

CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 17
2 INTRODUCED BY David Brown

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING TO THE
5 GENERAL FUND \$190,000 FROM THE GAMBLING LICENSE FEE ACCOUNT;
6 AMENDING SECTION 23-5-306, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE AND A TERMINATION DATE."

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

10 **Section 1.** Section 23-5-306, MCA, is amended to read:

11 **"23-5-306. Live card game table -- permit -- fees --**
12 **disposition of fees.** (1) A person who has been granted an
13 operator's license under 23-5-177 and a license to sell
14 alcoholic beverages for consumption on the premises may be
15 granted an annual permit for the placement of live card game
16 tables. If one or more live card game tables were legally
17 operated on a premises on January 15, 1989, and the premises
18 were not on that date licensed under 16-4-401(2) but were
19 licensed on that date to sell food, cigarettes, or any other
20 consumable product, an operator's license and an annual
21 permit for the placement of live card game tables may be
22 granted to the person who legally operated the premises on
23 January 15, 1989.

24 (2) The annual permit fee in lieu of taxes for each
25 live card game table operated in a licensed operator's

1 premises may not be prorated and must be:

2 (a) \$250 for the first table; and

3 (b) \$500 for each additional table.

4 (3) The department shall retain for administrative
5 purposes \$100 of the fee collected under this part for each
6 live card game table.

7 (4) The Except as provided in subsection (5), the
8 department shall forward on a quarterly basis the remaining
9 balance of the fee collected under subsection (2) to the
10 treasurer of the county or the clerk, finance officer, or
11 treasurer of the city or town in which the live card game
12 table is located for deposit to the county or municipal
13 treasury. A county is not entitled to proceeds from fees
14 assessed on live card game tables located in incorporated
15 cities and towns within the county. The local government
16 portion of this fee is statutorily appropriated to the
17 department, as provided in 17-7-502, for deposit to the
18 county or municipal treasury.

19 (5) On or before June 30, 1992, the department shall
20 transfer \$190,000 to the general fund from the account
21 funded by this section."

22 **NEW SECTION. Section 2. Effective date -- termination.**
23 [This act] is effective on passage and approval and
24 terminates July 1, 1992.

-End-

-2-



HB 17
INTRODUCED BILL

STATE OF MONTANA - FISCAL NOTE

Form BD-15

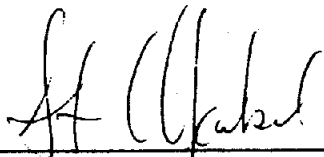
In compliance with a written request, there is hereby submitted a Fiscal Note for HB0017, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act transferring to the general fund \$190,000 from the gambling license fee account; and providing an immediate effective date and a termination date.

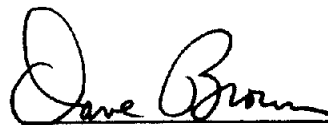
FISCAL IMPACT:

1. The proposal transfers \$190,000 in FY92 to the general fund from the gambling license fee account.
2. Current appropriated expenditures exceed the revenue into this account. The transfer will leave a projected FY93 ending balance of \$3,700 and will result in a need to either increase gambling license fees or cut current level operations during the 1993 Legislative Session.



STEVE YEAKEL, BUDGET DIRECTOR
Office of Budget and Program Planning

1/10/92
DATE



DAVE BROWN, PRIMARY SPONSOR

1/10/92
DATE

Fiscal Note for HB0017, as introduced

HB 17

APPROVED BY COMMITTEE
ON APPROPRIATIONS

HOUSE BILL NO. 17

INTRODUCED BY D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING TO THE
GENERAL FUND ~~91907000~~ THE REMAINING CASH BALANCE FROM THE
GAMBLING LICENSE FEE ACCOUNT; AMENDING SECTION 23-5-306,
MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A
TERMINATION DATE."

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

Section 1. Section 23-5-306, MCA, is amended to read:

**"23-5-306. Live card game table -- permit -- fees --
disposition of fees.** (1) A person who has been granted an
operator's license under 23-5-177 and a license to sell
alcoholic beverages for consumption on the premises may be
granted an annual permit for the placement of live card game
tables. If one or more live card game tables were legally
operated on a premises on January 15, 1989, and the premises
were not on that date licensed under 16-4-401(2) but were
licensed on that date to sell food, cigarettes, or any other
consumable product, an operator's license and an annual
permit for the placement of live card game tables may be
granted to the person who legally operated the premises on
January 15, 1989.

(2) The annual permit fee in lieu of taxes for each

live card game table operated in a licensed operator's
premises may not be prorated and must be:

(a) \$250 for the first table; and

(b) \$500 for each additional table.

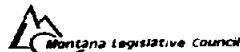
(3) The department shall retain for administrative
purposes \$100 of the fee collected under this part for each
live card game table.

(4) The Except as provided in subsection (5), the
department shall forward on a quarterly basis the remaining
balance of the fee collected under subsection (2) to the
treasurer of the county or the clerk, finance officer, or
treasurer of the city or town in which the live card game
table is located for deposit to the county or municipal
treasury. A county is not entitled to proceeds from fees
assessed on live card game tables located in incorporated
cities and towns within the county. The local government
portion of this fee is statutorily appropriated to the
department, as provided in 17-7-502, for deposit to the
county or municipal treasury.

