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I certify that the information obtained through this request for public records will be used for purposes consistent with RCW 42.17.260(5) relating to requests for commercial purposes.

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[Statutory Authority: RCW 76.09.230(4). 82-09-024 (Order 82-1, Resolution No. 82-1), § 223-12-140, filed 4/13/82; Order 004, § 223-12-140, filed 11/10/75.]

**Title 224 WAC
FRUIT COMMISSION**

**Chapter
224-12 Practice and procedure--Applicability--
Assessments, etc.**

**Chapter 224-12 WAC
PRACTICE AND PROCEDURE--APPLICABILITY--
ASSESSMENTS, ETC.**

WAC
224-12-090 Bartlett pear assessment rate.

WAC 224-12-090 Bartlett pear assessment rate. As provided for by RCW 15.28.160 and 15.28.180, there is

hereby levied on Bartlett pears, an assessment of up to a maximum of twenty-five cents per standard box equivalent (approximately forty-four pounds) of Bartlett pears shipped fresh, and an assessment of six dollars for each two thousand pounds of Bartlett pears delivered to processors. [Statutory Authority: RCW 15.28.160 and 15.28.180. 81-16-034 (Order 4, Resolution 4), § 224-12-090, filed 7/29/81; 80-06-058 (Order 3, Resolution 3), § 224-12-090, filed 5/20/80, effective 7/1/80; Order 2, § 224-12-090, filed 11/29/77, effective 1/1/78; Order 1, § 224-12-090, filed 5/13/74, effective 7/1/74.]

**Title 230 WAC
WASHINGTON STATE GAMBLING
COMMISSION**

Chapters

- 230-02 General provisions and definitions.
- 230-04 Application for issuance of licenses.
- 230-08 Records and reports.
- 230-12 Rules of general applicability.
- 230-20 Bingo, raffles and amusement games.
- 230-25 Fund raising events.
- 230-30 Punch boards and pull tabs.
- 230-40 Card games.
- 230-42 Tax on coin-operated gaming devices.
- 230-60 Public records--Disclosure.

**Chapter 230-02 WAC
GENERAL PROVISIONS AND DEFINITIONS**

- WAC
- 230-02-210 Distributor defined.
 - 230-02-350 Commercial stimulant.
 - 230-02-405 Specific authorized card games.
 - 230-02-418 Bingo game manager defined.

WAC 230-02-210 Distributor defined. A "distributor" is any person who purchases or otherwise obtains equipment for use in authorized gambling activities, including but not limited to punchboards or pull tabs, from any person and sells or otherwise furnishes such equipment, with or without merchandise to be awarded as prizes in connection therewith, to another person for the resale of or the display or operation of that equipment.

As used in these rules, the term "distributor" shall include a person who services and repairs pull tab dispensing devices, which shall be authorized so long as the person performing such servicing or repairs is licensed as a distributor or distributor's representative, and makes no addition to, or modification or alteration of, the device.

A manufacturer who sells or otherwise furnishes such equipment not manufactured by him to any other person for resale or for display or operation of that equipment is also a "distributor." [Statutory Authority: RCW RCW 9.46.070(4). 81-09-055 (Order 106), § 230-02-210,

filed 4/17/81; Order 80, § 230-02-210, filed 12/28/77; Order 5, § 230-02-210, filed 12/19/73.]

WAC 230-02-350 Commercial stimulant. An activity is operated as a commercial stimulant, for the purposes of chapter 9.46 RCW and these rules, only when it is an incidental activity operated in connection with, and incidental to, an established business, primarily engaged in the sale of food or drink for consumption on the premises, with the primary purpose of increasing the volume of sales of food and drink for consumption on that business premises.

Gambling activities authorized for use as commercial stimulants shall be deemed as not being used for this purpose when the combined gross receipts from all such gambling activities, less that amount paid out for or as prizes, and less that amount paid out in federal, state, and local taxes or fees, directly related to the gambling activities, and less that amount paid out in expenses incurred directly as a result of providing a card room employee to be on duty and in the licensed card room area in compliance with WAC 230-40-400 which shall not exceed \$8.50 per hour of operation, are more than the total of the gross receipts from the food and drink business during any calendar quarter. [Statutory Authority: RCW 9.46.020(5). 82-23-050 (Order 125), § 230-02-350, filed 11/15/82. Statutory Authority: RCW 9.46.020(5) and section 1(5), chapter 326, Laws of 1977 ex. sess. and RCW 9.46.070(4). 78-03-061 (Order 81), § 230-02-350, filed 2/22/78; Order 78, § 230-02-350, filed 11/17/77; Order 29, § 230-02-350, filed 1/23/75; Order 23, § 230-02-350, filed 9/23/74.]

WAC 230-02-405 Specific authorized card games. These games include, and are limited to, each card game authorized by the commission under WAC 230-40-010 when played as permitted by that rule. [Statutory Authority: RCW 9.46.070(10). 81-09-055 (Order 106), § 230-02-405, filed 4/17/81; Order 29, § 230-02-405, filed 1/23/75.]

WAC 230-02-418 Bingo game manager defined. A "bingo game manager" is any person who is employed by a bingo game operator for compensation or otherwise, to work in, or in direct connection with, the operation of a bingo game and is the person with the highest level of authority on the premises where the bingo game is conducted, at any particular time, to supervise and direct other people working on the bingo game.

A bingo game operator may employ more than one person whose functions constitute a bingo game manager under this definition. However, one individual shall be designated by the organization as the principal manager of the bingo games with all other persons designated as "assistant bingo game managers." All bingo game managers, principal and assistants, shall be knowledgeable of the rules and regulations for the conduct of bingo games. The bingo game manager or assistant manager on duty at the premise at any particular session or day shall be responsible for the accuracy of the daily record of activities and for the conduct of play pursuant to Title 230

WAC. The principal manager of the bingo games shall be held responsible for the performance of all assistant managers.

As used in these rules the term bingo game manager includes all persons designated as principal managers and assistant bingo game managers. [Statutory Authority: RCW 9.46.070(17). 81-21-032 (Order 113), § 230-02-418, filed 10/15/81.]

Chapter 230-04 WAC

APPLICATION FOR ISSUANCE OF LICENSES

WAC

230-04-050	Qualified bona fide charitable and nonprofit organization qualifications.
230-04-060	Required information.
230-04-065	Lesser requirements for applicants for certain classes of licenses to operate bingo, raffles or amusement games and fund raising events.
230-04-145	Licensing of managers of bingo games.
230-04-147	Notification to the commission upon beginning, terminating or changing responsibilities as bingo game managers.
230-04-190	Issuance of license.
230-04-200	License fees.
230-04-325	Cancellation, change of date or location of fund raising event.

WAC 230-04-050 Qualified bona fide charitable and nonprofit organization qualifications. Qualified bona fide charitable or nonprofit organizations, including qualified agricultural fairs, to which licenses may be issued by the commission shall be limited to the following organizations only as provided by RCW 9.46.020(3):

(1) Any organization duly existing under the provisions of chapter 24.12 RCW. That chapter deals only with certain leaders of a church or religious organization who, pursuant to the provisions of that chapter, have become a corporation sole.

(2) Any organization duly existing under the provisions of chapter 24.20 RCW. That chapter deals with certain fraternal societies.

(3) Any organization duly existing under the provisions of chapter 24.28 RCW. That chapter deals with granges.

(4) Only those charitable or nonprofit organizations, whether incorporated or not, which are organized and operating for one or more of the following purposes only:

- (a) Charitable
- (b) Benevolent
- (c) Eleemosynary
- (d) Educational
- (e) Civic
- (f) Patriotic
- (g) Political
- (h) Social
- (i) Fraternal
- (j) Athletic
- (k) Agricultural.

(5) Any agricultural fair authorized under the provisions of chapter 15.76 or 36.37 RCW.

(6) Any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to

furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the suffering caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same.

(7) A branch or chapter of a parent organization, which parent organization is itself eligible for licensure, must demonstrate to the satisfaction of the commission that the branch or chapter was not established and is not and will not be organized and operated with the evasion of the limitations of state law or commission rule on the operation of gambling activities as one of its purposes. The branch or chapter must be organized and operating for one of the purposes set out above and be otherwise qualified to obtain the license sought. The director may require an affidavit signed by the chief executive officers of the parent organization certifying that the branch or chapter is a bona fide subdivision of the parent organization.

(8) An incorporated city or town in the state of Washington or subdivision thereof.

(9) Each applicant must be organized and operated primarily for purposes other than the operation of gambling activities, in the opinion of the commission, to be eligible for a license to conduct any authorized gambling activity. [Statutory Authority: RCW 9.46.070(1), 82-04-009 (Order 117), § 230-04-050, filed 1/22/82; Order 42, § 230-04-050, filed 9/18/75; Order 23, § 230-04-050, filed 9/23/74; Order 5, § 230-04-050, filed 12/19/73.]

