#### MINUTES

### MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

Call to Order: By Chairman Dick Pinsoneault, on February 11, 1991, at 10:00 a.m.

### ROLL CALL

### Members Present:

Dick Pinsoneault, Chairman (D) Bill Yellowtail, Vice Chairman (D) Robert Brown (R) Bruce Crippen (R) Steve Doherty (D) Lorents Grosfield (R) Mike Halligan (D) John Harp (R) Joseph Mazurek (D) David Rye (R) Paul Svrcek (D) Thomas Towe (D)

Members Excused: none

Staff Present: Valencia Lane (Legislative Council).

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion:

#### **HEARING ON SENATE BILL 208**

#### Presentation and Opening Statement by Sponsor:

Senator Dennis Nathe, District 10, stated the bill would legalize playing "21" or "blackjack" in a limited form in Montana. He said the northeast corner of the state is feeling the impact of gambling in North Dakota. Senator Nathe explained that Canadian tourism has dropped, and young people are leaving the area (9 families in October, including 15 school children).

Senator Nathe told the Committee the Sheridan County Economic Development Corporation requested the bill. He said they called Nevada who has no blackjack statutes, and ended up using North Dakota's statutes. Senator Nathe advised the Committee there would be a flat fee per table to simplify the process and hold down costs. He also stated he disagreed with the fiscal note.

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Senator Nathe provided a map of area Canadian Provinces and states (Exhibit # ), showing population density in Canada, and said the Committee should look at the map "trade-wise". He stated that Walmart opened five sites in North Dakota, but none in Montana. Senator Nathe said North Dakota recorded 114,000 more overnight stays by Canadians than did Montana, and that there is now a battle to keep the Plentywood port-of-entry open.

Senator Nathe stated Plentywood has been promoting relations with Canada since 1941. He referred to the first statewide "Hands Across the Border" conference in April, 1988. He said blackjack should be viewed as a tool to help compete in the Canadian market, and that the economic spin-off would be 2000 to 3000 employees. Senator Nathe added, "These jobs are extremely critical".

#### Proponents' Testimony:

Representative Mary Lou Peterson, District 1, stated her support of the bill.

Representative Linda Nelson, District 19, said she was also testifying as a representative of the Sheridan County Development Corporation. She said Montana has two advantages in that it has no sales tax and no Sunday closing law.

Representative Barry Stang, District 52, said 25 percent of the traffic entering Montana comes through Interstate 90 in western Montana. He explained that economic development is turning around in Mineral County, which is usually first or second in unemployment in the state. Representative Stang said a Super 8 motel went in at St. Regis, and a 41-unit motel went in at Lincoln's \$10,000 silver dollar bar, because of gambling income.

Alec Hansen, Montana League of Cities and Towns, said he supported the bill. He stated that the matter was discussed at the November 1990 convention in Bozeman, and passed by a two to one margin. Mr. Hansen commented that blackjack is attractive to towns along the Canadian border. He said Census Bureau statistics show a sharp decline across eastern Montana.

Bruce McLean, Billings, Montana Gaming Commission member from the public-at-large, said support for blackjack is very strong. He stated he believes blackjack is an economically and environmentally clean business and is good for tourism.

Loren J. O'Toole II, Plentywood attorney, read from a prepared statement (Exhibit #2), and said he wrote the original bill draft submitted to the Legislative Council. He explained that three local businessmen from northeast Montana initiated this action, and added "blackjack allows players a much better bet than the lottery". He urged the Committee to support the bill.

Bill Hixson, Chairman, North Dakota Gaming Advisory Board, Bismarck, explained there are 10 casinos and 80 dealers in table

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games in Deadwood. He stated there are currently 800 blackjack tables in North Dakota, and said they are far easier to regulate than pull tabs and bingo. Mr. Hixson advised the Committee that North Dakota has a very comprehensive set of rules and a sophisticated computer system which alerts them to problem early on.

Bill Hixson told the Committee no complaints had been registered with the Board during the past year, and said \$680,000 from the gaming tax fund is appropriated back to local law enforcement to train and regulate gaming on the local level. Mr. Hixson stated that organized crime and prostitution have not come into North Dakota. He said small operators generally have problems with skimming, and there are problems with dealer theft of chips and dealers cheating with friends. Mr. Hixson added that there are ways to deal with these problems.

Mr. Hixson said the advantage to Montana is that it already has established gambling. He stated that North Dakota's \$200,000 computer program would be free to Montana. Mr. Hixson advised the Committee that blackjack employs over 1700 people in North Dakota, at \$4.50 to \$5 per hour plus tips. He added that tourism development is the biggest advantage.

Glenn Jacobsen, Plentywood Mayor, read from prepared testimony in support of the bill (Exhibit #/). Chairman Pinsoneault advised Mr. Jacobsen that he had received 25-30 letters of support from people in the Plentywood area.

Ed Sheehy, retired Helenan, stated his support of the bill. He explained that his son worked as a hospital administrator in Culbertson, and was fully aware of how the economy has deteriorated. He commented that Canadian patients at the hospital paid quickly and easily.

Lucy Weeder, Assistant General Manager, Best Western Heritage Inn, Great Falls, said the total impact to state tourism is \$1.5 billion. She stated that while Montana experienced a 29 percent increase in Canadian tourists, North Dakota experienced a 67 percent increase. Ms. Weeder told the Committee that Great Falls has a seven percent goods service tax for Canadians.

Representative Dave Brown, District 72, told the Committee he is also Chairman of the Gaming Advisory Council who held ll hearings over the past 16 months around Montana. He stated there is near-unanimous support for blackjack, and said he believes it is a limited form of gambling expansion in Montana. Representative Brown advised the Committee he would request that the House Judiciary delete provisions for blackjack in the bill he is carrying, as it could be addressed in SB 208. He commented that 88 percent of the people in Butte support expansion of gambling in the state.

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Mark Staples, attorney representing the Montana Tavern Association, advised the Committee that Senator Nathe requested support and ideas from the Association at its Fall 1990 convention. He commented that there was a rumored split over blackjack, and said the vote at the convention was unanimous for this version of the game. He said the vote took into consideration that 54 percent of Montanans favored the legislation; that the Gambling Control Division would regulate it; that the Department of Justice has reported the tavern owners to be honest; and that the cities and town receive from 10 to 20 percent in general revenue funds from gambling proceeds.

Mr. Staples told the Committee that northeastern counties shrank between 19 and 24 percent during the past decade. He referred to selling land in western Montana as the "last best Montana garage sale", and said eastern Montana does not have trees and water to sell. Mr. Staples stated that 35,000 Montanans signed a petition for blackjack, and that he hoped the debate would focus on the issues and not on propaganda.

Mr. Staples explained that the Tavern Association supported the bill for these reasons, and stressed that SB 208 is not a bar and tavern bill, but rather a citizens' and towns' bill.

Greg Niffan, Missoula, said he is a member of the Montana Licensed Gaming Employees Association. He read from prepared testimony in support of the bill, and told the Committee that he was self-employed in the wood products industry from 1984 to 1989. He said he made a decision to leave that industry and became a part-time poker dealer and part-time student. He explained he is now a full time employee of the gaming industry.

Mr. Niffan stated that Iowa, South Dakota, and Illinois have recently brought gambling into their states. He said the Montana gaming industry has increased each year, and that it makes sense to add blackjack.

Sharon \_\_\_\_\_, Billings Chairman, Citizens for 21 in 91, broke down the number of voters signing the blackjack petition from each committee members' district.

Bert Baudin, Miles City, stated his support of the bill.

### **Opponents'** Testimony:

Marc Racicot, Administrator, Department of Justice, told the Committee he was present at the request of Senators Brown and Crippen. He said he believes that, right now, not everything is known that needs to be known in Montana about gambling and regulatory law enforcement. Mr. Racicot explained there are 1800 different operators involving 5,000 people. He said investigations on these people are still not complete.

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Mr. Racicot advised the Committee there are 11,300 machines in the state and that they are increasing at the rate of 200 per month. He added that there are 700 dealers in the state which need background inspections, and said this work is carried on by only ten people.

Mr. Racicot stated that the \$250 million wagered has to be investigated, and said the concern is to have mechanisms in place in order to be in a proactive and not a reactive situation. He told the Committee he had concerns with consolidation of the industry and the state's ability to absorb it without going to larger facilities and more employees. Mr. Racicot explained he was specifically concerned with larger mergers which would hurt competition as it is now. He said the 1800-2000 new people would require examination time.

Mr. Racicot reported that live card games now don't have the speed of blackjack, and said he did not believe tourism would be well-served by this legislation. He stated that only 3 percent of Canadians visit gambling tables on their first visit and about 12 percent do so on return trips.

Mr. Racicot stated that North Dakota does not have as many forms of gaming as Montana does, and most of those can only be done in charitable situations. He said jobs are estimated at about 200 in the fiscal note, and not at 1700 as stated by proponents.

Mr. Racicot advised the Committee that the substantial differences are that there is no tax, no record of drop, no pooling of tips, and no inspection in SB 208. He commented that machine taxes may go down, and that recent quarterly reports suggest a leveling-off of gaming activity in the state (6-7 percent growth). Mr. Racicot said HB 673 has more control and security, but he did not agree with that bill either.

According to Mr. Racicot, the effective date of July, 1991, cannot be met. He strongly urged that the bill be compared with HB 673, and said he had strong concerns with any legislation relating to expansion of gambling in Montana until the situation with the tribes is fully understood. He told the Committee there is not one compact signed with the tribes at this time.

Mr. Racicot explained that any game authorized in Montana would be authorized on the reservations, but without regulation, unless the tribes agree to the same rules and regulations governing the rest of the state. He said the fact that Montana would have no authority over tribal gaming, caused him to have grave concerns over expansion of gambling in the state. Mr. Racicot added that he was trying to avoid disparate treatment.

Mr. Racicot further explained that the Indian Gaming Regulatory Act also provides the lands subsequently acquired can be the site of gaming activity (if inside or contiguous to a reservation). He told the Committee that designated trust land could be used for gaming sites, and that expansion of gaming would expand the criminal justice system.

Mr. Racicot stated he is not ignorant of the possibility of economic development, and is fully aware of the difficulties facing Montana communities. He said the "allure may be difficult to address", and that he believes "SB 208 is a band-aid solution to a systemic problem". Mr. Racicot commented that he is concerned with reacting to hard times, but feels bound to advise the Committee from a law enforcement point of view. He added that if gambling is expanded in Montana, the Legislature would live to regret its action.

Joe Roberts, representing Don't Gamble with the Future, said he could very much associate with the remarks of Attorney General Racicot. He advised careful consideration of the fiscal note, and said he believes the bill is "sugar-coated revenue with 75 percent going to local governments". Mr. Roberts commented that no funds go to the state for regulation.

Joe Roberts told the Committee he is concerned with the word "limited" in the bill. He said South Dakota had this language, but has not really limited gambling, and commented that local option pitfalls would be worse than a statewide bill. Mr. Roberts said he did not believe that gambling, as a solution, will last long.

Mrs. Lil McBride, Billings Chapter of Don't Gamble with the Future, referred to the problems experienced by New Jersey, and said she believes this is a regressive tax supported by the people who can afford it least. Mrs. McBride read from prepared testimony in opposition to the bill, and said it will only help casino owners get richer.

Mr. Doug McBride, Billings, said he was asked to represent the Yellowstone County Commissioners and Sheriff. He read a letter from the Commissioners and the Sheriff to the Billings Gazette in opposition to blackjack.