(5) On ~~or before June 30, 1992~~ JUNE 30, 1993, the
department shall transfer ~~91907000~~ to the general fund THE
REMAINING CASH BALANCE from the account funded by this
section."

NEW SECTION. **Section 2.** Effective date -- termination.

[This act] is effective on passage and approval and



HB 0017/02

1 terminates July 1, 1992.

-End-

1 HOUSE BILL NO. 17
2 INTRODUCED BY D. BROWN
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING TO THE
5 GENERAL FUND \$190,000 THE REMAINING CASH BALANCE FROM THE
6 GAMBLING LICENSE FEE ACCOUNT; AMENDING SECTION 23-5-306,
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A
8 TERMINATION DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 23-5-306, MCA, is amended to read:

12 "23-5-306. Live card game table -- permit -- fees --
13 disposition of fees. (1) A person who has been granted an
14 operator's license under 23-5-177 and a license to sell
15 alcoholic beverages for consumption on the premises may be
16 granted an annual permit for the placement of live card game
17 tables. If one or more live card game tables were legally
18 operated on a premises on January 15, 1989, and the premises
19 were not on that date licensed under 16-4-401(2) but were
20 licensed on that date to sell food, cigarettes, or any other
21 consumable product, an operator's license and an annual
22 permit for the placement of live card game tables may be
23 granted to the person who legally operated the premises on
24 January 15, 1989.

25 (2) The annual permit fee in lieu of taxes for each

1 live card game table operated in a licensed operator's
2 premises may not be prorated and must be:

3 (a) \$250 for the first table; and

4 (b) \$500 for each additional table.

5 (3) The department shall retain for administrative
6 purposes \$100 of the fee collected under this part for each
7 live card game table.

8 (4) The Except as provided in subsection (5), the
9 department shall forward on a quarterly basis the remaining
10 balance of the fee collected under subsection (2) to the
11 treasurer of the county or the clerk, finance officer, or
12 treasurer of the city or town in which the live card game
13 table is located for deposit to the county or municipal
14 treasury. A county is not entitled to proceeds from fees
15 assessed on live card game tables located in incorporated
16 cities and towns within the county. The local government
17 portion of this fee is statutorily appropriated to the
18 department, as provided in 17-7-502, for deposit to the
19 county or municipal treasury.

20 (5) On or before June 30, 1992 JUNE 30, 1993, the
21 department shall transfer \$190,000 to the general fund THE
22 REMAINING CASH BALANCE from the account funded by this
23 section."

24 NEW SECTION. **Section 2.** Effective date -- termination.
25 [This act] is effective on passage and approval and

HB 0017/03

1 terminates July 1, ~~1992~~ 1993.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 14, 1992

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 17 (third reading copy -- blue), respectfully report that House Bill No. 17 be amended and as so amended be concurred in:

1. Title, line 5.

Following: "Remaining"

Strike: "Cash"

Insert: "Fund"

2. Page 2, line 22..

Following: "Remaining"

Strike: "Cash"

Insert: "Fund"

Signed: _____

Judy H. Jacobson
Judy H. Jacobson, Chair

JM 1-14-92
And. Coord.

JB 1-14-92
Sec. of Senate

SENATE

HOUSE BILL NO. 17

INTRODUCED BY D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING TO THE GENERAL FUND ~~\$190,000~~ THE REMAINING CASH FUND BALANCE FROM THE GAMBLING LICENSE FEE ACCOUNT; AMENDING SECTION 23-5-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

Section 1. Section 23-5-306, MCA, is amended to read:

***23-5-306. Live card game table -- permit -- fees -- disposition of fees.** (1) A person who has been granted an operator's license under 23-5-177 and a license to sell alcoholic beverages for consumption on the premises may be granted an annual permit for the placement of live card game tables. If one or more live card game tables were legally operated on a premises on January 15, 1989, and the premises were not on that date licensed under 16-4-401(2) but were licensed on that date to sell food, cigarettes, or any other consumable product, an operator's license and an annual permit for the placement of live card game tables may be granted to the person who legally operated the premises on January 15, 1989.

(2) The annual permit fee in lieu of taxes for each

live card game table operated in a licensed operator's premises may not be prorated and must be:

- (a) \$250 for the first table; and
- (b) \$500 for each additional table.

(3) The department shall retain for administrative purposes \$100 of the fee collected under this part for each live card game table.

(4) The Except as provided in subsection (5), the department shall forward on a quarterly basis the remaining balance of the fee collected under subsection (2) to the treasurer of the county or the clerk, finance officer, or treasurer of the city or town in which the live card game table is located for deposit to the county or municipal treasury. A county is not entitled to proceeds from fees assessed on live card game tables located in incorporated cities and towns within the county. The local government portion of this fee is statutorily appropriated to the department, as provided in 17-7-502, for deposit to the county or municipal treasury.

(5) On ~~or before June 30, 1992~~ JUNE 30, 1993, the department shall transfer \$190,000 to the general fund THE REMAINING CASH FUND BALANCE from the account funded by this section."

NEW SECTION. **Section 2.** Effective date -- termination. [This act] is effective on passage and approval and



HB 0017/04

1 terminates July 1, ~~1992~~ 1993.

-End-