WAC 230-04-060 Required information. In addition to other information required by the commission, each applicant shall provide the following information on or attached to the application:

(1) Copy of corporate applicants' articles of incorporation and by-laws; or, if not a corporation, a copy of any by-laws and other documents which set out the organizational structure and purposes of the organization;

(2) A copy of a nonprofit or charitable applicant's internal revenue service tax exemption letter if one has been obtained;

(3) Details and copies of all lease or rental arrangements, whether oral or written, between the applicant and the owner of premises upon which the gambling activity will be conducted, if such premises are leased or rented;

(4) Details and copies of any and all franchise agreements or other agreements, whether written or oral, if any, between the applicant and distributors or manufacturers of equipment or between the applicant and any other person where those agreements relate to gambling activities or gambling equipment;

(5) The name, address, date of birth, and social security number of each paid employee or agent who will work in the activity for which the license is sought;

(6) For each person listed below, a completed copy of the commission's form entitled "Personal Information Form:"

(a) Each person who has a substantial interest in the applicant;

(b) Each person who is the chief executive officer, the chairman of a board, and the financial records officer of a corporation and/or bona fide nonprofit charitable organization;

(c) Each person who will serve in a supervisory capacity over those persons in the direct management or direct operation of the activity for which the license is sought;

(7) If the applicant is a natural person, a completed copy of the commission's "Personal Information Form" respecting the applicant;

(8) When information filed with the commission becomes inaccurate in any way, or additions or deletions are necessary to reflect changes in circumstances of the licensee, applicant, or any other persons since the information was filed, the applicant or licensee shall submit full details of any such change and/or correct any inaccuracy, together with copies of any new required documents, with the commission within 30 days following the change: *Provided*, That with respect to bona fide charitable and/or bona fide nonprofit organizations only, notice need not be given of changes of officers until required renewal time(s) for a particular license(s). If other information required to be submitted under all other sections of this rule and/or other information required on the application, changes or becomes inaccurate in any way, the commission shall be notified as required in this subsection. All officers [of] [or] bona fide charitable and/or bona fide nonprofit organizations, upon signing the original and/or renewal application(s) for licensure, shall obligate the organization to the fair and lawful operation of all gambling activities for that license year or until renewal time of another license held by the organization or an additional license is applied for, whichever is sooner, regardless of any change(s) in the roster of elected officers during that license period.

(9) Sections (1), (2), and (6) shall not apply to applications by or in behalf of an incorporated city or town in the state of Washington or a subdivision thereof. [Statutory Authority: RCW 9.46.070(7), 82-15-009 (Order 124), § 230-04-060, filed 7/9/82. Statutory Authority: RCW 9.46.070(6), 78-06-066 (Order 85), § 230-04-060, filed 5/25/78; Order 67, § 230-04-060, filed 3/11/77; Order 60, § 230-04-060, filed 9/10/76; Order 51, § 230-04-060, filed 4/30/76; Order 48, § 230-04-060, filed 3/23/76; Order 42, § 230-04-060, filed 9/18/75; Order 23, § 230-04-060, filed 9/23/74; Order 12, § 230-04-060, filed 2/14/74; Order 5, § 230-04-060, filed 12/19/73.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 230-04-065 Lesser requirements for applicants for certain classes of licenses to operate bingo, raffles or amusement games and fund raising events. Notwithstanding the provisions of WAC 230-04-060, the following provisions shall apply to:

- (1) Fund raising events. (All classes)
- (2) Bingo.
 - (a) Class A - \$500 or less annual net receipts.
 - (b) Class B - over \$500 through \$5000 annual net receipts.
- (3) Raffles.
 - (a) Class C - \$500 or less annual net receipts.
 - (b) Class D - over \$500 but not over \$5000 annual net receipts.

(4) Amusement games. Those amusement games which are conducted under a class A, B or C license on the premises of property owned by a corporation sole or property owned by a public school (kindergarten through grade 12), college or university where the annual net receipts of the licensee from the licensed activity do not exceed \$5000 and where the licensed activity is conducted by a bona fide charitable or nonprofit organization.

(5) As to the above categories only, the director may prepare a simplified form which all applicants for license for the above categories shall submit to the office of the commission in Olympia. The information requested on the simplified application form shall be submitted to the commission by the applicant's highest ranking executive officer. At the minimum, each applicant shall provide the following information on or attached to the application:

(a) Copy of a corporate applicant's articles of incorporation and by-laws; a partnership applicant's articles and partnership agreement; copies of any by-laws and other documents which set out the organizational structure and purposes for which a noncorporate organization applicant was formed and operates; or, if the above are not available, an affidavit of the chief officer or responsible person with the organization setting out the purpose for which the organization exists and operates;

(b) Information as to whether or not a tax exemption letter from the United States internal revenue service has been obtained or denied;

(c) The name, address and date of birth of each employee who will participate in the operation of, and of each person who will participate in the management of, the activity for which the license is sought;

(d) The name, address and date of birth of each person who has any interest in the gambling activity for which the license is sought, the building within or premises upon which the activity will occur or the equipment to be used for such gambling activity;

(e) When information filed with the commission becomes inaccurate in any way, the applicant or licensee shall submit full details of any such change and correct any inaccuracy, together with copies of any new required documents with the commission within 30 days following the change.

(6) Refer to WAC 230-20-400 for certain other exemptions subsequent to issuance of license(s). These exemptions do not apply to fund raising events. [Statutory Authority: RCW 9.46.070(7), 82-15-009 (Order 124), § 230-04-065, filed 7/9/82; Order 53, § 230-04-065, filed 5/25/76; Order 42, § 230-04-065, filed 9/18/75; Order 29, § 230-04-065, filed 1/23/75; Order 23, §

230-04-065, filed 9/23/74; Order 14, § 230-04-065, filed 3/27/74.]

WAC 230-04-145 Licensing of managers of bingo games. No person shall act as a bingo game manager on or after February 1, 1982, unless he or she has either received a license to do so from the commission or, if the commission has not previously denied an application by that person for a license, or the commission has not previously revoked a license issued to that person, he or she has properly applied for such license. If there has been such a previous denial of an application and/or revocation of a license, that person shall not act as a bingo game manager unless he or she has been issued a license to do so by the commission. See WAC 230-02-418 for the definition of a "bingo game manager."

On or before the first day he or she actually performs work as a bingo game manager, a person shall submit an application for a license to the commission. Such application shall not be deemed complete and properly submitted for the purposes of this rule unless and until all questions on the commission's application form and attachments are fully and truthfully answered and the form, with all attachments, together with the required fee, has been delivered to the commission office during regular business hours (or actually deposited in the United States mail properly addressed to the commission).

Except as provided in this section, an operator of a bingo game shall not allow any unlicensed person to perform duties for which a license is required in or in connection with a bingo game and shall take all measures necessary to prevent an unlicensed person from doing so.

The president of the bingo licensee (or equivalent officer) operating the bingo game in connection with which the applicant will work shall sign the original application for license of each bingo game manager acknowledging that the applicant will be working for that bingo licensee with the bingo licensee's knowledge and consent. [Statutory Authority: RCW 9.46.070(17), 81-21-032 (Order 113), § 230-04-145, filed 10/15/81.]

WAC 230-04-147 Notification to the commission upon beginning, terminating or changing responsibilities as bingo game managers. A licensed bingo game operator shall notify the commission in writing when a bingo game manager has begun work in the bingo game operation or has terminated employment and/or responsibilities for any reason.

The notification shall include the full name, sex, and birthdate of the bingo game manager, and among other things, the date the bingo game manager began to work for the bingo game operator, with an acknowledgment that he or she has done so with the operator's knowledge and consent, or the date employment and/or responsibilities terminated. The report shall be made immediately and must reach the commission's Olympia office not later than 5 p.m. on the tenth day following the person's first day of work or last day of work, as applicable. If the tenth day falls on a Saturday, Sunday, or state

holiday, it shall be due upon the next following business day. [Statutory Authority: RCW 9.46.070(14). 81-21-032 (Order 113), § 230-04-147, filed 10/15/81.]

WAC 230-04-190 Issuance of license. (1) **Charitable and nonprofit organizations and agricultural fairs.** The commission may issue a license to qualified bona fide charitable or to qualified bona fide nonprofit organizations or to qualified agricultural fairs to operate each of the following activities upon a specified location:

- (a) Bingo
- (b) Raffles
- (c) Amusement games
- (d) Punchboards and pull tabs

(e) To allow its premises to be used only by bona fide members and guests to play authorized card games. The operation of each of these activities shall require a separate license from the commission.

(2) **Fund raising event as defined in RCW 9.46.020.** The commission may issue a license to a bona fide charitable or bona fide nonprofit organization defined in RCW 9.46.020, other than any agricultural fair defined therein, to conduct fund raising events.

(3) **Special amusement game license.** The commission may issue a license to any person, association or organization other than a bona fide charitable or bona fide nonprofit organization to conduct amusement games only at one or more of the locations set out by the commission in WAC 230-20-380.

(4) **Commercial stimulant card games.** The commission may issue a license to persons operating a business primarily engaged in the selling of items of food or drink for consumption on the premises operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board, to allow a specified portion of a specified premises to be used by persons to play authorized card games.

(5) **Public card room employee.** The commission may issue a license to a person to perform duties in a public card room.

(6) **Commercial stimulant punchboards and pull tabs.** The commission may issue a license to a person operating a business primarily engaged in the selling of items of food or drink for consumption on the premises operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board, to operate punchboards and pull tabs upon specified premises.

(7) **Punchboard and pull tab manufacturer and distributor.** The commission may issue a separate license to:

- (a) Punchboard and pull tab manufacturers,
- (b) Distributors to sell and distribute punchboards and pull tabs and related equipment within the state of Washington,

(c) Manufacturer's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the manufacturer in the state of Washington, and

(d) Distributor's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the distributor in the state of Washington.

(8) **License expiration.** Each such license shall be valid for one year from the date that it is issued: *Provided, That*

(a) Licenses issued to conduct any authorized activity in connection with and upon the site of a qualified agricultural fair, qualified community-wide civic festival, qualified world's fair, or qualified civic center shall be valid only for the duration of the fair or festival, or, in the case of an activity at a civic center, for the seasons during which the civic center is operating and open to the public. In no event shall such license exceed one calendar year.

(b) Notwithstanding the provisions of subsection (a), a license issued for the conduct of a raffle in connection with a qualified agricultural fair, qualified community-wide civic festival or qualified world's fair shall authorize the licensee to sell tickets for said raffle at any time during the period from the issuance of the license through the conclusion of the fair or festival.