Jim Jensen, Executive Director, Montana Environmental Information Center, read from prepared testimony in opposition to the bill (Exhibit # 20). He also provided committee members with a cassette tape containing information on related problems experienced by other states. Mr. Jensen said the pro-gambling people are right in some ways (gambling helps tourism and creates jobs), but asked if these are the types of jobs to bring to the children of Montana. He told the Committee he believes gamblers will bring their vices and addictions to the state, and said blackjack is a quick fix like heroin or cocaine.

Mr. Jensen stated he believes passage of the bill would mean government-sanctioned racketeering. He said the proponents are driven by desperation, envy, and greed, which are not the ingredients of a wise future. Mr. Jensen told the Committee that future generations would bless them for their wisdom in not passing the bill.

Art Cussman, Helena Senior Citizen, told the Committee he believes there is overwhelming opposition among senior citizens of the state to the expansion of gambling. He added that the Council on Aging is also in opposition to the bill.

John Kestell, counselor and psychologist in the Kalispell area, told the Committee that he has been treating victims of gambling for the past six years. He stated he does not believe there is a way to adequately deal with gambling as it now stands, and said gambling now appears to be very closely aligned with alcohol and drug addiction. Mr. Kestell advised the Committee that maybe 1 policy in 50 covers treatment for gambling addiction, and that many gamblers contemplate suicide. He showed the Committee a copy of the Journal of Gambling Studies which states that three percent of the population are compulsive gamblers. Mr. Kestell commented that, "millions of dollars and lost productivity are attributed to gambling, and there are no provisions for casualties of this situation".

Harold Hanzer, former Yellowstone County Attorney, advised the Committee it is not true that SB 208 is environmentally clean legislation. He said the moral environment is also part of the quality of life, and that he believes gambling is disastrous to that quality of life.

Mr. Hanzer told the Committee that, at one point, Nevada lost the state to organized crime. He said he has spent 20 years working with victims, and asked "who puts back the damage". Mr. Hanzer asked the Committee to look at the historical perspective. He said early cities and towns licensed gambling and brothels for revenue, and then changes in expectations of the quality of life caused Montana to make gambling and prostitution illegal. He asked the Committee to use vision in determining the future quality of life in the state.

Harley Warner, Montana Association of Churches, read from a prepared statement in opposition to SB 208 (Exhibit # 3). He said that although the population of Montana is 820,000 and that of Nevada is 1,120,000, Nevada spends \$66 million to regulate gambling or three times more than Montana.

Mrs. J. Anne Roberts, Don't Gamble with the Future, told the Committee she is also from eastern Montana and that she owns a home there which she just rented out for utilities only. She alluded to the "seductive economic fantasy" of SB 208, and asked the Committee to listen to the experiences of South Dakota.

Mrs. Roberts advised the Committee that Canadians come to shop and have very little interest in gambling. She said <u>Forbes</u> <u>Magazine</u> reported that addictive lifestyles are no longer socially acceptable.

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Patrick Melby, representing Rimrock Foundation, Billings, read testimony of Mona L. Sumner in opposition to the bill (Exhibit # ). Mr. Melby stated that 30 percent of prisoners in New Jersey and 50 percent in Nevada are there for gambling-related activity.

Shelly Lane, Administrative Services Director, City of Helena, said local governments are too reliant upon gambling revenues (9 percent for Helena this year).

Donald \_\_\_\_\_, Don K Chevrolet, Whitefish, said his business suffered severely from embezzlement of an employee with a gambling problem. He asked the Committee to vote no on SB 208.

Valerie Churmage, Whitefish, told the Committee she is a former card dealer, and that after some time she discovered that there are regular gamblers. She said she saw the direct impact to families, and now operates a day care facility where five or six single mothers are employed by the gaming industry. Ms. Churmage stated that these mothers work all night, sleep during the day, and provide a poor quality of life for their children.

Marion Dozier, Billings City Council, stated the Council's opposition to SB 208.

JoAnn Chambers, Council of Ministries, St. Paul United Methodist Church, read from prepared testimony in opposition to SB 208 (Exhibit #4).

Laurie , Helena business owner, stated her opposition to SB 208.

Dave Hagstrom, Billings, stated his opposition to the bill.

George Harper, Helena citizen, read from a prepared statement in opposition to the bill (Exhibit # ).

#### Questions From Committee Members:

Senator Svrcek asked Bill Hixson how small communities in North Dakota that are the size of Plentywood compare with larger cities such as Williston. He asked if Canadians stopped in the smaller towns or mostly went to Williston and other large communities. Mr. Hixson replied Canadians mainly go to the larger towns.

Senator Towe asked Reverend George Harper if he could provide more background on his testimony. Reverend Harper, in reply, asked where the line is drawn. He said he believes the people are saying "we want it all, not just a little bit more".

Senator Mazurek asked Bill Hixson about table fees, plus a percentage of the take. Mr. Hixson replied that South Dakota has

table fees plus an 8 percent tax. He said North Dakota has no table fee, but has a tax of up to 20 percent.

Senator Rye asked Bill Hixson what motivated him to testify as a proponent of SB 208 in Montana. Mr. Hixson replied he was interested from both an economic and a hobby basis.

Senator Mazurek asked if gambling problems had occurred on reservations in South Dakota. Marc Racicot replied they had, and that other states were encountering similar problems.

Senator Towe asked Senator Nathe why 10 percent of the income from the bill would go to the Advisory Council on Aging. Senator Nathe replied that the bill is viewed as a local revenue producer, and not a state general fund revenue bill. He again stated he disagreed with the fiscal note.

Senator Towe asked Senator Nathe how he would respond to the comment about speeding up the process for people to lose more money more rapidly. Senator Nathe replied that blackjack would be the first card game in the state where players would not be playing against the house.

Senator Towe asked Senator Nathe how he would respond to the statement concerning compulsive gamblers. Senator Nathe replied "any addiction is an external application of an internal anguish".

### Closing by Sponsor:

Senator Nathe provided copies of a revised fiscal note (Exhibit  $\# \zeta$ ). He said he believes the bill is very tightly drawn, and that the fast turnover is due to businesses going broke. Senator Nathe stated he did not believe the Indian people would abuse their own people and lands with gambling. He asked why Walmart was in North Dakota and not in Montana, and requested that the Committee look at the bill and put it into proper perspective.

#### ADJOURNMENT

Adjournment At: 1215 p.m.

Chaixman Senator arv hn. Secr

# ROLL CALL

SENATE JUDICIARY COMMITTEE

51 ad LEGISLATIVE SESSION -- 1999 Date 11 Feb 9/

NAME	PRESENT	ABSENT	EXCUSED
Sen. Pinsoneault			
Sen. Yellowtail			
Sen. Brown	<u> </u>		
Sen. Crippen			
Sen. Doherty	~		
Sen. Grosfield	~		
Sen. Halligan	$\sim$		
Gen. Harp	~		
Sen. Mazurek	. ~		
Sen. Rye			
Sen. Svrcek	$\sim$		
Sen. Towe	$\sim$		
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Each day attach to minutes.

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this <u>11</u> day of <u>Func</u> , 1991.
Name: Alinn Quidnin
Name: <u>Alim Judown</u> Address: <u>Bry 126 plintywood mt. 59254</u>
Telephone Number: 765 2075 or chy 765 170C
Representing whom? — City of Plintymond as manyour
Appearing on which proposal? $58208$
Do you: Support? Amend? Oppose?
Comments: would like to testify

Direction () Eaply

Exhibit / 11 teb 91

58208

FEBRUARY 6, 1991

### SENATE BILL 208

MR. CHAIRMAN AND MEMBERS OF THE SENATE JUDICIARY COMMITTEE, I-WON'T PRESENT A BUNCH OF FACTS AND FIGURES, BECAUSE, IT WOULD ONLY BE REPETITIONS FROM OTHER TESTIMONY. AS MAYOR OF PLENTYWOOD AND A CITIZEN OF MONTANA, I AM VERY CONCERNED AS TO WHAT THE LEGISLATURE DOES. I HAVE NO PERSONAL INTERESTS IN GAMBLING NOR DO I MAKE A PRACTICE OF GAMBLING TO ANY EXTENT. I DO SUPPORT EXTENDING GAMBLING TO INCLUDE THE GAME OF "21", OR THE THE MORE COMMON NAME OF BLACKJACK. I AM CONVINCED THAT "21" WOULD CREATE AT LEAST 3,000 JOBS STATEWIDE. I DON'T KNOW IF WE HAD PASSED BLACKJACK IN 1977, WHETHER OR NOT WE COULD HAVE RETAINED THE TWO CONGRESSMEN FOR OUR STATE. REGWAY, A 24 HOUR PORT OF ENTRY AT THE CANADIAN BORDER, LIES JUST NORTH OF PLENTYWOOD. SINCE NORTH DAKOTA HAS LEGALIZED "21" WE SEE CANADIANS BY THE BUS LOADS GO TO WILLISTON, MINOT AND OTHER TOWNS IN NORTH DAKOTA FOR WEEKENDS OF RECREATION. THEY BY-PASS PLENTYWOOD SO THEY CAN PLAY BLACKJACK IN NORTH DAKOTA .--- NOW THAT NORTH DAKOTA HAS PASSED A SUNDAY OPENING LAW IN THE PRESENT LEGISLATIVE SESSION, THAT WILL DRAW EVEN MORE CANADIANS TO THEIR STATE . I MENTIONED BEFORE THAT WE HAVE A 24 HOUR PORT OF ENTRY AT REGWAY. IT IS NOT IMPROBABLE TO ASSUME THAT WE COULD LOSE THIS PORT TO

NORTH DAKOTA, UNLESS WE CAN INCREASE OR HOLD THE TRAFFIC COUNTS-

GOING THROUGH THE PORT. SASKATCHEWAN HAS NOT BEEN UP-GRADING

HIGHWAY #6, WHICH AT THE BORDER BECOMES MONTANA 16, AS RAPIDLY

2-11-91 58208

THERE IS NO DESIRE TO PLAY KENO IN OUR AREA AS THERE IS IN HELENA

THERE WOULD BE A NEW NUMBER OF TOURISTS THAT LIKE TO PLAY "21" THAT DO NOT PLAY THE OTHER FORMS OF GAMES PLAYED IN MONTANA. NOT ALL THESE TOURISTS WE COULD ATTRACT WOULD COME FROM CANADA.

I CAN SEE NO MORE PROBLEMS IN PLAYING "21" THAN ANY OTHER FORMS OF GAMBLING THAT MONTANA HAS. WHAT IS THE DIFFERENCE, IF YOU PLAY <u>KENO IN THE RESTAURANTS WITH ALCOHOLIC BEVERAGE LICENSES OR CHURCH</u> AND CHARITABLE ORGANIZATIONS PLAYING BINGO? TO PRETEND THAT THERE

IS A DIFFERENCE SEEMS TO BE HYPOCRITICAL.

WE DO NOT NEED ANY FURTHER LAW ENFORCEMENT. WE ALREADY HAVE THE

BORDER PATROL, CUSTOMS, SHERIFFS' DEPARTMENT, HIGHWAY PATROL AND

CITY POLICE DEPARTMENT THAT WORK VERY WELL TOGETHER.

THE MONTANA LEAGUE OF CITIES AND TOWNS, AT THEIR ANNUAL MEETING,

APPROVED THE ENACTMENT OF THE GAME OF "21" BY A VOICE COUNT. IT

WAS DONE IN A SPIRIT OF COOPERATION BETWEEN THE LARGE CITIES AND

THE LAST 12 YEARS HAVE BEEN DISASTROUS TO THIS AREA. WE HAVE LOST ONE OF THREE MOTELS. IF WE LOSE ONE MORE, WE CAN NO LONGER HOST A DISTRICT OR DIVISIONAL BASKETBALL TOURNAMENT FOR THE CLASS C SCHOOLS.

