

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

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.

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

**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

8 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSING  
9 REQUIREMENTS FOR USED KENO MACHINES; AMENDING SECTION  
10 23-5-612, MCA; AND PROVIDING AN EFFECTIVE DATE AND A  
11 TERMINATION DATE."

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

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

15           **"23-5-612. State license -- fee -- used keno machines.**

16           (1) (a) The department, upon payment of the fee provided in

17           subsection (1)(b) and in conformance with rules adopted

18           under 23-5-605, shall issue to the licensee a license for

19           each video draw poker or keno machine.

20 (b) The department shall charge an annual license fee  
21 of \$100 for each video draw poker machine and \$100 for each  
22 keno machine. The department shall retain \$100 of the total  
23 license fee collected for purposes of administering this  
24 part, except 23-5-615. The license expires on June 30 of  
25 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~~7~~--except subsections-(4)(i)(j)(k)  
~~t4tj7r-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~~7~~--except subsections-(4)(i)(j)(k)  
~~and-(4)(n), unless the department has good cause to believe it does not."~~

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

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



HB 0576/02

1 TERMINATES DECEMBER 31, 1990.

-End-

8 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSING  
9 REQUIREMENTS FOR USED KENO MACHINES; AMENDING SECTION  
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(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),-(4)(k),-unless-the-department-has-good-cause-to--believe it--does--not--"

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21        existing authority to make rules on the subject of the  
22        provisions of [this act] is extended to the provisions of  
23        [this act].

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

**HB 0576/02**

**1      TERMINATES DECEMBER 31, 1990.**

**-End-**

SENATE STANDING COMMITTEE REPORT

March 22, 1989

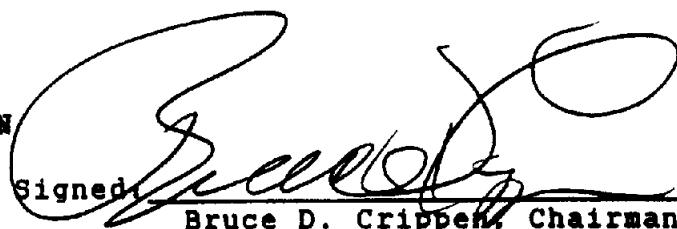
MR. PRESIDENT:

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

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(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-t4t5t7  
t4t5t7,-or-t4t5t7-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

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23        [this act].



HB 0576/03

1 TERMINATES DECEMBER-31 JUNE 30, 1990.

-End-