(c) Licenses issued for card tournaments shall be valid only for the duration of the tournament, but in no event shall exceed ten consecutive days.

(d) Licenses issued for fund raising events shall be valid for one year from the date issued but the event (or events) permitted under the license shall be held only at the place and time set forth in the application or otherwise approved by the commission. The number of events permitted under the license in any calendar year is subject to the limitations set out in RCW 9.46.020(23) defining fund raising events.

(e) If the licensee fails to renew the license prior to the expiration date, the license shall expire. The licensee must reapply for licensure according to the statutory and regulatory conditions then in force as would any other person.

(9) **Conditions of license issuance.** All activities so licensed are licensed subject to compliance with all of the applicable provisions of chapter 9.46 RCW, including any amendments thereto, all applicable rules and regulations passed by the commission, all other applicable laws of the United States, the state of Washington and all political subdivisions of the state of Washington. [Statutory Authority: RCW 9.46.020(23). 81-03-045 (Order 105), § 230-04-190, filed 1/16/81. Statutory Authority: RCW 9.46.070(16). 78-06-066 (Order 85), § 230-04-190, filed 5/25/78. Statutory Authority: RCW 9.46.070(10). 78-05-043 (Order 84), § 230-04-190, filed 4/21/78; Order 78, § 230-04-190, filed 11/17/77; Order 51, § 230-04-190, filed 4/30/76; Order 42, § 230-04-190, filed 9/18/75; Order 23, § 230-04-190, filed 9/23/74; Order 5, § 230-04-190, filed 12/19/73.]

WAC 230-04-200 License fees. The following fees shall be paid to the commission for licenses, and permits, issued by the commission. For the operation of:

- (1) **Bingo**

(a) Class A – five hundred dollars or less annual net receipts – \$25.

(b) Class B – over five hundred dollars through five thousand dollars annual net receipts – \$75.

(c) Class C – over five thousand dollars through fifteen thousand dollars annual net receipts – \$300.

(d) Class D – over fifteen thousand dollars through twenty-five thousand dollars annual net receipts – \$500.

(e) Class E – over twenty-five thousand dollars through fifty thousand dollars annual net receipts – \$1000.

(f) Class F – over fifty thousand dollars through one hundred thousand dollars annual net receipts – \$2000.

(g) Class G – over one hundred thousand dollars through five hundred thousand dollars annual net receipts – \$4000.

(h) Class H – over five hundred thousand dollars through seven hundred fifty thousand dollars annual net receipts – \$5500.

(i) Class I – over seven hundred fifty thousand dollars through one million dollars annual net receipts – \$8000.

(j) Class J – over one million dollars annual net receipts – \$11,000.

(2) Raffles

(a) Class C – five hundred dollars or less annual net receipts – \$25.

(b) Class D – over five hundred dollars but not over five thousand dollars, annual net receipts – \$75.

(c) Class E – over five thousand dollars through fifteen thousand dollars annual net receipts – \$300.

(d) Class F – over fifteen thousand dollars annual net receipts – \$500.

(3) Amusements games – by bona fide charitable or bona fide nonprofit organizations.

(a) Class A – five hundred dollars or less annual net receipts – \$25.

(b) Class B – over five hundred dollars through one thousand dollars annual net receipts – \$30.

(c) Class C – over one thousand dollars through five thousand dollars annual net receipts – \$50.

(d) Class D – over five thousand dollars through fifteen thousand dollars annual net receipts – \$200.

(e) Class E – over fifteen thousand dollars annual net receipts – \$350.

(4) FUND RAISING EVENT (license year) – by bona fide charitable or bona fide nonprofit organizations.

(a) Class A-1 – one event, twenty-four consecutive hours – \$200.

(b) Class A-2 – not more than two events, twenty-four consecutive hours each – \$300.

(c) Class B-1 – one event, not more than seventy-two consecutive hours – \$300.

(5) SPECIAL LOCATION AMUSEMENT GAMES – other than bona fide charitable or bona fide nonprofit organizations.

(a) Class A – one event per year lasting no more than 12 consecutive days – \$500.

(b) Class B – twenty-five thousand dollars or less annual net receipts – \$500.

(c) Class C – over twenty-five thousand dollars through one hundred thousand dollars annual net receipts – \$1500.

(d) Class D – over one hundred thousand dollars through five hundred thousand dollars annual net receipts – \$3000.

(e) Class E – over five hundred thousand dollars annual net receipts – \$5000.

(6) CARD GAMES – bona fide charitable and nonprofit organizations.

(a) Class A – general (fee to play charged) – \$500.

(b) Class B – limited card games – to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) – \$100.

(c) Class C – tournament only (no more than ten consecutive days) per tournament – \$35.

(d) Class D – general (no fee is charged a player to play cards) – \$35.

(e) Class R – primarily for recreational purposes and meets the standards of WAC 230-04-199 – \$10.

(7) CARD GAMES – commercial stimulant – each licensee per premises.

(a) Class B – limited card games to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) – \$100.

(b) Class C – tournament only (no more than ten consecutive days) – per tournament – \$100.

(c) Class D – general (no fee is charged a player to play cards) – \$35.

(d) Class E – general.

(i) Up to five tables – \$2000

(ii) Up to four tables – \$1500

(iii) Up to three tables – \$750

(iv) Up to two tables – \$500

(v) One table only – \$250.

(8) BINGO GAME MANAGER – each licensee – \$100, each renewal – \$50.

(9) PUBLIC CARD ROOM EMPLOYEE – each licensee – \$100, each renewal – \$50.

(10) PERMITS – for operation by persons of authorized activity at agricultural fair or special property.

(a) Class A – one location and event only – \$10.

(b) Class B – annual permit for specified different events and locations – \$100.

(11) PUNCHBOARDS AND PULL TABS – each licensee, per premises – \$150.

(12) Manufacturer license – \$1250.

(13) Distributor license – \$1000.

(14) Distributor's representative license – \$150, renewal – \$75.

(15) Manufacturer's representative license – \$150, renewal – \$75.

The term annual net receipts as used above means net receipts from the activity licensed only, during the licensed year. [Statutory Authority: RCW 9.46.070(5), 82-15-009 (Order 124), § 230-04-200, filed 7/9/82; 81-21-032 (Order 113), § 230-04-200, filed 10/15/81; 81-19-073 (Order 112), § 230-04-200, filed 9/15/81; 81-13-032 (Order 109), § 230-04-200, filed 6/15/81; 81-03-045 (Order 105), § 230-04-200, filed 1/16/81; 80-03-059 (Order 98), § 230-04-200, filed 2/25/80;

79-12-057 (Order 94), § 230-04-200, filed 11/28/79; 79-05-026 (Order 89), § 230-04-200, filed 4/18/79; 79-01-026 (Order 88), § 230-04-200, filed 12/18/78. Statutory Authority: RCW 9.46.070(11). 78-06-066 (Order 85), § 230-04-200, filed 5/25/78; Order 78, § 230-04-200, filed 11/17/77; Order 51, § 230-04-200, filed 4/30/76; Order 45, § 230-04-200, filed 12/30/75; Order 42, § 230-04-200, filed 9/18/75; Order 40, § 230-04-200, filed 6/26/75; Order 23, § 230-04-200, filed 9/23/74; Order 12, § 230-04-200, filed 2/14/74; Order 9, § 230-04-200, filed 12/19/73 at 1:26 p.m.; Order 5, § 230-04-200, filed 12/19/73 at 1:25 p.m.]

WAC 230-04-325 Cancellation, change of date or location of fund raising event. A cancellation or a change in date and/or location of a fund raising event as defined in RCW 9.46.020 requires:

(1) For cancellation, the licensee shall notify the commission and the appropriate law enforcement agency in advance of the date upon which the event is scheduled.

(2) For change of date or location, the licensee shall:

(a) Give at least ten days written notice to the commission in advance of the new date or location, together with a signed statement from the chief executive officer that the appropriate law enforcement agency has been notified of the change;

(b) Pay a fee of twenty dollars to the commission for each such date or location change.

(3) For a cancellation or change in date and/or location, the permit form authorizing the event for the specific date or location shall be returned to the commission. [Statutory Authority: RCW 9.46.070(5), 9.46.020(23) and 9.46.070(14). 81-19-073 (Order 112), § 230-04-325, filed 9/15/81.]

Chapter 230-08 WAC RECORDS AND REPORTS

WAC

230-08-010	Monthly records.
230-08-090	Daily records—Card games.
230-08-130	Quarterly activity reports by operators of punchboards and pull tabs.
230-08-170	Punchboard and pull tab retention.

WAC 230-08-010 Monthly records. Every person or organization licensed to operate any authorized gambling activity shall keep and maintain permanent monthly records of all of the activities of the licensee related to each licensed activity. These records shall be kept separate for each month and [shall] include, but not necessarily be limited to, all details of the following:

(1) The gross receipts from the conduct of each of the activities licensed.

(2) Full details on all expenses related to each of the activities licensed.

(3) The total cost of all prizes paid out for each of the activities licensed.

(4) With respect to those licensees receiving such licenses as qualified bona fide charitable or bona fide

nonprofit organizations, except agricultural fairs, records which clearly show in detail how those proceeds from each licensed activity obtained by the licensee were used or disbursed by that licensee.