WE DESPERATELY NEED HELP TO BOLSTER OUR ECONOMY AND WHILE "21" IS NOT EVERYTHING IT WILL PROBABLY KEEP OUR MOTELS FULL ON THE WEEKENDS AND ALSO HELP THE RESTAURANTS STAY IN BUSINESS, NOT TO MENTION SOME SPIN OFF EFFECTS ON THE REST OF THE BUSINESSES IN

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	2-11-91
	SB 208
-TOWN	
WE NO LONGER HAVE THE OIL REVENUE TO FALL BACK	CON BUT HAVE TO
RELY ALMOST FULLY ON AN AG ECONOMY THAT IS STR	RUGGLING.
I-FULLY-RECOGNIZE THAT THIS SHOULD BE AN APPRO	PRIATIONS BILL
ORIGINATING IN THE HOUSE OF REPRESENTATIVES.	HOWEVER, THE 60%
RULE TO BLAST A BILL OUT OF COMMITTEE IN THE H	HOUSE, TO ME, IS NOT
A-GOOD DEMOCRATIC GOVERNMENT. THE MAJORITY SH	HOULD-RULE-AND-NOT
BE THE SUBJECT TO THE INDIVIDUAL WHIMS OF ANY	LEGISLATOR.
I WOULD RESPECTFULLY ASK THAT YOU PASS THIS BI	ILL OUT FOR A GOOD
AND FAIR DEBATE ON THE SENATE FLOOR.	·····
IF YOU HAVE RESERVATIONS ABOUT IT, A FIVE YEAR	R SUNSET PROVISION
COULD BE ADDED.	
WE THAT LIVE ALONG THE HIGH LINE AND IN EXTREM	IE EASTERN MONTANA
DO NEED A BOOST FOR OUR ECONOMY, AND TOURISM AT	T THIS MOMENT SEEMS
LIKE OUR ONLY HOPE.	
IN CLOSING, I WOULD LIKE TO ASK HOW MANY OF YO	U-ON-THIS-COMMITTEE
WOULD BE IN FAVOR OF ELIMINATING KENO, BINGO A	AND POKER OF ALL
KINDS?	
the Analam	
Them Jocohan GLENN JACOBSEN	
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Ex. la 5B 208 2-11-91

TESTIMONY OF MARK STAPLES ATTORNEY/LOBBYIST FOR THE MONTANA TAVERN ASSOCIATION IN FAVOR OF PASSAGE OF SENATE BILL 208 INTRODUCED BY SENATOR DENNIS NATHE BEFORE THE SENATE JUDICIARY COMMITTEE FEBRUARY 11, 1991

CHAIRMAN PINSONEAULT, MEMBERS OF THE COMMITTEE AND SENATOR NATHE:

MY NAME IS MARK STAPLES. I REPRESENT THE MONTANA TAVERN ASSOCIATION. AT OUR CONVENTION IN THE FALL OF 1990, SENATOR NATHE AND MANY OF THE PROPONENTS YOU HAVE HEARD PREVIOUSLY CAME TO US AND ASKED FOR OUR SUPPORT FOR THE NOTION OF "21" WHICH HAS SINCE BECOME THE BILL BEFORE YOU. THEY ASKED FOR OUR PARTICIPATION. THEY ASKED FOR OUR IDEAS AND OUR HELP ON BEHALF OF THEIR COMMUNITIES.

IT HAS BEEN RUMORED IN THIS LEGISLATURE THAT THE MONTANA TAVERN ASSOCIATION IS SPLIT HALF-AND-HALF ON THE ISSUE OF "21". WHILE IT IS TRUE THAT THERE WERE A FEW MEMBERS AT OUR CONVENTION WHO WERE AND STILL ARE LESS THAN ENTHUSIASTIC ABOUT "21", WHEN THE DISCUSSIONS WERE OVER AND THE DEBATE WAS FINISHED, THE VOTE WAS UNANIMOUS TO SUPPORT THE VERSION OF "21" THAT WOULD BE PRESENTED BY SENATOR NATHE AND HIS CITIZENS GROUP. I WOULD LIKE TO READ INTO THE RECORD THE REASONS WE SUPPORT "21" IN THE HOPE THAT YOU MIGHT CONSIDER THEM WHEN THE TIME COMES FOR YOUR OWN DELIBERATIONS.

WE SUPPORT IT BECAUSE THE LAST STATE-WIDE POLL TAKEN ALMOST CONCURRENTLY WITH OUR CONVENTION SHOWED THAT MONTANANS FAVORED LEGALIZING THE GAME 51% TO 47%.

# Exhibit #19 2/11/91 SB 208

WE SUPPORT IT BECAUSE WE WORKED FOR TWO YEARS WITH THE GAMING ADVISORY COUNCIL IN THIS STATE, WHOSE MEMBERS WERE PICKED BY THE ATTORNEY GENERAL FROM BACKGROUNDS IN EDUCATION, GOVERNMENT, LAW ENFORCEMENT, AND GAMING, AND AFTER THOROUGH EXAMINATION AND EXTENSIVE DEBATE AND A RELENTLESS PURSUIT OF THE FACTS, THE GAMING ADVISORY COUNCIL RECOMMENDED THAT IT BE LEGALIZED.

WE SUPPORT "21" BECAUSE THE JUSTICE DEPARTMENT TO OUR CONSIDERABLE PRIDE HAS REPEATEDLY PUBLICLY STATED THAT OUR MEMBERS ARE HONEST, COMPLIANT WITH THE LAW AND HAVE HAD VIRTUALLY NO VIOLATIONS WITH REGARD TO THE GAMING THAT THEY HAVE.

WE SUPPORT IT BECAUSE AT THEIR CONVENTION WHICH PRECEDED OURS, THE MONTANA LEAGUE OF CITIES AND TOWNS RESOLVED TO SUPPORT THE LEGALIZATION OF THE GAME.

WE SUPPORT IT BECAUSE THE ANNUAL REPORT OF THE DEPARTMENT OF JUSTICE, GAMBLING CONTROL DIVISION AND THE REPORT OF THE 1989 TO 1990 GAMING ADVISORY COUNCIL SHOW THAT THE DISTRIBUTION OF GAMBLING REVENUES TO THOSE CITIES AND TOWNS COMPRISES ANYWHERE FROM 10% TO 20% OF THEIR TOTAL GENERAL FUND REVENUES. THIS IS IN AN ERA WHERE THE LOSS OF REVENUE SHARING AND I-105 HAVE CRIPPLED OUR COMMUNITIES' ABILITIES TO PROVIDE SERVICES AS YOU HAVE REPEATEDLY HEARD BY THOSE WHO SEEK LOCAL TAXING AUTHORITY. WE SUPPORT "21" BECAUSE THERE ARE FEOPLE IN THESE COMMUNITIES, PARTICULARLY IN EASTERN MONTANA, WHO HAVE ASKED US TO.

WE SUPPORT IT BECAUSE OF THE RESULTS OF THE LATEST CENSUS, WHICH SHOW THAT NINE OF THE TEN FASTEST GROWING COUNTIES IN MONTANA WERE IN WESTERN OR SOUTHWESTERN MONTANA. WHILE THE TENTH ONE WAS

Exhibit # 19 2/11/91 50208

GLACIER COUNTY, WHICH JUST HAPPENS TO BE ON THE OTHER EDGE OF GLACIER PARK. WE SUPPORT "21" BECAUSE WE WERE SPECIFICALLY ASKED TO BY PEOPLE IN PRAIRIE COUNTY, WHICH SHRANK BY 24.7%; FOLLOWED BY PETROLEUM COUNTY, WHICH LOST 20.8%; DANIELS, WHICH LOST 20.1%; VALLEY - 19.6%; DAWSON - 19.5%; AND WIBAUX - 19.3%. WE SUPPORT "21" BECAUSE THE COMMUNITIES OF TERRY, WINNETT, PLENTYWOOD, GLASGOW, SIDNEY, MILES CITY, GLENDIVE, WIBAUX, HYSHAM, ARE DRYING UP AND BLOWING AWAY, AND NO RESORT TAX DESIGNATION WILL SAVE THEM, NOR WILL A LOCAL OPTION TAX SAVE THEM, IF THEY ARE NOT ALLOWED TO DETERMINE FOR THEMSELVES WHAT THEY NEED TO ATTRACT TOURISTS. WE SUPPORT "21" BECAUSE WE THINK IT'S UNFAIR FOR PEOPLE WHO LIVE IN NORTHWESTERN MONTANA, WITH ALL ITS NATURAL BEAUTY AND BUILT-IN ATTRACTIONS, UNIVERSITIES, LAKES, RIVERS, MOUNTAINS, SKI AREAS, AND WELL-WATERED GOLF COURSES, TO TELL EASTERN MONTANA WHAT THEY CAN AND CAN'T HAVE. WE THINK IT'S UNFAIR FOR THOSE PEOPLE IN KALISPELL, WHO MAY FEEL THAT THEY HAVE TOO MANY BRIGHT LIGHTS, TO TELL THE PEOPLE IN PLENTYWOOD THAT THEY CAN'T HAVE ANY.

WE THINK IT'S UNFAIR TO SAY THAT AN EXTREMELY LIMITED AND CONTROLLED CARD GAME RUNS AGAINST THE GRAIN OF MONTANA AS "THE LAST BEST PLACE" WHEN MONTANA HAD GAMBLING IN ITS SALOONS AND ITS FRONTIER TOWNS SINCE PONY EXPRESS DAYS, WHILE THE SAME PEOPLE THINK ITS JUST FINE TO SELL OFF FLATHEAD AND WHITEFISH LAKES AT A QUARTER MILLION DOLLARS PER 100 FRONT FEET AND SELL HUNDREDS OF THOUSANDS OF ACRES OF RANCH LAND FOR MILLIONS OF DOLLARS ONLY, AS TAYLOR BROWN OF THE NORTHERN AG NETWORK SAYS, TO HAVE THAT LAND TAKEN OUT OF PRODUCTION, TURNED INTO PRESERVES, REDUCING THE TAX BASES,

DEPOPULATING OUR CITIES AND PUTTING THEM INTO A CONSERVANCY FOR A HUNDRED YEARS FOR A TAX BREAK, SO THAT AN OFFICIAL FOR OUR OWN DEPARTMENT OF FISH, WILDLIFE AND PARKS HAS CALLED IT WHAT IT SHOULD BE CALLED, "THE LAST BEST GARAGE SALE". IT'S FINE TO SELL MONTANA PIECE MEAL TO OUT-OF-STATERS, BUT GOD FORBID THEY BE ASKED TO PROVIDE JOBS OR HELP THE TAX BASE.

WE SUPPORT "21" BECAUSE WE PERSONALLY TOURED WASHINGTON, CANADA, NORTH DAKOTA, TO SEE FOR OURSELVES IF IT WAS MANAGEABLE, IF THE POSITIVES OUTWEIGHED THE NEGATIVES, IF IT WAS CONTROLLABLE, AND IF IT WOULD INDEED BRING TOURISM AND JOBS. AND WE FOUND TO OUR SATISFACTION THAT IF KEPT AT THE PROPER LEVEL, IT COULD INDEED, AND DOES, ACCOMPLISH THOSE THINGS.

WE SUPPORT "21" BECAUSE WE BELIEVE MOST PEOPLE NOT ONLY CAN'T FATHOM THE GAME OF POKER, BUT FIND IT INTIMIDATING EVEN IF THEY COULD.

