was taken out, he moved to insert: "The department shall adopt rules defining the card games listed in this section, and for each card games listed in this section, describing the variations of that game that are allowed, and shall allow the variations generally recognized in Montana.

Mr. McMaster stated he would like to point out, concerning, at least the first part of the motion, that Representative Dave Brown is going to have to describe the games anyway, or he is not going to be able to play in any card game.

Senator Bob Brown asked McMaster if he could put a period after the word "section".

Representative Dave Brown stated it will be the "whole way or no way".

McMaster said the reason it is important to list and define the card games is because the Senate put in language saying you cannot play a live card game unless it is authorized by the statutes and described in the rules. There are not any rules in statute, and there must be. The language is located on top of page thirty-two.

Senator Mazurek stated the rules and regulations are going to be for people who get the first shot at it by the industry. Senator Mazurek stated he is not willing to buy into the prospect of the defined card games, based on what is out there, whether it is legal or not, and based on whether one county attorney will enforce the law differently than another county attorney. Representative Brown stated the language is: "generally recognized."

A vote was taken, and the motion did not pass.

Senators Mazurek moved to amend. "The department shall adopt rules that are binding to card games listed in this section and for each card game listed in this section describing the variations of the games that are allowed."

Senator Mazurek stated he would be interested in the Attorney General's opinion. The Attorney General stated he assumed the Justice Department will be defining card games. The Attorney General said he did not want to get locked in a position where the department would be in court dealing with games not generally recognized. The department will be definitely busy. If we are going to be in court, we do not have a lot of attorneys, or county attorneys written into this bill. After consulting with the industry, the Attorney General stated it is his intention to adopt rules in compliance with the intent the committee and of the legislature. It is our understanding, to this point, they can have those normal standard games of five and seven card poker which, are played against the house, authorized. There are a number of different varieties.

Representative Dave Brown stated it is not the intent of the House, nor this side of the subcommittee, that Jacks or Better should be

excluded by any action of this Free Conference Committee. A vote on the House floor was clear evidence of the House's intention. The vote was more than two to one against.

Senator Mazurek stated he would refer to the Attorney General's judgment as to whether the first clause and the second clause would best serve the Justice Department's intention. Senator Mazurek asked the Attorney General if he wanted to adopt rules to define card games in this section, period, or do you want the additional language after each card game listed in this section describing the different variations allowed.

Representative Dave Brown stated he did not think Attorney General Racicot and Senator Mazurek should waste time voting on the amendment, because they will not get the amendment, anyway. Representative Dave Brown stated he wanted to leave the language as vague as possible.

Senator Mazurek stated, if the effect of McMaster's suggestion was correct, there will not be any card games in the state until after October 1, 1989. Representative Dave Brown stated he did not think that would be a problem.

McMaster said the AG, with or without the amendment is going to have to adopt rules defining card games that can take place, otherwise you can't play card games.

Senator Mazurek withdrew the amendment, stating he understood McMasters needed the language in the legislation.

Senator Mazurek stated he asked McMaster to prepare a list of every amendment issued on Senate Bill 431. Senator Mazurek stated he went through each of the amendments to make sure they were covered.

Senator Mazurek moved the amendments, and to make appropriate changes elsewhere in the bill.

Senator Bob Brown asked for the exact language that needed to be changed. On page 33, line 16: strike "under 16-4-401(2)"; on page 50, line 21: Strike under 16-4-4-1(2); and on page 51, line 13: Strike: "under 16-4-401 (2)" and add: to sell alcoholic beverages for consumption on the premises. Representative Brown asked if the language "to sell alcoholic beverages for consumption on the premises" is included in the others. Yes.

Senator Mazurek asked if it limits it to all beverage establishments. No.

The motion passed.

Recommendation and Vote:

Senator Mazurek moved to adopt the Free Conference Committee Report. The motion passed.

Senator Dave Brown asked to be recognized as a NO vote.

ADJOURNMENT

Adjournment: The meeting adjourned at 8:39 P.M.

  
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Senator Del Gage, Chairman

DG/mfe

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Free Conference Committee Report  
on SB 431  
Report No. 1, April 21, 1989  
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Mr President and Mr. Speaker:

We, your Free Conference Committee on SB 431 met and considered,  
The House amendments to SB 431 (third reading copy -- blue) in  
their entirety.  
We recommend that SB 431 (reference copy -- salmon) be amended as  
follows.

1. Title, line 11.  
Following: "FOR"  
Insert: "AN APPROPRIATION AND A"
2. Title, line 18.  
Strike: "AND"
3. Title, page 2, line 2.  
Following: "MCA"  
Insert: "; AND PROVIDING EFFECTIVE DATES"
4. Page 4, line 1.  
Following: "granted."  
Insert: "A holder does not acquire a vested right in the license  
or permit issued or other department approval granted."
5. Page 5, lines 16, 21, and 25.  
Page 6, lines 4 and 9.  
Strike: "OR SYMBOLS"
6. Page 5, line 22.  
Strike: "OR SYMBOL"
7. Page 12, line 9.  
Following: "manufacture"  
Insert: ", lease,"
8. Page 15, line 12.  
Following: "THE"  
Insert: "gambling activity,"  
Following: "ACT"  
Insert: ","