(5) In addition to any other requirement set forth in these rules, licensees for the operation of punchboards and pull tabs shall be required to prepare a detailed monthly record for punchboards and pull tab series removed from play during that month. This detailed monthly record shall be recorded in a standard format prescribed by the commission and shall disclose at minimum the following information:

(a) The name of the punchboard or pull tab series;

(b) The Washington state identification stamp number issued by the commission and placed thereon;

(c) The series number of each pull tab series or punchboard;

(d) The date placed out for play;

(e) The date removed from play;

(f) The total number of tabs in each pull tab series or the total number of punches in each punchboard;

(g) The number of pull tabs or punches remaining after removal from play;

(h) The number of pull tabs or punches played from the pull tab series or punchboard;

(i) The cost to the players to purchase one pull tab or one punch;

(j) The gross receipts as defined in WAC 230-02-110;

(k) The total prizes paid, including both cash and merchandise (calculated by the cost to the licensee) prizes;

(l) The net receipts (gross receipts less total prizes paid);

(m) Any difference between net receipts and the actual cash received as either over or (short);

(n) The actual cash received from the operation of each pull tab series or punchboard; and,

(o) The cost to the licensee of each pull tab series and each punchboard played.

(6) Copies of all additional financial data which support tax reports to any and all governmental agencies.

Each of these records shall be maintained by the licensee for a period of not less than three years from the end of the fiscal year for which the record is kept unless the licensee is released by the commission from this requirement as to any particular record or records. [Statutory Authority: RCW 9.46.070(8). 82-01-065 and 82-03-033 (Order 115 and 116), § 230-08-010, filed 12/18/81 and 1/18/82; Order 74, § 230-08-010, filed 8/17/77; Order 18, § 230-08-010, filed 5/21/74; Order 9, § 230-08-010, filed 12/19/73, 1:26 p.m.; Order 5, § 230-08-010, filed 12/19/73, 1:25 p.m.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 230-08-090 Daily records—Card games. In addition to any other requirements set forth in these

rules, persons licensed to operate card rooms shall be required to prepare a detailed record covering each occasion.

The commission shall provide to the licensee a consecutively prenumbered standard format record sheet in three parts. This form shall contain the following:

- (1) The date of the occasion;
- (2) The time that the half hour fee was charged;
- (3) The amount of half hour fee charged per table;
- (4) The number of players at each table at the time of collection;
- (5) The names and time of play for each nonpaying house player (which may only include licensed card room employees and the licensee);
- (6) The amount of fees collected at each table each half hour;
- (7) The cumulative gross amount received from fees collected on each occasion and in total;
- (8) A reconciliation of chips and cash on a daily basis; and
- (9) A printed name, signature, and hours worked of the person who was responsible for the collection of fees.

All detailed record sheets issued to a licensee shall be numerically accounted for, and the original of each three part record shall be maintained on the premises for a period of not less than three years from the date of the occasion which it records. [Statutory Authority: RCW 9.46.070(8) and (14). 82-11-028 (Order 120), § 230-08-090, filed 5/11/82; Order 23, § 230-08-090, filed 9/23/74.]

WAC 230-08-130 Quarterly activity reports by operators of punchboards and pull tabs. Each licensee for the operation of punchboards and pull tabs shall submit an activity report to the commission concerning the operation of the licensed activity and other matters set forth below during each of the following periods of the year:

- January 1st through March 31st
- April 1st through June 30th
- July 1st through September 30th
- October 1st through December 31st

If the licensee does not renew his license, then he shall file a report for the period between the previous report filed and the expiration date of his license.

Each report shall be received in the office of the commission or postmarked no later than 30 days following the end of the period for which it is made.

The report shall be signed by the owner, president, or equivalent officer and shall be submitted upon a form to be obtained from the commission. If the report is prepared by someone other than the licensee or his employee then the preparer shall also sign the report. The report shall include, among other items, the following:

- (1) The gross receipts of the licensee from all sources other than licensed gambling activities during the reporting period.
- (2) The portion of the receipts set out in response to (1) above related solely to the sale of food and drink for consumption on the premises.

(3) The gross receipts from punchboards and the gross receipts from pull tabs.

(4) The total amount of cash prizes paid out and the cost to the licensee of all merchandise prizes paid out, for punchboards and for pull tabs.

(5) All expenses relating directly to the purchase and operation of punchboards and pull tabs.

(6) Total net income. [Statutory Authority: RCW 9.46.070(8). 82-04-010 (Order 118), § 230-08-130, filed 1/22/82; Order 80, § 230-08-130, filed 12/28/77; Order 70, § 230-08-130, filed 5/24/77; Order 46, § 230-08-130, filed 2/13/76; Order 29, § 230-08-130, filed 1/23/75; Order 14, § 230-08-130, filed 3/27/74; Order 5, § 230-08-130, filed 12/19/73, 1:25 p.m.]

WAC 230-08-170 Punchboard and pull tab retention. Each punchboard which is removed from operation for any reason, except for surrender to the commission, shall be retained by the operator for at least six months following the last day of operation of said board and the board so removed with the prize flare attached thereto, together with the winning punches of \$5 and above from said board, shall remain available for inspection by the commission or its agents and local law enforcement agencies and taxing agencies.

Each pull tab series which is removed from operation for any reason, except for surrender to the commission, the prize display flare for that pull tab series containing the gambling commission identification stamp, together with the unused pull tabs and winning pull tabs of \$5 and above in that series, shall be retained by the operator for at least six months following the last day of operation of said pull tab series and remain available for inspection by the commission or its agents and local law enforcement and taxing agencies. [Statutory Authority: RCW 9.46.070(11). 81-21-033 (Order 114), § 230-08-170, filed 10/15/81; Order 72, § 230-08-170, filed 7/26/77; Order 23, § 230-08-170, filed 9/23/74; Order 14, § 230-08-170, filed 3/27/74; Order 5, § 230-08-170, filed 12/19/73, 1:25 p.m.]

Chapter 230-12 WAC

RULES OF GENERAL APPLICABILITY

WAC

230-12-010 Inspection of premises, records and devices.

WAC 230-12-010 Inspection of premises, records and devices. All premises licensed, or any premises in any way connected physically or otherwise with a licensed business, including vehicles used in connection therewith, shall at all times be open to inspection by the commission or its authorized representatives.

At any time during which a licensed gambling activity is being operated upon a premises, the commission, and any authorized representative of the commission, may enter upon the premises without advance notice and:

(1) Make a count of all monies received during the operation of the licensed activity located on the premises, inspect all receipts for income issued by the licensee, and inspect all receipts for prizes which have been awarded by the licensee.

(2) Inspect any of the other records of the licensee, or of any member that directly participates in the management, operation or promotion of a licensed activity, or of any employee of the licensee, or of any operator of the licensed activity.

(3) Inspect, including the dismantling of, all pieces of equipment or parts thereof, or devices of any nature, which are being used to conduct the licensed activity.

(4) When the commission, or its authorized representative, finds cause to believe that there is a reasonable probability that the provisions of chapter 9.46 RCW, including any amendments thereto, or any of the rules passed by the commission, have been or are being violated by the licensee, or its employees or operators, remove to another location or locations for further inspection and investigation, any and all records and any and all equipment, parts thereof, and devices of any nature located upon the premises related to the operation of the licensed activity, or any other gambling activity.

A receipt shall be issued to the licensee or operator of the activity which shall list and describe each record and each piece of equipment, or part thereof, and device which has been removed from the premises.

Each such record, piece of equipment, part thereof, and device so removed shall be returned to the premises or to the address of the licensee within a reasonable period of time after its removal in as good a condition as it was in when removed, unless the commission, or the director of gambling, determines that the record, equipment or devices so removed are necessary for an ongoing investigation of possible violations of statutes or rules of the commission by the licensee, by employees of the licensee, or by operators of the licensed activity. [Statutory Authority: RCW 9.46.070(8), 9.46.20(14) [9.46.020(14)] and 9.47.130. 81-21-033 (Order 114), § 230-12-010, filed 10/15/81; Order 57, § 230-12-010, filed 7/9/76; Order 42, § 230-12-010, filed 9/18/75; Order 5, § 230-12-010, filed 12/19/73.]

Chapter 230-20 WAC

BINGO, RAFFLES AND AMUSEMENT GAMES

WAC

230-20-065	Licensed bingo manager on premises.
230-20-220	Operators shall not play.
230-20-605	Types of amusement games authorized.
230-20-650	Amusement games—Coin toss games.

WAC 230-20-065 Licensed bingo manager on premises. No bona fide charitable or nonprofit organization, except when operating at an authorized agricultural fair, or other special event as authorized by the commission, or under RCW 9.46.030(3), as now enacted or hereafter amended, or under a Class A or Class B or Class C license, shall operate a bingo game unless it is under the supervision of a licensed bingo manager who is

on the premises at which the bingo game is licensed for operation during all hours of its operation. [Statutory Authority: RCW 9.46.070(11) and 9.46.070(17). 81-21-032 (Order 113), § 230-20-065, filed 10/15/81.]

WAC 230-20-220 Operators shall not play. No operator shall allow a person who receives any compensation, directly or indirectly, for the operation of, any bingo game conducted by the operator to play in a bingo game conducted by that operator.

No operator shall allow any person who, without payment, assists in the operation of any bingo game conducted by that operator to play in any bingo game conducted by that operator on the same bingo occasion. However, the second paragraph of this rule shall not apply to class A[,] B[,] and C bingo licensees, or to games operating under the authority of RCW 9.46.030(3). [Statutory Authority: RCW 9.46.070 (11) and (14). 82-01-065 and 82-03-033 (Order 115 and 116), § 230-20-220, filed 12/18/81 and 1/18/82; Order 65, § 230-20-220, filed 1/7/77; Order 53, § 230-20-220, filed 5/25/76; Order 5, § 230-20-220, filed 12/19/73, 1:25 p.m.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 230-20-605 Types of amusement games authorized. The commission hereby authorizes the following amusement games to be operated by persons possessing a special location amusement games license, or bonafide charitable or nonprofit organizations possessing a license issued by the gambling commission or when conducted as authorized by RCW 9.46.030(3) at an authorized location:

(1) **Fish pond (duck pond).** The player "catches" a fish or other object floating in a pond of water by using a pole, hand, net or string. All fish or objects are marked on the bottom indicating the size of prize the player wins. The player is awarded a prize every time and the player must be allowed to continue playing until a prize is won.