WE SUPPORT "21" BECAUSE 35,000 MONTANANS ASKED US TO. I WANT TO MAKE IT VERY CLEAR THAT WE, THE MONTANA TAVERN ASSOCIATION, DID NOT GO OUT AND ASK FOR THESE PEOPLE TO SUPPORT US. WE DID NOT APPROACH SENATOR NATHE, MR. FRENCH, MR. BOUTEN, THE CITIZEN'S COALITION AND ASK THEM TO SUPPORT "21". THEY ASKED US. WE HOPE WHEN THIS LEGISLATURE DELIBERATES ABOUT THIS GAME, THEY KEEP IN MIND WHO IT IS WHO HAS TESTIFIED; WHO IT IS WHO FEELS THEY NEED HELP AND THAT THIS MIGHT BRING IT TO THEM. WE HOPE THE DEBATE FOCUSES ON THE ISSUES RATHER THAN PROPAGANDA. WILL IT OR WILL IT NOT BRING TOURISTS TO MONTANA? WILL IT OR WILL IT NOT BRING JOBS TO MONTANA? WILL IT OR WILL IT NOT HELP OUR COMMUNITIES TO SURVIVE

UNTIL THIS STATE STARTS TO GET BACK ON ITS FEET? WILL A \$10 GAME BRING RAMPANT CRIME AND SOCIAL DETERIORATIONS? WILL WE OR WILL WE NOT SIT BACK AND IDLY WATCH EASTERN MONTANA BECOME A "BIG-OPEN".

WHEN YOU DELIBERATE, THE MONTANA TAVERN ASSOCIATION HOPES YOU TAKE AS YOUR REFERENCE POINTS NORTH DAKOTA, OUR NEIGHBORS, NOT NEVADA, NOT NEW JERSEY, AND NOT DEADWOOD, SOUTH DAKOTA; ALL OF THOSE ARE SUCH EXTREME EXAMPLES COMPARED TO WHAT WE'RE SPEAKING OF AND WHAT SENATOR NATHE IS PROPOSING SO AS NOT TO BE RELEVANT IN ANY FAIR ANALYSIS.

PEOPLE HAVE CONTINUED TO COME UP TO ME IN THE PAST SEVERAL MONTHS ASKING ME AS THE REPRESENTATIVE OF THE MONTANA TAVERN ASSOCIATION HOW OUR "21" BILL IS COMING. MEMBERS OF THE COMMITTEE AND MEMBERS OF THE MONTANA STATE LEGISLATURE IT IS NOT OUR BILL. WE SUPPORT THE BILL FOR THE REASONS I TOLD YOU AND WE BELIEVE IT IS FAIR, BUT IF THIS LEGISLATURE FINDS IN ITS COLLECTIVE WISDOM TO SAY NO TO THIS BILL, IT SHOULD BE CLEAR THAT YOU'RE NOT SAYING NO TO THE BARS AND TAVERNS OF THIS STATE, YOU'RE SAYING NO TO THE CITIZENS OF PLENTYWOOD. YOU'RE SAYING NO TO THE LEAGUE OF CITIES AND TOWNS. YOU'RE SAYING NO TO THE ATTORNEY GENERAL APPOINTED MONTANA GAMING ADVISORY COUNCIL. YOU'RE SAYING NO TO THE 35,000 PEOPLE WHO SIGNED THESE PETITIONS, AND YOU'RE SAYING NO TO THE MAJORITY OF MONTANANS WHO IN THE LAST POLL ASKED YOU TO ALLOW THEM TO PLAY THIS GAME.

Ex.2 2-11-91 5B208

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 14L day of February, 1991.
Name: LOREN J. O'Toole IF
Address: 209 N. MAIN
Plentywood, MT. 59254
Telephone Number: 406 - 765 1630
Representing whom?
MYSELF - SHERHDAN DEVENDPMENT CORPORATION
Appearing on which proposal?
Senate Bill 208
Do you: Support? X Amend? Oppose?
Comments:

Ì in 1989 by some 114,000 tourists. :hibit # み 11/91 SB 208 Of course, we must ask ourselves Why? Let's face it Concidions are not opting North Dakota Over Montana become of its sconic boardy. I must admits that North Datota Jors offen Gigger rétail shopping outlets than Planfusal bes but not better than - HAURE; GradFalls Kallopelle Billigie, Bocencie, Missoulies Helevine Britte. Its even more \$5 difficult to suggest that shopping to the prima drow to North Datolo since they have i'll Salustof as well as having ban cloud and sy on Sundays. And it Shopping, the answer to their increase,

(-)I trady believe that North Dakota's secret weapon is the one draving SB 208 card Montana does not have. That of course is a form of entertainant called BlackJonk.

JD XUD 2-11-91 Support

To be completed by a person testifying or a person who wants their testimony entered into the record. Dated this // day of  $\neq$ , 1991. rary Name: Micherl  $K \in H$ Δ FS SS Address: (a) la 11/ 05 On N entri wooc Telephone Number: 40 hOperAtor OCar Representing whom? TAPICE ) 2503 Appearing on which proposal? ۱/ ho Amend? Oppose? Do you: Support? Comments: as a tourist too R DUR noor Wide A 1 mitel bille VOL UR may ar Ch nonont ngn JOCC 12 57 INmo TOWIN  $2^{-1}$ OC1  ${\it P}$ here w, l ugamin whinents DUSINOSS m Gan QM the future

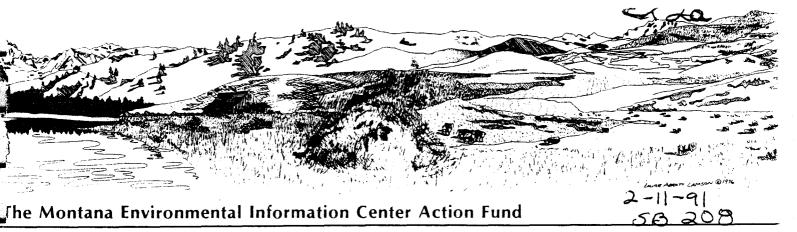
5B 208 Sugport

2-11-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this $\frac{1}{2}$ day of $\frac{72B}{72B}$ , 1991.
Name: HArold Bittuer
Address: 2812 BANCIOT
MISSON/A, MONT
Telephone Number: 728. 8110
Representing whom? <i>IPPEKS Inc</i>
Appearing on which proposal?
Do you: Support? Amend? Oppose?
Comments:

20 258 support 2-N-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this // day of / 1991.
Dated this 1/ day of <u>relay</u> , 1991. Name: JERRY Belsle
Address: 2157 Frank Hune
Address. J. D. D. Fund it Com
Telephone Number: 652-553
Representing whom?
12312 Muger Cosino
Appearing on which proposal?
Do you: Support? Amend? Oppose?
Comments:
219~91



• P.O. Box 1184, Helena, Montana 59624

(406)443-2520

Testimony of James D. Jensen, Executive Director Senate Judiciary Committee February 11, 1990

# MEIC Opposes SB 208

More water and air pollution, more crime, more traffic, a large and highly transient population working for minimal wages, crowded schools and more seasonal unemployment. Sound like a place you want to live? That is what Montanans will get if Senate Bill 208 passes.

I recently spent a few days at Lake Tahoe in Nevada/California and was struck by the profound environmental harm and social impacts caused by the phenomenal amount of development there. It is especially apparent on the Nevada side where gambling in all its forms flourishes. Everywhere there is a house, cabin, or, in many cases, a shack. The decline in quality of the water of this extraordinary lake due to massive development activities is well documented.

This ugly situation made me thing about Flathead, Whitefish and our many other beautiful lakes and rivers and the gambling industry's initiative to legalize blackjack (21) in Montana. Blackjack will be the game that finally brings real casinos to us. Next it will be roulette, then Nevada will have injected itself directly into Montana's bloodstream. Big hotels with acres of parking lots and huge rooms filled with gaming tables on every lake shore and riverfront.

This bill is being brought forth as a panacea for economic doldrums in northeast Montana. But, the influence of gambling investment would be most profound around the most beautiful places in Montana. We already see the activities of organized crime in north western Montana. Is this what we Montanans want? The impacts will be more than environmental, they will nick us in the pocketbook, too. Everything, including skiing would be more expensive than it is now. In Lake Tahoe there is no place for family skiing, except for those who can pay \$50 or more per lift ticket.

Montana's communities have no ability to manage such growth. Our subdivision, zoning and planning laws are woefully inadequate. They are easily evaded and even when applied, they really have no teeth. Before we go willy-nilly into the economy of gambling, Montana must have strong laws and regulations to manage such growth and the pressures it will apply to our basic resources of air, water and land. If the Montana Legislature would pass such authority, then the gaming industry might be an acceptable risk. But, planning and zoning remain anathema to this body. I see little inclination for change.

Montana must follow Nevada and California's example and create strong agencies to control and manage growth in fragile areas before any casino gambling is legalized. The Lake Tahoe Basin's land use is regulated by one of the most powerful planning agencies in the nation,

### Page 2, SB 208 testimony

the Tahoe Regional Planning Agency (TRPA). TRPA has authority over the construction of **everything** but highways in the entire Tahoe Basin. Its authority over private, local, state and federal lands and all development on them came about to a large degree because of the severe diminishment of the water quality in Lake Tahoe. Every building is hooked on to the sewer. No drain fields are allowed. All sewage is treated by tertiary treatment plants and pumped out of the basin into other receiving waters. This means that the impacts of gambling are exported to other rivers. These impacts of the massive development inevitable with casino gambling cannot be localized, they will affect us all in one way or another.

The gambling resort industry is very labor intensive. Waiters, cooks, housekeepers, dealers. All of these kinds of jobs are low or moderate paying. That means that service employees will have to either live many miles away and commute to work, creating severe traffic congestion and increased air pollution or; they will have to find low cost housing in the area. Low to moderate income housing is not readily available in most Montana communities and it is a certainty, based on experience here and elsewhere, that when the resort industry creates this need, it does nothing to provide decent employee housing. (Big Sky Ski Resort is a good example.) Thus it seems inevitable that air pollution will increase.

Without good, strong and enforceable growth management tools, MEIC opposes SB 208. Flathead Lake is already in precarious condition. Millions of dollars have been spent in efforts to preserve its natural purity. If the big time gamblers have their way, we can kiss all that work and Flathead Lake good bye. And our quality of life with it.

Feb 11 91 5B 203

MONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

PHONE: (406) 442-5761

Exhibit #3

Date Submitted: Bill Number: Submitted by:

Montana

WORKING TOGETHER: American Baptist Churches

of the Northwest

T

Christian Churches

of Montana (Disciples of Christ)

Т

**Episcopal Church** 

**Diocese of Montana** 

1

**Evangelical Lutheran** 

Church in America

Montana Synod

Т

Presbyterian Church (U. S. A.)

Glacier Presbytery

Presbyterian Church (U. S. A.)

Yellowstone Presbytery

I

Roman Catholic Diocese

of Great Falls - Billings

Roman Catholic Diocese of Heiena

T

United Church

of Christ

Mt.-N. Wyo. Cont.

United Methodist Church

Yellowstone Conference

I

÷.

Association of

Churches

February 11, 1991 SB 208 Harley E. Warner

Chair, members of the committee, I am Harley Warner. I am here representing the Montana Association of Churches.

Because of our deep concern for family life and social values, the Montana Association of Churches: opposes any attempt to expand authorized gambling in Montana. This issue is not soely a church issue, as you will see from other testimony today.

In spite of the defeat of initiatives supporting expanded gambling, the Montana Legislature has continued to expand authorized gambling in Montana.

