

HOUSE BILL 678

Introduced by Kasten, et al.

3/12	Introduced
3/12	Referred to Appropriations
3/12	First Reading
3/12	Fiscal Note Requested
3/15	Hearing
3/16	Committee Report--Bill Passed
3/17	Fiscal Note Received
3/17	Fiscal Note Printed
3/23	2nd Reading Passed
3/24	3rd Reading Passed
	Transmitted to Senate
3/26	First Reading
3/26	Referred to Finance & Claims
3/31	Hearing
4/06	Tabled in Committee

1 *House* BILL NO. *678*  
2 INTRODUCED BY *Spaten Peck*  
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING TO \$190,000  
6 THE TRANSFER TO THE GENERAL FUND FROM THE GAMBLING LICENSE  
7 FEE ACCOUNT; AMENDING SECTION 23-5-306, MCA; AND PROVIDING  
8 AN IMMEDIATE EFFECTIVE 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. (Temporary) Live card game table -- permit  
13 -- fees -- disposition of fees. (1) A person who has been  
14 granted an operator's license under 23-5-177 and a license  
15 to sell alcoholic beverages for consumption on the premises  
16 may be granted an annual permit for the placement of live  
17 card game tables. If one or more live card game tables were  
18 legally operated on a premises on January 15, 1989, and the  
19 premises were not on that date licensed under 16-4-401(2)  
20 but were licensed on that date to sell food, cigarettes, or  
21 any other consumable product, an operator's license and an  
22 annual permit for the placement of live card game tables may  
23 be granted to the person who legally operated the premises  
24 on 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) 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 June 30, 1993, the department shall transfer to  
21 the general fund the ~~remaining fund balance~~ \$190,000 from  
22 the account funded by this section. (Terminates July 1,  
23 1993--sec. 2, Ch. 18, Sp. L. January 1992.)

24 23-5-306. (Effective July 1, 1993) Live card game table  
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6 NEW SECTION. **Section 2.** Effective date. [This act] is  
 7 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0678, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act limiting to \$190,000 the transfer to the general fund from the gambling license fee account on June 30, 1993.

ASSUMPTIONS:


1. The unrestricted fund balance of the gambling license fee account at June 30, 1993 will be approximately \$700,000. Current law requires the balance be transferred to the general fund at FYE93.
2. The proposal limits the general fund transfer at FYE93 to \$190,000. The remaining \$510,000 (\$700,000 - 190,000) will be used under the proposed law to replace general fund in providing drivers' licensing services to rural counties during the 1995 biennium.

FISCAL IMPACT:

The proposal will reduce general fund revenues for FY93 by \$510,000, with this amount remaining in the gambling state special revenue account. The carryover balance of the gambling account is used in HB2 (as approved by the full appropriation committee) to reduce the general fund appropriation for the motor vehicle division by \$255,000 per year.

TECHNICAL NOTE:

The proposal has the same net effect as appropriating \$255,000 in general fund revenues each year of the 1995 biennium and allowing the current law transfer of gambling revenues to the general fund.

 3-17-93  
DAVE LEWIS, BUDGET DIRECTOR                      DATE  
Office of Budget and Program Planning

 3-17-93  
BETTY LOU KASTEN, PRIMARY SPONSOR                      DATE

Fiscal Note for HB0678, as introduced

HB678

APPROVED BY COMMITTEE  
ON APPROPRIATIONS

1 *Hoike* BILL NO. *678*  
2 INTRODUCED BY *Thatcher Peck*  
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE  
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