When played at school carnivals, the game may be played without the pond of water and the operator of the game may assist the player by attaching a prize to the pole, hand, net or string.

(2) **Hoop or ring toss.** The player must toss a hoop(s) or ring(s) over a target which may consist of bottles, pegs, blocks, or prizes. The operator must specifically advise the player as to the degree that the hoop(s) or ring(s) must go over the target. All hoops of the same color used at an individual stand must be the same size. All targets used at an individual booth must be the same size or the operator must advise the player by posting signs or using color codes denoting the different sizes.

(3) **Dart games.** The target area for all dart games must be of a material capable of being penetrated and retaining a metal tip dart. The target area will be in the rear of the stand and will be at least three feet but not

more than fifteen feet from the foul line. Target must be stationary at all times.

(a) **Balloon (poparoo) (balloon smash).** The targets are inflated balloons. The player throws one or more darts to burst a predetermined number of balloons. If the predetermined number of balloons are burst by the dart(s), the player receives the prize indicated.

(b) **Dart throw.** The targets are various sizes and shapes located on the target area. The player must throw dart(s) individually at the target. The player must hit and the dart must stick in a predetermined target to win the prize as designated.

(c) **Tic tac toe dart.** The target is a tic tac toe board located in the target area. The player throws darts at the target and wins a designated prize when the thrown darts line up in a row in the target. The darts may line up vertically, horizontally or diagonally to win.

(d) **Add um up darts.** The target consists of numbered squares located in the target area. Prizes are awarded based on the total score obtained by the player by throwing and sticking the darts in the numbered squares. All darts stuck on lines will receive a rethrow. The player has the right to add up the score of the darts thrown.

(4) **Ball tosses.** In all ball toss games, the balls used at a specific stand must be of the same weight and size. Targets must be of the same weight and size or the operator must color code the targets and advise the player of the difference in targets by posting a sign or providing a duplicate of the target showing the limitations or restrictions readily visible to the player.

(a) **Milk bottle toss.** The player tosses or throws ball(s) at simulated milk bottles. The player wins by either tipping over or knocking bottles off the raised platform as designated by the operator. The bottles may be constructed of wood, metal or plastic or a combination of the above three. Operators may vary the number of bottles and balls used in each game. No floating or loose weights in bottles shall be allowed.

(b) **Milk can (Mexican hat).** The player tosses a ball(s) into the opening of a milk can or a fiber glassed Mexican Hat turned upside down to win.

(c) **Football toss (tire toss).** The player tosses or throws a football(s) through a stationary tire or hoop to win.

(d) **Basketball toss/throw.** The player tosses or throws a basketball(s) through a basketball type hoop to win.

(e) **Bushel baskets.** The player tosses a ball(s) into a bushel type basket mounted on a stationary backdrop at a fixed angle. The ball(s) must stay in the basket to win. All rim shots will be allowed except the operator may designate the top 6 inches of the basket rim by color and disallow ball(s) striking this area as winning tosses.

(f) **Cat-ball-toss (star/diamond toss).** The player tosses a ball(s) into a simulated cat's mouth or a round, diamond or star shaped hole to win.

(g) **Ping pong toss.** The player tosses ping pong balls into dishes, saucers, cups or ashtrays floating in water. A predetermined number of balls must remain in the dishes, saucers, cups or ashtrays for the player to win.

The dishes, saucers, cups or ashtrays must have water covering the bottom of the surface which is facing up.

(h) **Fish bowl game.** The player tosses ping pong balls into a water-filled fish bowl to win.

(i) **Volley ball toss (soccer ball).** The player tosses a volley or soccer ball(s) into a keg type container mounted on a stationary backdrop at a fixed angle. The ball(s) must stay in the keg to win a prize. Rim shots are authorized as stated in paragraph (e) above for bushel baskets.

(j) **Goblet ball (whiffle ball).** The player tosses a whiffle ball(s) into a target area of glass or plastic goblets. Located in the target area are colored goblets which determine the type of prize the player wins. At least 33 percent of the goblets in the target area must be winners. The ball(s) must stay in the goblet to win a prize.

(k) **Break the plate/bottle.** The player tosses or throws a ball(s) at a plate, phonograph record or bottle. The type of prize won is determined by the number of targets broken by the player.

(l) **Punk rack.** The targets for this game are rows of dolls or cats on a ledge at the rear of the stand. The dolls or cats must be filled with sawdust, styrofoam, cotton or other like material which provides a firm base for the ball to strike. The hair protruding from the side of the dolls or cats shall not exceed three inches. The prize is determined by how many dolls or cats the player knocks over or off the ledge as posted by the operator.

(m) **Teeth game.** The target consists of a large face with wooden teeth. The prize is determined by how many teeth the player knocks down by throwing a ball(s).

(n) **Toilet game (doniker).** The player tosses or throws a ball or other object through a toilet seat, which is located at the rear of the stand, to win.

(o) **(Coke roll).** The player rolls a ball(s) down an alley with the object of knocking over two coke bottles standing at the end of the alley. The player must tip over both bottles to win. Bottles shall be placed on predetermined spots painted on the surface of the alley.

(p) **Rolldown.** The player rolls ball(s) down an alley with the object of putting the ball(s) in numbered slots at the end of the alley. The scores represented by the balls in each numbered slot are added up at the conclusion of the game. Scores above or below a predetermined score win. The alley surface shall at all times be smooth and free from defects.

(q) **Fascination (I got it).** A group game which involves competition among the players. The target area consists of twenty-five holes and the player tosses or rolls a ball into one of the holes. The object of the game is to get five balls in a row either vertically, horizontally or diagonally. The first player to accomplish this is the winner. Prize size is determined by the number of players participating in each game.

(r) **Pokereno.** The target area consists of twenty five squares with each square given the value of a poker card. The player rolls or tosses five balls to land in the squares. The operator has predetermined winning poker

hands and the player wins when balls land in the squares that duplicate the operators selection.

(5) **Shooting games.** These games are conducted by the player using a weapon of some type to shoot at a target in the rear of the stand. The safety requirement of the local city or county ordinances must be observed by the operator and player. The target may be stationary or mobile.

(a) **Short range (shooting gallery).**

(i) The player is given four rounds to shoot at a spot target 1/4 inches or less in diameter. The player wins when the spot target is completely shot out.

(ii) The player is given five rounds to shoot one round each at five triangular, round or square targets, 1/2 square inch. The prize is determined by the number of targets struck by the player.

(iii) The player is given five rounds to shoot one round each at five triangular, round or square targets, 1/2 square inch. Within each target is a bull's eye and the player must hit the bull's eye without touching outer surface of the target. The prize won is determined by the number of bull's eyes correctly hit.

(b) **Shoot-out-the-star (machine gun).** The player, using an automatic air pellet gun, is given 100 pellets to shoot at a star shaped target. The player must shoot out all of the target to win. The star cannot be more than one and one quarter inch from point to point.

(c) **Water racer.** This group game involves competition with the player winning a prize based on the number of players competing. The player, using a water pistol, shoots the water into a target. The water striking the target causes a balloon to inflate or advances an object to ring a bell. The player bursting the balloon or ringing the bell first is the winner.

(d) **Rapid fire.** This group game involves competition among players similar to the water racer described in (c) above. The player uses an electronic pistol to shoot at a target. Hits on the target give the player a score and the first player to reach a predetermined score is the winner.

(e) **Cork gallery.** The player uses a cork gun to shoot at targets located on a shelf. The player must knock the target over or off the shelf to win a prize. The prize is determined by the target knocked over or off the shelf or by the number of targets knocked over or off the shelf. The base of each target shall be uniform front and rear.

(6) **Coin pitchers.** (a) **Spot pitch (lucky strike).** The player pitches a coin at colored spots located on a table in the center of the stand. The coin must touch or stay inside of a spot to win a prize.

(b) **Plate pitch.** The player pitches a coin onto a glass plate to win a prize as designated.

(c) **Glass pitch (bowl).** The player pitches a coin into or onto dishes, glasses, etc. If the coin remains in one of the top "Target" glass items then the player wins that item.

(7) **Coin-operated games.** (a) **Skill chute (bulldozer) (penny fall).** The player inserts a coin or token into a chute aiming the coin or token so that it will fall in front of a continuous sweeper, (bulldozer). If the coin or token

is aimed correctly, the sweeper (bulldozer) will push additional tokens or prizes into a hole or chute which sends them to the player. Tokens are exchanged for prizes. If there is a hidden ledge, tip or similar obstruction which inhibits the passage of tokens or prizes into the hole or chute which sends them to the player, then the operator must post a sign to advise the players.

(b) **Skee ball.** The player rolls a ball(s) up the mechanical bowling alley into targets. A computer adds up the scores and predetermined scores win.

(c) **Diggers.** The player turns a crank on a mechanical crane to pick up a prize. If the player picks up a prize then the player wins that prize. There can be no stops on the digger or, if there are stops, all prizes must be the same. All prizes must be capable of being picked up by the crane.

(8) **Miscellaneous games.** (a) **Tip-em-up-bottle.** The player is provided with a pole and a string which has a hoop or ring attached at the end. The player, using the pole with ring, must raise a bottle lying on its side to an upright position to win.