We are concerned about the expansion of gambling in Montana because of its social cost. The Legislature has the responsibility to look not only at the immediate financial benefits, but the social costs of The State has gambling as well. the obligation to consider the results of its policies, determine the social costs, hold them up to public scrutiny and take actions to prevent or mitigate the effects of those policies.

The human suffering that has resulted from the in gambling Montana is reflected by the increase in establishment of Gamblers Anonymous groups. Montanans have also begun seeking treatment for compulsive gambling in alcohol and drug dependency programs.

We are convinced that commercial gambling poses a serious threat to any social order. Non-productive in nature, gambling provides no essential services to a community. It undermines our economic and social order, places an added strain on the family structure potentially corrupts government at all levels, and sets up many related crime and law enforcement problems.

The populations of Montana and Nevada were similar - - Montana's around 820,000 and Nevada's 1988 in 1,100,000. Our corrections system spent less than \$22,000,000 in 1988 while Nevada had budgeted numbers indicate \$66,000,000. These to me that population is only about %20 greater than Nevada's but they must spend 3 times as Montana, much on corrections as we do. I believe gambling contributes greatly to this disparity.

The Montana Association of Churches therefore opposes the adoption of Senate Bill 208.

# Exhibit # <sup>4</sup>/ 2/11/91 SB 208

# WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 11 day of Fabrary, 1991.
Name: Jo Ann Chambers
Address: 1411 Other Load
Telephone Number: <u>443-3740</u>
Representing whom?
St Paul's United Methodist Church
Appearing on which proposal?
208
Do you: Support? Amend? Oppose?_/
Comments: Attached

## Testimony before hearing on gambling

2/11/91

My name is JoAnn Chambers. I am the chairperson of the Council on Ministries at St. Paul's United Methodist Church in Helena. I am here on behalf of the Council on Ministries to oppose the expansion of gambling in Montana.

St. Paul's has been opposed to gambling in Montana for many years. Our opposition is consistent with the resolution on gambling of the General Conference of the United Methodist Church. Our "Social Principles" states that "gambling is a menace to society, deadly to the best interests of moral, social, economic, and spiritual life, and destructive of good government.

The resolution of our church also states:

"Gambling, as a means of keeping material gain only by chance and at the neighbor's expense, is a menace to personal character and social morality. Gambling fosters greed and stimulates the fatalistic faith in chance. Organized and commercial gambling is a threat to business, breeds crime and poverty, and is destructive to the interests of good government." "We oppose the growing legalization and state promotion of gambling."

" Dependence on gambling revenue has led many states to exploit the weakness of their own citizens, neglect the development of more equitable forms of taxation, and thereby further erode the citizens' confidence in government."

"GAMBLING", BOOK OF RESOLUTIONS of the United Methodist Church, 1988.

As a representative of St. Paul's Council on Ministries, I come to speak in favor of a way of life that teaches our children to think of their development not as a game of chance but as a gift from God, a gift to be handled with a sense of stewardship. We advocate a life that chooses work, planning and saving as keys to the future, instead of the "something for nothing" mentality which ruins both personal character and social stability. Commercial gambling works against almost everything our church stands for. We are solidly against any increase in the blight of gambling on our life together in Montana.

On behalf of the Council on Ministries at St. Paul's, I ask you to draw the line this year and say "this is enough - NO MORE!" Thank you.

CX 4 SB 208 2-11-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 11th day of february, 1991.
Name: <u>George Harper</u>
Address: 38 Cloverview
Helinz, Mt. 59601
Telephone Number: <u>449-3758</u>
Representing whom?
Self - + United Methodist Church
Appearing on which proposal?
Do you: Support? Amend? Oppose? Comments:
·
·

Does anybody here remember tthis line:

"All we wanty is a little bingo for the old folks in the retirement homes."

58208

That was years ago. And every year since committees like yours have heard: "All we want is a little bit more."

Finally the same people are returning to say what they really have wanted to say all along: "All we want is all of the suckers' money we can get. We can't get it fast enough with poker; give us blackjack so the house can suck up the big money quicker. Give us punch boards and pull tabs so we can sweep up all the smaller change too. We want it all."

In 1973 I said in a hearing like this that the camel's nose was coming under the tent, and if it does the camel will move in behind it. Now the camel is inside standing on the dining room table with a big foot in our dinner plates. He isn't content to eat the scraps from the community's economic table; he wants the big share of the meal and hopes legitimate business will be happy to thank him for leaving the left overs.

Now, almost 20 years later I, and most other Montana citizens would like to know where you elected officials plan to draw the line.

A House full of "representatives" always faces the question: "Who shall we represent?" I would like to urge you again to consider representing the people of the state, the people who said in an almost two-to-one vote the last time the question was put to them that they do not want blackjack, punch boards and pull tabs.

They also said when they voted down Initiative 92 that they did not want electronic or mechanical gambling machines, nor the creation of a State Gaming Commission. They didn't want their State to be in the gambling business.

Ignoring that vote, you in the Legislature allowed machines, expanded other authorized gambling, and put the state into the business of carrying on and promoting gambling with the numbers game called a Lottery. Now we say the expansion has gone too far. The line must be drawn right here and now in this session of the Legislature. At least we can lock the barn doors before all the horses are gone.

Montana was doing fine as Montana. I notice that the Governor's office and other state agencies which promote tourism in Montana talk about the land and the people, the pure family fun and experience which awaits our guests. Nowhere does our literature brag that we are a northern Nevada waiting to take your money inside an alcohol and smoke filled room just like your can find in other states nearer homme.

You not only have to represent the people of the state; you are being called on today to decide what kind of state you want to represent and live in with your families. To be in favor of more legalized gambling is to ignore history. Laws which draw the line against expanded gambling are not born of prejudice but are the direct result of experience.

May the Legislature agree with the people and say in this session: we have finally learned as mature adult citizens to just say "No" to this terrible addiction .

George Harper, 38 Cloverview, Helena

2-1191 OFFICE OF THE GOVERNOR BUDGET AND PROGRAM PLANNING STAN STEPHENS, GOVERNOR STATE CAPITOL (406) 444-3616 HELENA, MONTANA 59620

CX 6 SB ZA

February 11, 1991

Senator Dennis G. Nathe Senate Assembly State Capitol

Dear Senator Nathe:

In accordance with your request, I have calculated the fiscal impact of SB0208 with the following assumptions:

- 1. The average number of "21" tables per operator will vary with the size of the establishment such that 92 operators will have an average of 4 tables, 48 operators will have an average of 2.5 tables, 134 operators will have an average of 1.5 tables, 423 operators will have an average of 1 table, and 970 operators will average 0.5 tables. The total number of licensed tables would be 1597. Total estimated permit revenue per year would be \$2,415,500.
- 2. There will be 2,190 new dealers licensed to deal "21". The annual license fees will be \$75 per dealer in FY92 and \$25 per dealer in FY93. Total dealer license revenue will be \$164,250 in FY92 and \$54,750 in FY93.
- 3. The Gambling Control Division will require an increase of 10.00 FTE for investigative staff and support staff for regulatory purposes. Operating expenses are calculated at 30% of personal services in FY92 and 25% in FY93.
- 4. Current law is represented by the executive budget base recommendation.

FY92:	<u>Current Law</u>	Proposed Law	Difference
<u>Expenditures:</u>			
FTE	31.00	41.00	10.00
Personal Services	961,475	1,268,975	307,500
Operating	398,343	490,593	92,250
Equipment	91,022	278,022	187,000
Transfers/Tourism	0	302,438	302,438
Transfers/Aging	0	201,625	201,625
Local Assistance	0	<u>1,512,188</u>	<u>1,512,188</u>
Total	1,450,840	4,053,841	2,603,001
Revenues:		•	
Table Fees	0	2,415,500	2,415,500
Dealer License Fees	0	164,250	164,250
Total	0	2,579,750	2,579,750

<sup>5</sup>2 X. 6 5B 208 2-11-91

FY93: Expenditures:			
FTE	31.00	41.00	10.00
Personal Services	961,475	1,268,975	307,500
Operating	398,343	475,218	76,875
Equipment	91,022	91,022	. 0
Transfers/Tourism	0	302,438	302,438
Transfers/Aging	0	201,625	201,625
Local Assistance	0	1,512,188	1,512,188
Total	1,450,840	3,851,466	2,400,626
Revenues:			
Table Fees	0	2,415,500	2,415,500
Dealer License Fees	0	164,250	164,250
Total	0	2,579,750	2,579,750
			· · · ·

Sincerely,

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Rod Sundsted, Director

Ex. 6a SB 208 2/11/9/

02/11/91 Senate Bill 208 Submitted by Bob Robinson, Administrator Gambling Control Division

The following list identifies problems and areas of concern of the Gambling Control Division in the application of SB 208.

<u>Section 2</u> - For the Department to distribute license fee proceeds to local government entities, a statutory appropriation is necessary.

<u>Section 5 and Section 6</u> - A conflict exists between the exemption provision of Subsection 3, Section 6 and Section 5. Section 6 exempts "21" from all other regulations applied to card games yet the dealer requirements set in Section 5 would apply.

<u>Statement of Intent</u> - More direction in the statement of intent is essential for the Department to know the intent of the legislature with respect to rules governing the play of "21".

<u>Budget</u> - During the summer of 1990 division personnel travelled to North Dakota and Nevada to research the game of 21, security requirements and regulatory needs.

The staffing and budget required by the fiscal note resulted from that research and was reported to and reviewed by the Gaming Advisory Council in September. The fee allocation for regulation in SB 208 is inadequate by at least \$700,000.

Ex. 7 SB 208 2-11-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this $\frac{1}{B_{1L2}}$ day of $\frac{-12B}{-12B}$ , 1991. Name: $\frac{B_{1L2}}{B_{1L2}}$
Name: BILZ AIXSON
Address: <u>422 É. Main</u> <u>Bismarck, ND 5850/</u> Telephone Number: <u>701-255-7917</u>
BISMARCK, ND 58501
Telephone Number: 701-255-7917
Representing whom?
Appearing on which proposal? $208$
208       Do you: Support?     X       Amend?     Oppose?
Comments:
Sel attached

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

Testimony prepared for the Montana Legislature in support of a bill allowing the game of Blackjack in Montana.

Bill Hixson 422 E. Main Bismarck, ND 58501

Chairman of North Dakota Attorney General's Gaming Advisory Board since the formation of the board in 1985. The board's responsibility has been to write the administrative rules regulating gaming in North Dakota subject to final approval by the Attorney General.

Vice President and Gaming Board Chairman for the Fort Abraham Lincoln Foundation. Started the gaming operation of the Foundation in 1981 and oversaw it's growth to the fifth largest charitable gaming organization in North Dakota before resigning in 1988.

President of Dakota Table Games Inc. This company contracted with gambling halls in Deadwood SD to operate the blackjack games in the casinos and to split profits with the Licensee. We began operations when gambling opened in November 1989 and at our peak were the largest blackjack operator in Deadwood with 18 tables in 9 gambling halls and employed over 80 dealers. We discontinued our operations in December of last year due to poor business which was caused by the uncontrolled expansion of gaming sites.

I have been asked to address this committee on several aspects of the game of blackjack as seen from the perspective of my experience both from the operations and the regulatory side of the business. I would also be happy to answer any questions you may have about the game as it exists in Deadwood or in North Dakota. If legalized in Montana, I would envision it developing much as it did in North Dakota and feel that this would be much more desirable than the uncontrolled growth that occurred in Deadwood.