continued

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FREE CONFERENCE COMMITTEE, SB 431  
April 20, 1989  
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9. Page 17, line 7.  
Following: "deposited"  
Insert: "one-half"
10. Page 17, line 14.  
Following: "FUND"  
Insert: "and one-half in the general fund of the county in which  
the violation occurred"
11. Page 18, line 14 through page 19, line 14.  
Strike: subsections (3) and (4) in their entirety
12. Page 24, lines 17 through 19.  
Strike: subsection (3) in its entirety
13. Page 31, lines 24 and 25.  
Strike: "[INCLUDING JACKS OR BETTER]"
14. Page 33, line 16.  
Page 50, line 21.  
Strike: "under 16-4-401 (2)"
15. Page 33, line 20.  
Following: "tables."  
Insert: "If one or more live card game tables were legally operated  
on a premises on January 15, 1989, and the premises were not  
on that date licensed under 16-4-401(2) but were licensed on  
that date to sell food, cigarettes, or any other consumable  
product, an operator's license and an annual permit for the  
placement of live card game tables may be granted to the  
person who legally operated the premises on January 15, 1989."
16. Page 49, line 21.  
Following: "operator."  
Insert: "The department shall adopt rules allowing a video gambling  
machine that needs repair to be temporarily replaced while it  
is being repaired with a video gambling machine that is  
approved under the permit provisions of this part. A fee may  
not be charged for the replacement machine."
17. Page 51, lines 2 through 10.  
Strike: subsection (B) in its entirety  
Renumber; subsequent subsections

continued

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SB 431

18. Page 51, line 13.  
Strike: "UNDER 16-4-401 (2)."  
Insert: "to sell alcoholic beverages for consumption on the premises."

19. Page 51, lines 19 through 23.  
Strike: "1 TO AM" on line 19 through "PERHITS" on line 23  
Following: "located."  
20. Page 54, line 3.  
Insert: "The local government portion of the fee is statutorily appropriated to the department, as provided in 17-7-502, for deposit in the local government treasury."

21. Page 59, line 13.  
Strike: "\$800"  
Insert: "\$100"

22. Page 61, line 3.  
Following: "RAIL."  
Insert: "a person who purposely or knowingly violates or procures, aids, or abets"

23. Page 61, line 5.  
Following: "department"  
Insert: "or an ordinance, resolution, or rule adopted under this part."  
Following: "is"  
Insert: "guilty of"

24. Page 63, lines 24 and 25.  
Strike: "qualified" on line 24 through "[4] and" on line 25

25. Page 64, lines 3 and 4.  
Strike: subsection (2) in its entirety  
Insert: "(2) the proceeds from the pool, minus administrative costs and prizes paid, are contributed to a charitable or nonprofit corporation, association, or cause."  
Renumber: subsequent sections

26. Page 67, line 11.  
Following: "23-5-610;"  
Insert: "23-5-612;"

27. Page 72, line 4.  
Following: line 3  
Insert: "NEW SECTION. Section 69. Proration of certain fees. A fee imposed under 23-5-321, 23-5-421, 23-5-612, 23-5-625, or

23-5-631 between [the effective date of this section] and October 1, 1989, must be prorated to cover only the period between the date the permit or license takes effect and October 1, 1989.

NEW SECTION. Section 70. Appropriation. The following appropriation is made from a state special revenue account to the department of justice for the purpose of implementing [this act] and administering chapter 5 of Title 23:

Fiscal year beginning July 1, 1989 \$527,081  
Fiscal year beginning July 1, 1990 \$449,081-

Renumber: subsequent sections

28. Page 74.

Following: line 2

Insert: "NEW SECTION. Section 75. Effective dates. (1) [Subsection (2) of section 7 and sections 63 through 67, 69, 72, 73, and this section] are effective on passage and approval.

(2) [Section 70] is effective on July 1, 1989.

(3) The remaining sections are effective on October 1, 1989."

And that this Conference Committee Report be adopted.

FOR THE SENATE

FOR THE HOUSE

Sen. Gage, Chairman

Rep. Dave Brown, Chairman

Sen. Bob Brown

Rep. Strizich

Sen. Mazurek

Rep. [Signature]

ROLL CALL

SENATE BILL 431 FREE CONFERENCE COMMITTEE  
April 19, 1989

	Present	Absent	Excused
<u>Senate Committee Members:</u>			
Senator Del Gage	x		
Senator Bob Brown	x		
Senator Joe Mazurek	x		
<u>House of Representatives Committee Members:</u>			
Representative Budd Gould	x		
Representative Dave Brown	x		
Representative Strizich	x		

ROLL CALL VOTE

SENATE BILL 431 FREE CONFERENCE COMMITTEE

April 19, 1989

To amend SB 431: In addition to the amendments previously adopted, 1) strike Jacks or Better; 2) grandfather existing non-licensed, non-gaming establishments; and 3) reduce 800 to 100 on poker machines.

yes no

Senate Committee Members:

Senator Del Gage	x
Senator Bob Brown	x
Senator Joe Mazurek	x

House of Representatives Committee Members:

Representative Budd Gould	x
Representative Dave Brown	x
Representative Strizich	x

THE MOTION PASSED