(b) **Hi-striker.** The player, using a wooden maul, must strike a lever target which causes a metal weight to rise on a guide line or track and ring a bell. The player must ring the bell a predetermined number of times to win a prize.

(c) **Rope ladder.** Player must climb up a rope ladder, which is anchored at both ends by a swivel and ring a bell or buzzer to win a prize.

(d) **Whac-a-mole.** A group game which has a target surface with 5 holes - animated "moles" pop up and down at random. Whac (hit) as many moles as possible with a mallet. First player to hit a predetermined number of moles wins.

(e) **Dip bowling game.** Player rolls a bowling type ball over hump in track. If ball stays on the back side of hump, the player wins.

(f) **Speedball radar game.** Player gets four balls. Player throws three balls through radar to establish speeds and to estimate at what speed fourth ball will pass through radar. Player wins prize if he accurately estimates speed of the fourth ball. Radar must be mounted and stationary.

(g) **Horse race derby.** A group game. Players advance their horse by shooting or rolling a ball in target area. The faster and more skillful one shoots or rolls his ball, the faster his horse will run. First horse to finish line wins.

(h) **Shuffleboard.** Player pushes a puck(s) down a shuffleboard alley to knock over poly pins at end of alley. Player wins by knocking down all the pins.

(i) **Bean bag.** The player tosses or throws a bean bag or a simulated bean bag at cans, bottles or other objects on a raised platform. The player wins a prize when he either knocks the object(s) off the raised platform or tips the targets over.

(9) Any additional games or modification of the games authorized above, must be submitted to the commission in writing. The director may temporarily approve any additional games or modification of the games subject to final approval by the commission.

(10) No other games or variations of games may be played. [Statutory Authority: RCW 9.46.070(11). 82-13-054 (Order 121), § 230-20-605, filed 6/14/82.]

WAC 230-20-650 Amusement games--Coin toss games. No person licensed to conduct amusement games shall conduct any such game within the state of Washington wherein the ability of a player to win a prize depends upon causing a coin to land within the confines of a space unless the following conditions exist with respect to said game:

(1) There must exist an unobstructed air space, of at least thirty six inches in height, above any surface upon which the landing of a coin will result in the awarding of a prize.

(2) Plates, spots, targets, etc. will not be inclined so as to give an advantage to the operator.

(3) If the area of an enclosed surface upon which the landing of a coin will result in the awarding of a prize is four square inches, or less, a prize must be awarded to any participant who causes a coin to land so that any part of said coin is within any part of said area. [Statutory Authority: RCW 9.46.030(5). 81-21-033 (Order 114), § 230-20-650, filed 10/15/81; Order 55, § 230-20-650, filed 6/25/76.]

Chapter 230-25 WAC FUND RAISING EVENTS

WAC

230-25-030	Fund raising event—Five thousand dollars annual net receipt maximum.
230-25-033	Fund raising events on New Year's Eve extending past midnight.
230-25-035	Repealed.
230-25-040	Fund raising event—House rules to be developed and posted—Limitations on wagers.
230-25-070	Fund raising events—Central accounting system required.
230-25-071	Repealed.
230-25-100	Fund raising events—Leasing of premises of retail business—Conditions.
230-25-120	Limits upon amount for rent, lease or similar payments for fund raising events.
230-25-220	Raffles or similar lotteries conducted at fund raising events.
230-25-235	Fund raising event—Rules for blackjack.
230-25-265	Fund raising event—Regular salary for licensee's employee not "payment" for work on fund raising event under certain conditions.
230-25-315	Workers to wear identification tabs.
230-25-320	Limits for operation and participation in fund raising events.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-25-035	Recreational fund raising event. [Statutory Authority: RCW 9.46.070(13). 79-12-057 (Order 94), § 230-25-035, filed 11/28/79.] Repealed by 81-19-072 (Order 111), filed 9/15/81. Statutory Authority: RCW 9.46.020(23) and 9.46.070(14).
230-25-071	Fund raising event—Definitions of job titles. [Statutory Authority: RCW 9.46.070(13). 78-11-049 (Order 87), § 230-25-071, filed 10/20/78.] Repealed by 81-19-072 (Order 111), filed 9/15/81. Statutory Authority: RCW 9.46.020(23) and 9.46.070(14).

WAC 230-25-030 Fund raising event—Five thousand dollars annual net receipt maximum. (1) No licensee authorized to conduct one fund raising event for a period of seventy-two consecutive hours once during a calendar year shall conduct such an event in such a manner as to allow the total of all gross wagers and bets received by the licensee, less the amount of money paid or committed by the licensee as winnings, and for the purchase cost of prizes given as winnings, to exceed five thousand dollars at the conclusion of such fund raising event.

(2) No licensee authorized to conduct a fund raising event on two occasions during a calendar year for not more than twenty-four consecutive hours each shall conduct such event in any manner so as to allow the total of all gross wagers and bets received by the licensee, less the amount of money paid by the licensee as winnings and for the purchase cost of prizes given as winnings to exceed five thousand dollars either at the end of any twenty-four consecutive hours upon which such event is conducted, or during the calendar year in which such activity is authorized.

(3) The licensee shall develop and post conspicuously and in detail in the area in which the gambling is taking place a scheme for the distribution to the participants of any receipts beyond those permitted to the organization by this rule, and shall offer all participants at the event an equal opportunity to participate in such scheme. The scheme must provide for such distribution to be money, payable to the winner by a check. The scheme may provide for such distribution to be of more money than is necessary to ensure [that] the licensee will not retain greater receipts than are permitted by law, but, at minimum, must ensure that the limit is not exceeded.

(4) Winners of all prizes shall be determined during the fund raising event. All cash prizes shall be paid by check, and merchandise prizes distributed to the winners not later than 30 calendar days following the conclusion of the event. [Statutory Authority: RCW 9.46.070(7). 82-15-009 (Order 124), § 230-25-030, filed 7/9/82. Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-030, filed 9/15/81. Statutory Authority: RCW 9.46.020(23) and 9.46.070(1). 80-06-038 (Order 102), § 230-25-030, filed 5/12/80. Statutory Authority: RCW 9.46.070(10). 78-11-049 (Order 87), § 230-25-030, filed 10/20/78; Order 78, § 230-25-030, filed 11/17/77.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 230-25-033 Fund raising events on New Year's Eve extending past midnight. For the purposes of computing and applying limitations in chapter 9.46 RCW and these rules upon income to the licensee and upon the number of events, or consecutive hours in such events, in a calendar year, a fund raising event which (1) includes any part of December 31, and (2) continues past midnight into the new calendar year, shall be

treated as if each hour of the event had been held solely in the calendar year designated by the licensee upon the license application submitted to the commission for the event. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-033, filed 9/15/81. Statutory Authority: RCW 9.46.070(13). 80-06-038 (Order 102), § 230-25-033, filed 5/12/80.]

WAC 230-25-035 Repealed. See Disposition Table at beginning of this chapter.

WAC 230-25-040 Fund raising event--House rules to be developed and posted--Limitations on wagers. Prior to conducting a fund raising event, each licensee shall develop a set of house rules which will govern the type, scope and manner of all gambling activities to be conducted in conjunction with the fund raising event. Among other information, these rules shall establish the maximum amount of wagers which may be placed by persons participating in gambling activities which in any event shall not exceed ten dollars being wagered upon the outcome of any one operation of an element of chance.

In addition, the rules shall prohibit the giving of any thing of value to any person involved in the management or operation of the fund raising event, and prohibit any person involved in the management or operation of the fund raising event from accepting any thing of value.

A copy of the rules shall be posted conspicuously on the premises where the fund raising event is being conducted at all times during the fund raising event, and a copy thereof shall be made available, upon request, to any law enforcement officer or representative of the commission. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-040, filed 9/15/81. Statutory Authority: RCW 9.46.070(10). 78-11-049 (Order 87), § 230-25-040, filed 10/20/78; Order 78, § 230-25-040, filed 11/17/77.]

WAC 230-25-070 Fund raising events--Central accounting system required. Each licensee for the operation of fund raising events shall establish and maintain a central accounting system in a form prescribed by the commission for all activities conducted at the fund raising event. Licensees shall obtain accounting forms from the commission, or use machine copies of such forms.

Such system shall contain, but not be limited to, the following items:

(1) There shall be adequate personnel and physical areas to provide for the following minimum separation of duties:

(a) A banker, cashier, or count room to handle the original bankroll, provide coin or chips to the games, redeem chips and cash checks for the players;

(b) A runner to transport money, chips and lock boxes between stations of the event;

(c) Pit bosses, each of whom shall supervise the operation of not more than six gambling stations and who shall supervise the transfer of lock boxes and chips/change trays to the count room;

(d) An area for the counting of money which is segregated from the area in which gambling is conducted. All money received in connection with the fund raising event shall be brought to this area for counting. Once any such money has been brought to this area, three persons shall be assigned to the count area with a minimum of two in the counting area at all times.

(2) The beginning bankroll shall be verified by at least two persons who shall sign such verification.

(3) There shall be documentation containing verifying signatures for the transfer of money between any two stations of the event.

(a) All count/fill slips shall be used sequentially. VOIDED count/fill slips will be signed by two persons and retained with accounting records.

(b) ALL UNUSED count/fill slips shall be retained along with all other count/fill slips as part of that fund raising event's accounting records.

(4) All games shall be numbered and provided with lock boxes and money paddles. The money paddle shall remain in the lock box slot whenever it is not in use. The money slot of the lock box shall not exceed three and one-half inches in length and one-half inch in width.

(5) The keys to all lock boxes are to be kept in the count room at all times and the lock boxes are to be opened only in the count room by the count room personnel.