#### REGULATION AND ENFORCEMENT

There are currently approximately 800 blackjack tables in operation in North Dakota. According to the North Dakota Attorney Gemeral's office, the game of blackjack has been by far the easiest game to regulate and has caused far fewer problems than either pulltabs or bingo, the other two large sources of gaming revenue in the state. A very comprehensive set of rules and operating procedures has been a key to the lack of significant problems with this game. Prior to a major revision of the blackjack rules in 1985, the Attorney General's office received over 20 calls per week relating to problems or complaints about blackjack. In the past year, they have not received one of these calls.

Regulation of the blackjack portion of the states gaming business requires from three to five of the gaming divisions audit staff, depending on the time of year. Three additional enforcement personnel devote most of their time to blackjack related enforcement such as on site observation, and cheating or skimming investigations. In addition, \$680,000 per year of the money collected in gaming taxes is appropriated to local law enforcement agencies for purposes of gaming enforcement. This money generally finds it's way into a department's general operating budget so the actual amount of this money actually spent on gaming enforcement is difficult to determine.

The problems that we have had in North Dakota with the game of blackjack have not been the type of problems that were predicted by opponents to gaming. I can remember being warned that prostitution and organized crime would not be far behind the legalization of blackjack. In fact the problems that we have in the business of blackjack are not much different than you would expect in any business where cash was involved.

The three most common problems with the game of blackjack in North Dakota have been as follows:

1. Skimming by one member count teams. A club manager for example takes the drop box in his office and counts the money by himself. This problem can be greatly reduced by requiring the use of triple locking drop boxes so that at least two people must be present in order to open the box.

2. Dealer stealing chips and claiming them as tips. This is a common problem, especially in a low volume site that can't afford to staff a pit boss or multiple dealers. Tip pooling among dealers may be a partial solution to this problem. This would dilute the effects of an employee's theft.

3. Cheating at a table involving collusion between a dealer and a player where a dealer may intentionally pay losers or in some other way cheat with a partner. Again the biggest exposure to this problem occurs in low volume sites that can't afford adequate supervision.

While I want you to understand the nature of problems to expect should you legalize this game, I again want to emphasize that the occurrence of these problems is not frequent and the game in general poses no serious enforcement problems to the Attorney General's office in North Dakota. Most problems are the result of poor management by some of the small charities who do not operate the game as a business.

#### ADVANTAGES TO BLACKJACK IN MONTANA

I believe that the potential advantages of having legalized blackjack in Montana far outweigh the minor problems that this new industry would bring with it. The state already has significant gambling in your video casinos. Blackjack would add a new dimension as well as increased profitability to these operations.

The jobs that would be created by this new industry would add significantly to the economy of your state. In North Dakota, the game of blackjack employs over 1,700 dealers and pit bosses. In addition, many jobs in the accounting, hospitality and tourism industries are necessary because of the gaming industry. While the wages earned by a dealer appear to be relatively low, usually in the \$4.50 to \$5.00 range, the total income of a blackjack dealer is significantly better than that. In North Dakota, an average dealer can expect to make an additional \$10 per hour in tips and during the busy seasons in Deadwood, our dealers were making \$15 to \$20 per hour in tips.

Tourism development offers the most significant potential benefit to your state from the addition of blackjack to your other existing forms of gaming. Blackjack is by far, the most popular form of live gambling and it's addition to your video games and poker would give you a unique compliment of gaming to offer tourists statewide. Montana is already blessed with many majestic tourist attractions and the addition of a well rounded selection of gaming opportunities to your state's tourism menu would no doubt draw many additional visitors.

Thank you for your attention. I don't want to take more of your time repeating things you have already heard. I would be happy to answer any questions about blackjack in general or specific questions about blackjack in North Dakota or in Deadwood.

#### Exhibit # <sup>8</sup> 2/11/91 SB 208

		WITNE	SS STATE	MENT				
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PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Form CS-34A Rev. 1985

#### Exhibit #8 2/11/91 SB 208

Legalizing blackjack brings a new industry into our state, creates new jobs and provides new revenue for much needed causes, while taking some of the tax burden from the backs of our citizens. Economic development efforts throughout the state are looking desperately for new avenues to keep our communities alive. I feel very deeply that blackjack will be a positive step in aleviating some of our financial distress.

To those who oppose blackjack, or in fact, any form of gambling, I say THEY MUST NOT BE FARMERS OF RANCHERS----THEY MUST NOT BE LOGGERS----THEY MUST NOT BE TRUCKERS---THEY MUST NOT BE THE SMALL, INDEPENDENT BUSINESSMAN-----as nearly all of life is a gamble, and in our struggle to make a living, the stakes are getting higher and higher in Montana.

Tourism has jumped to Montana's 3rd largest industry, and we must do eventhing possible to develop it to its fullest. Let's face it, legalizing blackjack will be one more attraction for tourists to our state. North Dakota has already discovered this lucrative secret.

We have several types of legal gambling in place in Montana at present. The so-called social ills created by adding blackjack to the list is an issue, I find very difficult to understand. In fact, I feel at a loss to discover ANY viable reasons for opposing this bill and MANY for supporting it.

I would like to offer a challenge to this committee and to the 52nd Legislature to find a piece of legislation that could have a more positive economic impact in all localities of our state than Senate Bill would. If you can I will be a vigirous supporter. If you are unable to please support Senate Bill 208.



Change 7 5B 208 2-11-91

Leading Quality Addiction Treatment in the Northern Rockies

#### TESTIMONY IN OPPOSITION TO SB 208 MONA L. SUMNER

You are being asked to believe that expanding gambling by allowing Blackjack and 21, the 'big games', only good things can happen for Montana! Tourists, jobs, and more revenue. What the proponents do not discuss, is the down side of gambling as it exists right now in our state and what will occur with further expansion.

Facts, not rhetoric are in order as you seek to make this crucial decision. And facts we have in abundance, based upon 25 years of national experience with gambling.

The National Congressional Commission on Review of Gambling documents that, as legal forms of gambling increase, two things happen; illegal gambling increases and addiction rates increase.

In Montana, both have happened. Addiction rates have increased from one-half of one percent of patients seeking addiction treatment in 1984, to 6% as of 1989. We ask you to study the fact sheet we have provided you so that you can avail yourself of the some of these facts. What difference, the proponents argue, does this make? No doubt these addicts are just out there anyway, if it isn't gambling it will be something else. Wrong. Gambling in and of itself, causes people to become addicted who would not otherwise develop addiction problems. Further, 68% of compulsive gamblers will resort to illegal activities to relieve the financial pressures created by their addiction. Thus, the greatest impact and largest hidden costs occur in the criminal justice system. The experience of Deadwood, South Dakota bears this out and so does the experience of New Jersey and Nevada. In New Jersey, 30% of the prisoners are incarcerated directly due to gambling related activity. In Nevada, its 50%. Our own Chairman of the Montana Parole Board indicates it is starting to happen here. Our justice department has testified as to their current inability to enforce the gambling we already have.

1231 N. 29TH ST. P.O. BOX 30374 BILLINGS. MT 59107 (406) 248-3175 (800) 227-3953 U.S.A./CANADA

Page 2

There have been forums held throughout the state presenting these facts, if you have not attended one, we ask you to avail yourself of the data sheets. What can possibly be the hurry to rush forward with a decision of this magnitude, offering the potential to generate so many social and criminal justice problems? Surely, we can make the time to assess this issue and develop measures to protect our citizens and our justice system from unwarranted costs.

Be assured that ordinary citizens around this state, in significant growing numbers, are alarmed at the speed with which Montana is rushing to expand this industry, and at the huge sums of money being spent by the industry to pressure for more and more--the ordinary citizens who will ultimately pay for the social costs our opponents do not want to address.

#### SOCIAL IMPACT FACTS:

Survey findings indicate that the widespread availability of legal gambling causes an increase in the incidence of compulsive gambling.

- -- In Montana, since the expansion of gambling in 1984, the incidence of compulsive gamblers admitted for treatment have increased from 1/2 of 1% to 6%.
- -- The Montana Parole Board, during this same period, has seen an increase in gambling-related incarcerations.
- -- A local Billings Bank, representing 10% of the banking industry in the area, estimates a loss of five hundred accounts per year due to compulsive gambling.

#### NATIONAL FINDINGS

#### \* Studies of various groups show that:

- -- 5% of high school students in New Jersey and 1.7% to 3.6% (depending on what indicator is used) in Quebec can probably be considered compulsive gamblers. (Henry Lesieur, Ph.D. & Robert Klein, M.H.S. (1987). Pathological gambling among high school students. (Addictive Behaviors, 12, 129-135. Robert Ladouceur Ph.D & Chantal Mireault (1988) Gambling behavior among high school students in the Quebec area. Journal of Gambling Behavior, 4, 3-12).
- 4-6% of college students in recent surveys were estimated to be compulsive gamblers. (Henry Lesieur, Ph.D. (1986). Survey conducted in connection with the South Oaks Gambling Screen. Michael Frank, Ph.D. (1988) (Casino gambling and college students: Three sequential years of data. Paper presented at The Third National Conference of Gambling Behavior, New York, (May)).
- -- 30% of prisoners in New Jersey and Michigan were found to be probable compulsive gamblers. (Henry Lesieur, Ph.D. & Robert Klein, M.H.S. (1985). Prisoners, gambling and crime. Paper presented at the Annual Meetings of the Academy of Criminal Justice Sciences, Las Vegas, Nevada (April).

#### Compulsive Gamblers and Crime:

- -- 68% of female compulsive gamblers have engaged in some form of illegal activity.
- -- 65% of hospital inpatient compulsive gamblers have engaged in some form of illegal activity.
- -- 13% of both male and female prisoners are in prison as a result of gambling related debts.
- -- 24% of female compulsive gamblers and 38% of male compulsive gamblers have been involved in embezzlement.

#### SOCIAL COSTS OF COMPULSIVE GAMBLERS

#### Impact of Family Life:

- 1. General disruption of family functioning Compulsive gambling creates a secretive and mistrusting environment.
- 2. High incidence of separation and susceptibility to divorce when compared with the general population, compulsive gamblers are more likely to have been married three or more times. (Kallick et al (1979) A survey of gambling attitudes and behavior. Ann Arbor, Mi: Institute for social research.)
- 3. Exploitation of family finances 67% of total household debt is attributable to gambling (study of Gam-Anon members).
- 4. Effect on spouse 62% of spouses are harassed by creditors
  - 61% of spouses are violent toward gambler
  - 78% of spouses suffer from insomnia
  - 11% of spouses attempt suicide

#### Impact on Quality of Work and Job Security:

- 1. Compulsive gamblers are preoccupied with gambling or related debts while at work. (Robert Custer & Harry Milt (1985) When Luck Runs Out. New York: Facts on File Publications).
- 2. Unemployment is twice as high among compulsive gamblers as in the general population. (Rachel Volberg & Harry Steadman (1986) Refining Prevalence Estimate of Pathological Gambling. Paper presented at the Second Annual Conference on Gambling Behavior.
- Those who maintain jobs may be involved in embezzlement or employee theft
   25% of female compulsive gamblers and 40-50% of male compulsive gamblers have reported this. (Henry Lesieur, Ph.D. (1984) The Chase: Career of the Compulsive Gambler.
- 4. Those who own their own businesses usually exploit their assets as well as those of suppliers and other creditors. (Lesieur, 1984 & Custer with Milt, 1985).

Facts sheets from National Council on Compulsive Gambling, 445 W. 59th St., New York, NY 10019, tel: (212) 765-3833. Contributions are tax deductible.

