

HOUSE BILL NO. 576

INTRODUCED BY ROTH, LYNCH, PAVLOVICH, KEATING, GILBERT,
DEMARS, PHILLIPS, QUILICI, DRISCOLL, CAMPBELL, MCCORMICK,
SMITH, TVEIT, WHALEN, NISBET, NOBLE, DAILY, IVERSON,
WILLIAMS, MANNING, GRADY, DEVLIN, SWYSGOOD, GRINDE, WALKER,
NATHE, GIACOMETTO, MCLANE, JENKINS, SPAETH, REHBERG

IN THE HOUSE

FEBRUARY 4, 1989

INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & ECONOMIC DEVELOPMENT.

FIRST READING.

FEBRUARY 16, 1989

COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 17, 1989

PRINTING REPORT.

FEBRUARY 18, 1989

SECOND READING, DO PASS.

FEBRUARY 20, 1989

ENGROSSING REPORT.

FEBRUARY 21, 1989

THIRD READING, PASSED.
AYES, 72; NOES, 25.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989

INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

FIRST READING.

MARCH 23, 1989

COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 28, 1989

SECOND READING, CONCURRED IN.

MARCH 29, 1989

THIRD READING, CONCURRED IN.
AYES, 40; NOES, 9.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 31, 1989

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 1, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 576
 2 INTRODUCED BY Philipe Dussell
 3 Gilbert Richard Manning Walter Smith
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSING
 5 REQUIREMENTS FOR USED KENO MACHINES, AMENDING SECTION
 6 23-5-612, MCA; AND PROVIDING AN EFFECTIVE DATE."
 7 NATHE Rehberg

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 23-5-612, MCA, is amended to read:

10 "23-5-612. State license -- fee -- used keno machines.

11 (1) (a) The department, upon payment of the fee provided in
 12 subsection (1)(b) and in conformance with rules adopted
 13 under 23-5-605, shall issue to the licensee a license for
 14 each video draw poker or keno machine.

15 (b) The department shall charge an annual license fee
 16 of \$100 for each video draw poker machine and \$100 for each
 17 keno machine. The department shall retain \$100 of the total
 18 license fee collected for purposes of administering this
 19 part, except 23-5-615. The license expires on June 30 of
 20 each year.

21 (2) A used keno machine may be licensed under
 22 subsection (1) without meeting if it meets the requirements
 23 of 23-5-609, except subsections (4)(i), (4)(j), or (4)(n) of
 24 that section, and if the applicant for licensure can
 25 establish to the satisfaction of the department that, on the

1 date of application, he owns or possesses a machine that was
 2 owned or operated in the state prior to June 30, 1987. A
 3 license issued under this subsection expires for all
 4 purposes no later than June 30, 1989. A used keno machine is
 5 presumed to meet the requirements of 23-5-609, except
 6 subsection (4)(i), (4)(j), and (4)(n), unless the department
 7 has good cause to believe it does not."

8 **NEW SECTION. Section 2.** Extension of authority. Any
 9 existing authority to make rules on the subject of the
 10 provisions of [this act] is extended to the provisions of
 11 [this act].

12 **NEW SECTION. Section 3.** Effective date. [This act] is
 13 effective July 1, 1989.

-End-

APPROVED BY COMM. ON BUSINESS
AND ECONOMIC DEVELOPMENT

HOUSE BILL NO. 576

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REQUIREMENTS FOR USED KENO MACHINES; AMENDING SECTION
23-5-612, MCA; AND PROVIDING AN EFFECTIVE DATE AND A
TERMINATION DATE."

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Section 1. Section 23-5-612, MCA, is amended to read:

"23-5-612. State license -- fee -- used keno machines.

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subsection (1)(b) and in conformance with rules adopted
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each video draw poker or keno machine.

(b) The department shall charge an annual license fee
of \$100 for each video draw poker machine and \$100 for each
keno machine. The department shall retain \$100 of the total
license fee collected for purposes of administering this
part, except 23-5-615. The license expires on June 30 of
each year.

(2) A used keno machine may be licensed under
subsection (1) ~~without-meeting if-it-meets~~ WITHOUT MEETING
the requirements of 23-5-609 ~~--except-subsections-(4)(i)-(4)(j)-~~
~~(4)(j)-or-(4)(n)-of-that-section-and~~ if:

(A) IT MEETS THE REQUIREMENTS OF 23-5-607 AND
23-5-608;

(B) IT HAS MECHANICAL METERS DESCRIBED IN
23-5-609(4)(K) AND ELECTRONIC METERS DESCRIBED IN
23-5-609(4)(L); AND

(C) the applicant for licensure can establish to the
satisfaction of the department that, on the date of
application, he owns or possesses a machine that was ~~owned~~
~~or-operated-in-the-state~~ LICENSED BY THE DEPARTMENT prior to
~~June-30-1987~~ JANUARY 1, 1989. ~~A-license-issued--under--this~~
~~subsection--expires--for-all-purposes-no-later-than-June-30-~~
~~1989. A--used--keno--machine--is--presumed--to--meet--the~~
~~requirements--of-23-5-609--except-subsection-(4)(i)-(4)(j)-~~
~~and-(4)(n)-unless-the-department-has-good-cause-to-believe~~
~~it-does-not.~~

NEW SECTION. Section 2. Extension of authority. Any
existing authority to make rules on the subject of the
provisions of [this act] is extended to the provisions of
[this act].

NEW SECTION. Section 3. Effective date --
TERMINATION. [This act] is effective July 1, 1989, AND

HB 0576/02

1 TERMINATES DECEMBER 31, 1990.

-End-

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INTRODUCED BY ROTH, LYNCH, PAVLOVICH, KEATING, GILBERT,
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HB 0576/02

1 TERMINATES DECEMBER 31, 1990.

-End-

SENATE STANDING COMMITTEE REPORT

March 22, 1989

MR. PRESIDENT:

We, your committee on Judiciary, having had under consideration HB 576 (third reading copy -- blue), respectfully report that HB 576 be amended and as so amended be concurred in:

Sponsor: Roth (Lynch)

1. Page 3, line 1.

Strike: "DECEMBER 31"

Insert: "June 30"

AND AS AMENDED BE CONCURRED IN

Signed: 

Bruce D. Crippen, Chairman

HB 576

SENATE

scrhb576.322

HOUSE BILL NO. 576

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[this act].

NEW SECTION. **Section 3.** Effective date --
TERMINATION. [This act] is effective July 1, 1989, AND

HB 0576/03

1 TERMINATES DECEMBER-31 JUNE 30, 1990.

-End-