(6) All games are to be played using coin or chips and all currency tendered by the players shall be exchanged for coin or chips and immediately placed in the lock box by the dealer.

(7) All money and chips shall be transferred to the count room at the end of the day or event for final tabulation, reconciliation, and verification.

(8) The final tabulation and reconciliation shall be verified by at least three count room personnel who shall sign such verification.

(9) Access to the count room and the bankers and cashier's areas shall be restricted to the persons assigned to those functions and to the runner(s) who transport money or chips to or from those stations.

(10) Records shall provide sufficient detail to determine the net receipts of each activity conducted.

(11) The records shall contain a reconciliation of the ending cash on hand to net receipts.

(12) The ending cash on hand shall be deposited intact within two banking days of the conclusion of the event, and a validated deposit slip shall be included as part of the event records. There shall be no expenditure of any kind made from the ending cash prior to deposit. However, this subsection shall not prohibit a licensee from exchanging its ending currency and coin for a check of equal value to reduce the risk and exposure of carrying or storing large amounts of money.

This section shall not apply to those licensees whose receipts from the fund raising event are limited to an admission charge or charge for a ticket, or tickets, to a drawing and who

(a) Conduct all activities with script, play money, or similar items which are redeemable only for merchandise prizes; and

(b) Who award only merchandise prizes that have been purchased by or donated to the licensee.

These licensees need only comply with WAC 230-08-010 and record their net receipts in sufficient detail to verify these amounts. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-070, filed 9/15/81. Statutory Authority: RCW 9.46.070(7), (8), and (10). 78-11-049 (Order 87), § 230-25-070, filed 10/20/78; Order 78, § 230-25-070, filed 11/17/77.]

WAC 230-25-071 Repealed. See Disposition Table at beginning of this chapter.

WAC 230-25-100 Fund raising events--Leasing of premises of retail business--Conditions. Fund raising events shall not be operated upon a premises part of a retail sales or service business catering to the public except when:

(1) The room or other portion of the premises in which the fund raising event is being conducted is separate and apart from the portion being used for the retail sales or service business;

(2) the business is closed to the public at all times during which the fund raising event is conducted on the premises; or

(3) the fund raising event is being conducted upon the premises of a bona fide charitable or bona fide nonprofit organization which is not also being used for a profit seeking business.

No licensee shall conduct a fund raising event on or within any portion of a retail premise during the period any other fund raising event is being conducted on or within any portion of that retail premise.

As used in this rule, separate and apart means a permanent or temporary partition which provides a solid, distinct separation between the portion of the room or premises in which the fund raising event is being conducted and the portion of the room or premises being used for the retail sales or service business and which limits the flow between the fund raising event and the retail sales or service business to not more than two designated openings.

In all cases the fund raising event operator must have, and exercise, complete control over that portion of the premises being used for the fund raising event, at all times said event is being conducted: *Provided, however,* That at all times when the sale, service or consumption of intoxicating liquor is permitted in said portion of the premises, the responsibility for compliance with liquor laws and regulations shall also be that of the liquor licensee or permittee.

The owner, manager or any employee of the retail sales or service establishment may not be an officer of the fund raising event operator or participate in the operation of the fund raising event on that premises, and no gambling activities, nor any part or facet of the operation or play of any gambling activity, may be conducted by the retail sales or service establishment or allowed by the operators of the fund raising event in any portion of the premises which is being used for the fund

raising event. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-100, filed 9/15/81. Statutory Authority: RCW 9.46.070(1) and (10). 80-03-060 (Order 99), § 230-25-100; filed 2/25/80; Order 78, § 230-25-100, filed 11/17/77.]

WAC 230-25-120 Limits upon amount for rent, lease or similar payments for fund raising events. No licensee shall expend for rent or lease (or similar arrangements) of premises in which to hold a fund raising event, or for any equipment or service in connection with the fund raising event, an amount that exceeds the local prevailing or market price for such premises, equipment or service.

Maximum rental limits shall be:

(1) Premises and other goods or services: Not more than two hundred dollars for all, or any portion, of any twenty-four hour period.

This maximum fee shall include in addition to the use of the premises themselves any and all goods or services of any kind furnished by the person renting the premises to the licensee, or furnished by anyone with a substantial interest in, or immediate family relationship with, that person: *Provided,* That the limit shall not include (a) fees for gambling equipment which are governed by the maximums set out in (2) below; or (b) charges for food or drink to the licensee or patrons of the fund raising event when the purchase of such food or drink is not, directly or indirectly, a condition of rental of the premises and the licensee may elect to bring in food and drink from an outside source.

(2) Gambling devices and equipment:

(a) Not more than three hundred and fifty dollars for all, or any portion of, the first twenty-four hour period for all gambling devices and related equipment to conduct the event, including, but not limited to, cards, dice, cash boxes, shoes, chips, delivery thereof and any schooling in its use.

(b) Not more than two hundred dollars for each succeeding twenty-four hour period, or any portion thereof, for the same kinds of items set out in (a) above.

(3) Individual gambling station:

(a) Not more than twenty-five dollars for all of the equipment needed to set up each single specific gambling station (such as a single twenty-one table), except for a craps table or a roulette wheel station which shall not exceed \$50 or for a station showing horse racing films with advance betting on the outcome of the races which shall not exceed \$250, for the first twenty-four hour period, or any portion thereof, including, but not limited to, the equipment, delivery and schooling in its use, to an overall maximum for all items of \$350, as set out in (2)(a) above.

(b) Not more than fifteen dollars for each successive twenty-four hour period or any portion thereof, for the equipment needed to establish each single specific gambling station as set out in (a) above, to an overall maximum of \$200 as set out in (2)(b) above.

(4) The maximum charges or limits set out in subsections (1) through (3) above include any amount paid to

reserve the use of applicable premises, services or equipment.

No more than 50% of the total allowable fees or charges may be paid in advance of the event. Advance payment shall be made only by check which shall not be drawn or paid more than 90 days prior to the event.

The limits in subsections (2) and (3) above shall not apply to expenditures by the licensee for purchases outright, or construction by the licensee of, gambling equipment. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-120, filed 9/15/81. Statutory Authority: RCW 9.46.170(15). 79-11-074 (Order 93), § 230-25-120, filed 10/19/79; 79-01-026 (Order 88), § 230-25-120, filed 12/18/78.]

WAC 230-25-220 Raffles or similar lotteries conducted at fund raising events. (1) No sales of tickets or drawing(s) in any raffle or similar lottery wherein the winner or winners are chosen by the drawing of a ticket or other card or device shall be done at, or in connection with, a licensed fund raising event unless all aspects of the raffle or similar lottery are done only at the fund raising event.

(2) If any ticket or card or device for a raffle or similar lottery is sold, or any drawing for a raffle or similar lottery held, other than at and during a licensed fund raising event then no portion of the raffle or similar lottery shall be conducted at or during any licensed fund raising event, nor shall the raffle or similar lottery be considered as being held under the license for any such fund raising event.

(3) Raffles or other similar lotteries wherein the winner or winners are chosen by the drawing of a ticket or other card or device conducted at, or as a part of, a licensed fund raising event authorized under RCW 9.46.030(1) shall be treated as conducted solely pursuant to the license to conduct that fund raising event. All income, prizes awarded, and other expenses shall be accounted for, and reported to the commission, as required for fund raising events and shall not be reported, or accounted for, as required for raffles conducted under a raffle license issued by the commission, or under a different statutory authority: *Provided*, That the requirements of WAC 230-20-100 applicable to raffles shall be applicable to all such lotteries.

Income from raffles or other lotteries conducted at, or as a part of, such a fund raising event shall be applied only against the maximum income permitted for fund raising events and shall not be applied against other maximum income limits imposed by chapter 9.46 RCW or the commission's rules.

(4) All of the commission's rules applicable to the conduct of raffles, whether general or specific, shall apply to the conduct of raffles and to the conduct of other similar lotteries wherein the winner or winners are chosen by the drawing of a ticket or similar card or device at, or as a part of, a fund raising event, except as provided in subsection (3) above and except the following rules which shall not be applicable:

(a) WAC 230-20-340;

(b) WAC 230-20-350;

(c) WAC 230-20-150.

(5) Subsections (1) through (4) above shall not be applicable where a drawing is held during a fund raising event for a raffle conducted pursuant to a raffle license issued by the commission subject to all the commission's rules applicable to such raffles, and all tickets for said raffle are sold, and deposited into the drawing container prior to the beginning of the fund raising event. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-220, filed 9/15/81. Statutory Authority: RCW 9.46.070(10). 78-04-032 (Order 83), § 230-25-220, filed 3/16/78; Order 78, § 230-25-220, filed 11/17/77.]

WAC 230-25-235 Fund raising event--Rules for blackjack. The game of "21" (blackjack) when played as part of a licensed fund raising event shall be played in conformance with the following:

(1) Cards shall be dealt from a dealing shoe. The deal shall begin with the shoe containing four full decks of cards and proceed until, in the dealer's judgment, the cards should be reshuffled or the cards withdrawn for examination and/or replaced. The shoe shall then be refilled with four decks of cards and the process repeated.

(2) All cards shall be dealt to the players face up.

(3) Players are not to remove or pick up cards from the table and will not "shuffle" or "cut" the cards.

(4) Only "standard size" playing cards shall be used.

(5) Cards may be shuffled using a device, apparatus, or mechanism. No device, apparatus, mechanism or thing which may give a participant in a card game an advantage over any other participant in that game may be used by any organization or person. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-235, filed 9/15/81. Statutory Authority: RCW 9.46.070(10). 78-11-049 (Order 87), § 230-25-235, filed 10/20/78.]