Exhibit #9 2/11/91 SB 208

#### THE SOCIAL IMPACT OF GAMBLING IN DEADWOOD, SOUTH DAKOTA

Jeffrey Bloomberg States Attorney Lake County Deadwood, SD

2/6/91 Exhibit # 9 2/11/91 SB 208

### **Prosecutor offers** gambling caution

#### **By KEVIN McRAE** Gazette Helena Bureau

HELENA - Montanans should move cautiously with any efforts to expand gambling because a rapid change could invite crime and other social problems, a South Dakota prosecuting attorney said at a forum Tuesday night.

Jeffrey Bloomberg, a state prosecutor from Deadwood, S.D., told an audience of 200 people that the 1989 legalization of poker, blackjack and slot machines in Deadwood drove main street stores out of town and increased the crime rate by nearly 70 percent.

"Think about what you're getting into before you get into it, because the ramifications can be life-threatening in some cases," Bloomberg said.

Bloomberg spoke at Helena's Colonial Inn at a forum sponsored by Don't Gamble with the Future, a statewide organization that opposes expanded gambling in Montana.

Although they were not participants in the forum, representatives from the Montana Gaming Industry Association attended, passing out literature in support of a legislative bill to legalize the card game blackjack.

Bloomberg said his remarks were a description of Deadwood's experiences and were not a prediction of what might happen in Montana if gambling were expanded.

But he also said some of the changes in Deadwood appear universally linked to gambling, such as increased criminal activity by gambling addicts.

"We are being inundated with bad checks," he said, explaining that

in several cases, people have written thousands of dollars worth of bad checks in small denominations at virtually all types of businesses in town. "We have people driven by gambling. The bottom line is, it has been a problem."

Bloomberg noted several statistics related to activity in Deadwood before and after voters there installed wide-open gambling, which started Nov. 1, 1989. Among the figures:

Felonies and misdemeanors related to physical assault increased by 69 percent, while court caseloads rose 71 percent. Forgery crimes rose 480 percent, burglaries 300 percent and grand theft 1,000 percent.

Three car dealerships, a large clothing store, a shoe store and other main street type businesses left town, replaced by some of the 86 gaming establishments in the community of 1,800 people.

The new gaming tax revenue received by the county, about \$190,000 last year, was enough to pay for the increased costs of law enforcement but provided little additional money for other county services.

Larry Akey, lobbyist for the Gaming Industry Association, said in an interview that he thought Bloomberg's statistics were presented "in a vacuum" and were distorted.

"We've only heard part of the story," Akey said. "He didn't talk about the 1,100 new jobs that were created."

Akey said that anytime a community grows, crime will increase. "Talk to the people in the hospitality industry or someone on Main Street in Deadwood; they'll tell you it's not a problem," Akey said.

Exhibit #10 2/11/91 SB 208

#### WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 11 day of February, 1991.
Name: Eric Stimson
Address: 1466 Colorado Gulch
Heleng MT 59601
Telephone Number: 449-2689
Representing whom? Myself
Appearing on which proposal?
53 208 ( don't legalize black jack)
Do you: Support? Amend? Oppose?
Comments: The atmosphere where gambling is prevalent is
one dominated by people angry or disappointed that they
have recently lost money. This negative atmosphere
pervades the community, affecting every one in it. I know
this because I lived in Nevada FFT Typais and I experienced
this empty sense of community across the state.
I do not want to see this kind of atmosphere taking
over montana communities

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

Exhibit #/D 2/11/91 SB 208

To the Senate and House of Representatives of the State of Montana:

#### STATEMENT OF OPPOSITION TO LEGALIZED BLACKJACK

My opposition to legalized blackjack comes from my exposure to the gambling climate when I lived and worked in Nevada from 1981 to 1988.

What I found, especially in Las Vegas and Reno but also in the smaller gambling towns such as Wendover and Jackpot, was a population that seemed full of resentment and irritation. People seemed short-tempered and often rude and insensitive, and this kind of attitude I found to be contagious: if someone was rude to me, it put me in a sour mood and I was less likely to be pleasant to the people that I came into contact with.

I noticed this many times and thought a lot about it. What I believe is happening is this: A gambling economy is based on people losing money. That is, the odds are set up so that the house wins more than the customers do. This creates a large number of people walking around at any one time who have just gambled and lost. This tends to put them in a bad mood and they are likely to take out their frustration on the people that they meet. And so it goes, people losing money, getting angry or disappointed, and taking it out on the rest of the community.

I realize that this sounds kind of simplistic, but I really believe this is what makes Las Vegas such an empty, unhappy place, despite all the bright lights and hyped-up energy. The last thing in the world I want to see is the good people of Montana turning into the kind of grumpy, irritable people I found in Las Vegas.

Thank you.

i Stimson

Eric Stimson 1466 Colorado Gulch Helena, MT 59601

Exhibit # |\ 2/11/91 SB 208

#### WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this <u>!</u> day of <u>February</u> , 1991.
Name: <u>Lil McBridk</u>
Address: 3103 Sycamore Lane
Billings, MT 59102
Telephone Number: 652-3936
Representing whom?
Billings Compter - Don't Camble With the Future
Appearing on which proposal?
S.B. 208
Do you: Support? Amend? Oppose?
Comments:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

#### Exhibit #11 2/11/91 SB 208

TESTIMONY ON SENATE BILL 208 MONDAY, FEBRUARY 11, 1991

Mister Chairman and members of the Committee, my name is Lil McBride. I'm a homemaker from Billings. I am here to speak to you on behalf of the Billings Chapter of DON'T GAMBLE WITH THE FUTURE, a statewide grassroots coalition. The goal of our coalition is to convince you, our legislators, to halt the expansion of gambling in Montana. We have over 300 supporters in our Billings Chapter and that number is growing daily.

I am here today to ask you to vote against S.B. 208. If you want it, we can give you stacks of information about the negative effects of gambling: the disastrous experience in New Jersey; the destructive social effects, the insidious method of "hooking" local and state governments; the very fact that legalized gambling and the revenues received from it, is essentially a regressive tax, the people who support it most are the people who can least afford it.

This will be one of the few issues before you that is non-partisan and instead is a quailty of life issue for every Montanan across this state.

If blackjack is legalized, you will be placing our communities at risk due to the Justice Department's inability to properly regulate our present level of gambling much less any more. Our restaurant industry will continue to decline, families will be hurt, and the notion that this blackjack bill is "economic development" is patently absurd. Basically, it will just help some casino owners get richer while they pay low wages to their employees.

If you view this bill as only a small increase in gambling, you are deceived. We are not. This is just the first step of the next phase of gambling encroachment in the state of Montana. It is clearly a bill that is a benefit to 1% of the people of this state and a detriment to the other 99%.

Again, we ask you to vote no on Senate Bill 208. Thank you. (This sheet to be used by those testifying on a)  $\frac{\text{Exhibit } \# 12}{2/11/91}$  SB 208

DATE: <u>2/12/9</u> NAME: Maryon Dozier 3rd ane S ADDRESS: 392 PHONE: 345-7743 REPRESENTING WHOM? City of Billing - City Counce APPEARING ON WHICH PROPOSAL: DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_ OPPOSE? ose enpanded gambling. Wo COMMENT: not favor excinded game Cit. Country anaoses l N AUN CIT any word ena nou State 10 10 mont rontre nty west area PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

## Maintain a high level of public Safety in the community

Maintain quality fire service for residents of the city and the Fire Service Area.

- Maintain fire prevention activities
- Evaluate manpower levels

Maintain quality police service for residents of the city.

- Review and evaluate resources allocated to various police functions
- Support community programs on drug education and control
- Continue support of Neighborhood Watch Program
- Expand the Crime Stoppers Program

Continue to improve emergency services dispatching.

## Maintain a high quality of life in Billings

Seek adequate and stable sources of funding for City-County library operations.

Support continued expansion of airport facilities and use as a regional passenger and cargo hub. Research ways to provide for park development and maintenance programs including evaluation of a pool for the Heights and parks east of Main.

Continue to improve the City's street network.

Maintain a high quality transit service.

Maintain high quality water and wastewater infrastructure and service.

Maintain high quality solid waste collection service.

Revisit development regulations and remove those that are unnecessary or unnecessarily obtridensome.

Lobby against any expansion of gambling.

# RETAIN QUALITY EMPLOYEES

Continue the City Awards for Recognition of Excellence (CARE Program), including Management personnel.

Continue to recognize long-term employees through the longevity awards program.

Publicize awards through pictures, newsletter articles, etc.

Maintain education and training programs.

Work toward competitive salaries.

Expand organizational development through team building.

#### CITY OF BILLINGS CITY OF BILLINGS 1990 - 1991 CITY COUNCIL GOALS & BOALS BUECTIVES



Support Search Conference process and	IMPROVE CITY/COUNTY COOPERATION	IMPROVE PUBLIC COMMUNICATIONS
Commutedo.	Review the interlocal planning agreement to	Promote Legislative Unity
continue to certraize business importation in one location and help coordinate efforts of various groups.	maintain junctionality, littes or autionity, and equity between City and County planning issues.	- Maintain strong effort to keep Legislative Delegation informed.
Use Montana and Billings products whenever possible.	Improve neighborhood planning efforts including analysis of traffic impacts.	- Meet with local delegation regularly.
	Continue joint meetings among the City Council and County Commissioners to discuss issues of mutual concern.	<ul> <li>Continuously maintain strong toppying effort with the legislature and with State government agencies. Coordinate with other lobbying efforts.</li> </ul>
center and support emiancement. Of all areas of our economic base.		Continue to promote the use of Channel 21 including the broadcast of public meetings.
		Continue the use of existing mailing networks such as utility billings to inform citizens.
BROADEN THE CITY'S REVENUE BASE	PRESERVE ENVIRONMENTAL	Continue to create employee awareness of the Council Mission Statement and Goals
Increase public awareness of need to broaden revenue base.	Continue to monitor environmental issues	Continue to conduct employee/customer contact training.
Actively seek legislative change by supporting:	rinpacturing the city's natural beauty.	Continue to publicize the public complaint line.
- Authority to propose local option taxes to voters;	- Continue conservation easements program;	Develop slide shows and video presentations as necessary.
<ul> <li>A state-wide sales tax with guaranteed property tax relief and formula-based share for local services.</li> </ul>	<ul> <li>Work toward preserving property along the Yellowstone River and the Rimrocks through planning.</li> </ul>	Encourage Council visits and interactions with other communities.
Grants or low-interest loans for intrastructure immension	Support the Bright & Beautiful Program.	Continue the process whereby citizens can be presented with both sides of issues.
Preservation of city share of gambling revenue.	Research the possibility of establishing a larger recycling program for the city.	Support the expansion of Community Unity to involve regional leaders on an annual basis.
Consolidate governments and/or services to improve services and reduce cost.		Expand community input in determining desired future levels of service and quality of
Research and review alternative sources of funding.		D =

PROMOTE ECONOMIC DEVELOPMENT

increment allocations as a resource to support new or expanded businesses; while maintaining significant funds for Use community development & tax neighborhood use.

Work with Yellowstone County, the Tradeport, the Chamber of Commerce, legislators, and others. Actively seek legislative change or refine existing legislation to:

- Continue Workers' Compensation reform;
- back property taxes to reopen certain Allow local governments to write off failed businesses; .
- Restructure the personal property tax; ,
- Reform the property tax to achieve balance and create incentives for new business; .

- Reform the Montana income tax to achieve balance and create incentives for new business; .
- Provide mechanisms for the privatization of State services where it is more efficient; .
- Actively support our units of higher education.

Increase and encourage conventions, tour groups, and tourism.

- Promote and support regional activities and special events;
- Strongly support Host Training Program; ,

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County of Yellowstone



COMMISSIONERS

January 22, 1991

(406) 256-2701

Box 35000 Billings, MT 59107

Letters to the Editor BILLINGS GAZETTE Billings, MT 59101

Gentlemen:

The Board of County Commissioners want to go on official record as opposed to expansion of gambling in the State of Montana.

We recognize that local governments receive a great deal of revenue from gaming and it becomes very easy, non-threatening and convenient for many politicians to say sure, let's expand gambling, get the revenues and not worry about the community consequences.

We, like Attorney General Racicot, are very concerned that Montana <u>not</u> expand gambling until we can, from a protection and law enforcement standpoint, insure our citizens are treated fairly and protected adequately.

Montana is said to be second in the nation in number of locations where some form of gambling occurs. If we don't change directions, we will get where we are going. The question is, are we happy with where we are going?

We urge you to call the legislators and voice your opinions relative to gambling - take a stand - Montana deserves your input. Here is ours.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS YELLOWSTONE COUNTY, MONTANA

Mike Mathew, Chairman

ىك. (1 Aler Sir Zie ames A Sr., Member MacKay, Member

Mike Schafer, Sheriff

DM/pf cc: Governor Stan Stephens

Exhibit #13 2/11/91 SB 208

#### WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 11 day of Fabruary, 1991.
Name: Drue Hagsfrom
Name: Dave Hagsfrom Address: 324 So. 3/4
Billings MT 59101
Billings MT 59101 Telephone Number: 406 256-3002
Representing whom? Self
Appearing on which proposal? 5. B. 208
Do you: Support? Amend? Oppose?
Comments:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

#### Exhibit #13 2/11/91 SB 208

Senate Hearing February 11, 1991

Today I stand to give testimony of principal: the principle that vice never improves culture or the ranks of common man; the principle that any industry fueled by addictive behavior is not in the best interests of the common good; and the principle that vice and addiction in all forms guarantee cultural decline. If we maintain that we are a same people, we must not become a state which gives sanctuary to vice.

If we can be honest, we are growing older, not better, in a weakening culture. We've all been around the world and seen other dying cultures. The difference between ours and theirs is that they have legitimate excuses. We in America do not -- in many respects we are crumbling because of laziness, because we are coasting, living on the hard work of previous generations. There was a day when we in this country spent ourselves and our resources building a better place for people to grow and love. But today many of the great industries are culturally regressive. Most prominent among them are the gaming and entertainment industries that waste our resources -- both material and personal-- and stifle character development.

Thomas Jefferson said: "We did produce a near perfect republic but will they keep it, or will they, in the enjoyment of plenty, lose the memory of freedom? Material abundance without character is the surest way to destruction."

Our constitution guarantees rights of "life, liberty and the pursuit of happiness." I've met personally with hundreds of people addicted to everything from sex to poker... liberty and happiness were not part of their testimony.

Just let the names Atlantic City, Las Vegas, and Reno roll through your mind...do they elicit thoughts of high character, of statesmanship, of noble causes and efforts? Sadly, to most they conjure thoughts of glitz, lights, dishonesty, sleeze, dullness, and apathy about the human condition. de Toqueville's famous quote is so appropriate, "America is great because America is good and when America ceases to be good America will cease to be great."

Gambling is a vice. Gambling is culturally destructive and from every angle, gambling becomes an addiction. Those who own the casinos want to addict our state to taxes from gambling revenues. They themselves will become addicted to the burgeoning incomes they enjoy at the expense of those poor souls who are addicted to the machines in their parlors. I for one can not imagine that we have become a state ready to addict ourselves and our people to such a vice and its tentacles of social destruction. God, forbear. As a state, we must seek to give sanctuary to the likes of bald eagles, to amber waves of grain, to roaming royal elk, and to people of character and virtue; we must not become a state which gives sanctuary to vice.

Dave Hagstrom

Arthur F. Kussman 409 South Montana Helena, Mt. 59601 Phone 442-6642

ZK. 13 2-11-91 SB 208

February 11, 1991

MR. CHAIRAAN AND MEMBERS OF THE SENATE JUDICIARY COAMITTEE: Older Citizens -- often called "SENIOR CITIZENS" -- make up a segment of the population that is growing in size, quite rapidly.

I, of course, can't speak for every penior ditizen -- but I've talked with many of them -- and I believe there is overwhelming support for: NO FURTHER EXPENSION OF GAMBLING. IN MONTANA, INCLUDING BLACKLACK.

The reasons don't need repeating -- all of the social ills which you are already aware of.

The members of the GOVERNOR'S ADVISORY JOUNCIL ON AGING have done considerable study and research on the subject of expanded gambling  $\frac{1}{2}$  Montana. This is their conclusion:

Guote: The Council does not support the expansion of gambling in Montang. It is my hope that the members of this committee will take all of this information in to consideration when voting on 55 208. IT SHOULD NOT PASS.

Arthur F. Kussman 409 South Montana Helena, Mt. 59601

442/6642

-13 200 oppose 2-11-91

WITNESS STATEMENT
To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this $\frac{1}{2}$ day of $\frac{Feb}{1}$ , 1991.
Name: L. E. Lautaret
Address: 824 Sannyside Drive
Kalispell, MT. 59901
Telephone Number: 752 - 9601
Representing whom?
Whitefish Church of God Ty North ridge Heights Church of Soc
Appearing on which proposal?
20F - Expanding Sampling
Do you: Support? Amend? Oppose?_X
Comments:
Both our Churcher unamiously oppose any increase
in Sembling Permits because of the long-vange harmful
Kasults To our Communities & people in deneral.
We do not want the Flathead Valley to become
another Los Vepar with its deserted Children, open
prostitution criminals tall the depredation that
Critainly Y always accompanies open combling
as we will have it our present system is expanded
PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

2-11-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this $1/2$ day of $1/2$ , 1991.
Name: aloue Alchumage
Address: SII Kalway White fish Mit. 59937
Telephone Number: (406) 862-6667 0 862-0913
Representing whom?
Add & computinity
Appearing on which proposal?
208
Do you: Support? Amend? Oppose?
Comments:
I have worked in the gambing industry
prover four years pluring that time
I withesed many sides to gambling
that had not buy considered. at
first I felt gambling was fun and a
Source of entertainment but through
constant diservation of my clienty
1 which I got to know O'lealined
that to make it was not enjoyment
it was an lescape. The light hearter
drunk talk became gril and Duoi.
These tomilies became split homes +
lun on two accassions I had

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

lines ask me to not allow them to gamble. At times there were beriging faces at the poker Talle but the majority of the time it was the same old faces with druking & or gambling problems. I would not want my children a any of my friendly in a shows a distorted picture of family & fun.

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 1/14 day of FERNARY, 1991.
Name: MILLE MECSHES
Address: 7540 W Kiny 12
1-1060ma, 147 59601
Telephone Number: $(400) 449-6811$
Representing whom? SELF
Appearing on which proposal? $SB 208$
Do you: Support? Amend? Oppose?
Comments:
LEGALIZING BLACK HUR IS THE ECONOMIC
EQUIVALENT OF SHOOTING FIEROIN OR CRACK.
A QUICK FIX. IT MAY MAKE US MEEL GOOD
FOR AWHIKE BUT LATER WELL HAVE TO PAY
THE PRICE. IN INCREASED CRIME, IN BOREN
FAMILIES ,) ND LIVES, IN HIGHER RATES OF ALCOHOLISM.
DRUG ADDICTION THEFTS, EMBERZEMENTS, PROSTITUTION
ETC. OUR STATE IS ALREADY POLLUTED BY WIDESPRED
USE OF DRUGS. LET US NOT POLLUTE IT EVEN MORE
WITH LEGALIZED GAMBLING AND ITS GRAVE
SOCIAL FALL-OUT.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

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SB 208 Oppose 2-11-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this $1/\frac{4}{D}$ day of $\overline{FEB}$ , 1991.
Name: MARK A AGATHER
Address: # (, SUNSET PLAZA
KALISPEZI,
Telephone Number: 752-8693
Representing whom?
D. G. LU. F.
Appearing on which proposal?
208
Do you: Support? Amend? Oppose?
Comments:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NO 208 Uppore

2-11-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 11th day of February , 1991.
Name: James L. Thempson
Address: E7 5th Ave. W. NI.
Kalispell, MT 59901
Telephone Number: 755-4794
Representing whom?
Appearing on which proposal? 5.B. 2C8
Do you: Support? Amend? Oppose?_X
Comments:
The strong family social environment has already been damaged to an
extent by the expansion of gambling interacts along with the vices that
normally accompany that expansion. If Montana wants mushrooming
public drunknness and drunk driving, prestitution and other moral
degradation and the expanded influence of arganized crime then S.B. 208
should be passed. Those who favor SB 208 ave largely financial interests
who are locking for the pot of gold at the end of the gambling rainhow.
But it will prove to be feel's gold in view of the serious rounifications.
If Montana is to remain a good place to live and rear children,
5.B. 208 must be defeated.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

2-11-91

2-11-91

To be completed by a person testifying or a person who wants their testimony entered into the record.
Dated this 1 day of <u>Jula</u> , 1991.
Name: John Kestell
Address: 50 Pleasantview Dr.
Kalispeil, Mf.
Telephone Number: <u>156-3712</u>
Representing whom?
Dort Dombly with your Juties
Appearing on which proposal?
208 "21"
Do you: Support? Amend? Oppose?
Comments:
as a goost compulsing grandely who now
Treats goodling, I have dealt with the
victaria of gombling for 6 or Typon. We
don't need eppended gambling. Wy degerately
main and appendix good and with a former
need funding from gombling greeds to
laborthy consulties

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

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	COMMITTEE ON S	n Judiciary			6)
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Jeff Jacobs	River Boat	208	V	
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madeline Paralet	Relenal	208		X
ilice Geton	Helix	208		12
Bill Untohalos	Hound	208	X	
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Dave R Hagsfrom	Billings	208		X
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tom I. Thompson	Kalispeli	208		X
JE Lautaret	Kalis DAll	208		X
11 asine Lautaret	Kalipell	208		X
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DARRIL A KECK	SHELRY MT	208	X	
A. Asterior	Septerin	215	$X_{-}$	
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i beat M Gaber	Plentywoord	208	<u>X</u>	
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- Pat Melly	Hinnock Foundation	2c,E,		
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	COMMITTEE ON Judiciatur.	<i>2</i>	

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Donnast ansdell	DuckIng - Hause		~	
Ben Evans	Helena			4
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- Jane Hillin	Selfand Jankies MM	F 208		
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ARTKOBN	BUTTE	208	$ \nu$	
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Debbie Jukich	Missoula	208	X,	
Sarah Carroll	Msle	208	Y	
Jean Turny	Mola	208	2	
S. Barnes	Helena	208		
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	l			
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Madine R. Copley	Helena	208		V
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Suran Kirley	Helena	11		$\checkmark$
faren Feather, tavem owner	Polebridge	1		1
Tim Holmes	Beleva	ί(		-
Maureen Shavefine say	Helena	208		1
Sandy Wheeler	Helena	11		Ĺ
Buth L. Long	Helena	208		-
Margaret C. Hollow	Helenge	208		L
a Carol Stally	Kelena	208		
Krian Omiker	Rahspell	208	$\checkmark$	
Ronald R. Devlin	Terry.	208	$\boldsymbol{\mathcal{V}}$	
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Charline Garber	Whitefish	278		
Linda Litter	Bellevie	208		
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Bob Heiser	Self	S.B. 208	<u>`</u>	
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MARK STAPLES	MOREPARA FAVERA ASSA	208	V	1
Sam Sorn	21-91	208		
CARY DORN	21 in 91	208	$\checkmark$	
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