WAC 230-25-265 Fund raising event--Regular salary for licensee's employee not "payment" for work on fund raising event under certain conditions. The salary of a regular and full time employee, or a regular but part time employee if the organization has employed a person in that part time position for the past three consecutive years, of an organization licensed to conduct fund raising events shall not be deemed "payment" (as the term "paid" is used in RCW 9.46.020(23)) for work performed by the employee in connection with a fund raising event conducted by that organization when all of the following conditions are met:

(1) The position held by the employee has been created for purposes unrelated to the conduct of fund raising events and requires the performance of duties unrelated to fund raising events year around. The employee's contribution to fund raising events must be an incidental part of his or her total duties, consisting of less than 1% of total time worked for the organization; and

(2) The employee is paid on a recurring basis on a regular and established rate throughout the calendar

year, unrelated to the income produced by any fund raising event; and

(3) The employee does not operate any gambling game or lottery at any fund raising event conducted by the organization but confines his or her services in connection with the event to assisting the organization's other members with the overall planning and organization of the event and with supervision of the supporting services for the event. However, such an employee who is also a bona fide member of the organization or its bona fide auxiliary and is not otherwise scheduled for duty in his or her assigned employee duties at the time the fund raising event is to be held may participate in the conduct of the fund raising event as a bona fide member as set out in WAC 230-25-260. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-265, filed 9/15/81. Statutory Authority: RCW 9.46.070(13). 79-01-026 (Order 88), § 230-25-265, filed 12/18/78.]

WAC 230-25-315 Workers to wear identification tabs. Each licensee conducting a fund raising event shall furnish to each person participating in the management or operation of the event an identification tag which at minimum shall contain that person's name and designation of licensee organization. The licensee shall cause each such person to wear this tag at all times when the person is working at the fund raising event. The tag shall be worn in plain view so as to be easily seen and read by persons participating in the event. The type and style of tag shall be the option of the licensee. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-315, filed 9/15/81.]

WAC 230-25-320 Limits for operation and participation in fund raising events. No person under the age of eighteen years of age, and no person intoxicated or under the influence of any drug or substance shall be allowed to participate in the operation or management, or participate as a player, at any fund raising event. [Statutory Authority: RCW 9.46.020(23) and 9.46.070(14). 81-19-072 (Order 111), § 230-25-320, filed 9/15/81.]

Chapter 230-30 WAC PUNCH BOARDS AND PULL TABS

WAC

230-30-015	Identification stamps and substitute flares.
230-30-050	Punch board and pull tab operation.
230-30-065	Punchboard/pull tab price per play to be posted.
230-30-070	Control of prizes.
230-30-075	Minimum percentage of prizes for certain gambling activities.
230-30-080	Limitation on pull tab dispensing devices.
230-30-200	Punchboard and pull tab business restrictions.

WAC 230-30-015 Identification stamps and substitute flares. (1) No punchboard, series of pull tabs or device for the dispensing of pull tabs shall be sold or purchased within this state or knowingly for use within this state or put out for play unless and until a stamp

obtained from the commission containing an identifying number, symbol or combination thereof has been permanently and conspicuously affixed thereto. Once placed, such stamp shall not be removed or tampered with by any person.

With respect to punchboards, the stamp shall be placed so the complete number, together with any symbol appearing thereon, is plainly visible.

With respect to series of pull tabs, the stamps shall be placed upon the dispensing device sold together with, and for that specific series or upon a flare furnished by the manufacturer for that series.

(2) A substitute flare may be utilized on punchboards or pull tabs. Substitute flares shall have the Washington state identification stamp number assigned to the punchboard or pull tab series permanently recorded in ink on the face of the substitute flare. Such flare shall also show the series number assigned to that series by the manufacturer. If a different flare than the flare so stamped is used for display when the series of pull tabs is put out for play, then the manufacturer's flare, with the manufacturer's series number and with the identification stamp obtained from the commission thereon, shall be attached to the back of the substitute flare in such a manner as to be clearly visible to a person playing the device.

The responsibility for placing the Washington state identification stamp number on the substitute flare shall rest with the licensed operator.

(3) Stamps shall be placed only on items which conform to all requirements of this state's laws and the rules of this commission, and shall not be placed upon items not authorized for use within this state. Stamps shall be placed only upon those pull tab dispensing devices which have been approved by the commission pursuant to WAC 230-30-095.

(4) Identification stamps may be obtained only from the commission, by a licensed manufacturer only, for ten cents each. Such stamps shall be placed by the licensed manufacturer only on items which he, himself, sells or furnishes, and shall not be transferred or furnished to any other person unless already placed upon a punchboard, series of pull tabs or pull tab dispensing device.

(5) No person not a licensed manufacturer shall obtain such stamps from any source, nor shall he affix such a stamp to any punchboard, series of pull tabs or pull tab dispensing device, after November 1, 1974. [Statutory Authority: RCW 9.46.070(6) and 9.46.070(11). 81-21-033 (Order 114), § 230-30-015, filed 10/15/81. Statutory Authority: RCW 9.46.070(5). 81-13-032 (Order 109), § 230-30-015, filed 6/15/81; 79-07-019 (Resolution 90), § 230-30-015, filed 6/14/79; Order 48, § 230-30-015, filed 3/23/76; Order 21, § 230-30-015, filed 8/20/74; Order 9, § 230-30-015, filed 12/19/73.]

WAC 230-30-050 Punch board and pull tab operation. (1) No person under the age of eighteen years and no person visibly intoxicated or visibly under the influence of any narcotic, shall be allowed to play any punch board or pull tab device. It shall be the responsibility of

the licensee and the responsibility of the person physically operating the punch board or pull tab device to determine that no unauthorized person is allowed to play.

(2) No operator shall permit the display or operation of any punch board or pull tab which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition, or operated in a manner, which may deceive the public or which affects the chances of winning or losing upon the taking of any chance thereon.

(3) All records, reports and receipts relating to a punchboard or pull tab series in play must be retained on the licensed premises so long as the series or punchboard is in play and be made available on demand to law enforcement officers and representatives of the commission. [Statutory Authority: RCW 9.46.070(8). 81-21-033 (Order 114), § 230-30-050, filed 10/15/81; Order 5, § 230-30-050, filed 12/19/73.]

WAC 230-30-065 Punchboard/pull tab price per play to be posted. (1) No punchboard or pull tab series shall be placed out for public play unless the cost to the player for each punch or pull tab is clearly posted on the flare.

(2) Once placed out for public play, a punchboard or pull tab series flare may not be modified or otherwise changed, except for the deletion of those prizes valued at five dollars or more as required by WAC 230-30-070. [Statutory Authority: RCW 9.46.070(11). 82-13-054 (Order 121), § 230-30-065, filed 6/14/82.]

WAC 230-30-070 Control of prizes. (1) All prizes from the operation of punchboards and pull tabs shall be awarded in cash or in merchandise. Prizes may not involve the opportunity of taking an additional chance or chances on another punchboard or of obtaining another pull tab or pull tabs. Where the prize involves the opportunity to punch again on the same punchboard, a prize must be awarded for each such punch which is not less than the highest amount of money, or worth not less than the most valuable merchandise prize, which might otherwise have been won by the punch for which the opportunity to take the second punch was awarded. No punchboard which offers as a prize the opportunity to take another punch on that board shall be sold or placed out for play unless that particular style and type of step-up board has been approved in advance by the commission. Each such board must clearly indicate on its face the terms and conditions under which the opportunity to obtain the second, or step-up punch, may be obtained and the prizes which may be won by the step-up punch.

(2)(a) All prizes shall be displayed in the immediate vicinity of the punchboard or pull tab device and such prizes shall be in full view of any person prior to that person purchasing the opportunity to play.

(b) When the prize is cash it shall be displayed as follows:

(i) If the punchboard or pull tab series contains the opportunity to win both cash and merchandise prizes, the money itself shall not be displayed, but a coupon

designating the cash available to be won shall be substituted; and

(ii) If the only prizes which may be won are cash prizes, they shall be clearly and fully described or represented by a coupon displayed upon the prize flare attached to the face or displayed in the immediate vicinity of the pull tab dispensing device.

(c) The licensee shall display prizes so arranged that a customer can easily determine which prizes are available from any particular punchboard or pull tab series or device operated or located upon the premises.

(3) Upon a determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from any display and present it to the winner.

Immediately upon determining the winner of any cash prize of five dollars or more, or of any merchandise prize with a retail value of five dollars or more, but prior to award of the prize, the licensee shall conspicuously delete all references to that prize being available to players from any flare, punchboard or pull tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. The prize shall then be paid or delivered to the winner forthwith. The licensee must pay or award to the customer or player playing the punchboard or pull tab series all such prizes that have not been deleted from the flare of the punchboard or pull tab series when the punchboard or pull tab series is completely played out.

(4) No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(5) When any person wins a cash prize of over twenty dollars or wins a merchandise prize with a retail value of more than twenty dollars from the play of any punchboard or pull tab series, the licensee or licensee's representative shall make a record of the win. [The record] of the win [shall be made] in a standard format prescribed by the commission and shall disclose at minimum the following information:

(a) The Washington state identification stamp number of the punchboard or pull tab series from which the prize was won;

(b) The series number of the pull tab series or punchboard from which the prize was won;

(c) The name of the punchboard or pull tab series;

(d) The date the pull tab series or punchboard was placed out for play;

(e) The date the pull tab series or punchboard was removed from play;

(f) The month, day and year of the win;

(g) If the prize is cash, the amount of the prize won;

(h) If the prize is merchandise, a description of the prize won and its retail value;

(i) The printed full name of the winner;

(j) The current address of the winner which will include the street address, the city and the state.

It shall be the responsibility of the licensee to determine the identity of the winner and the licensee shall require such proof of identification as is necessary to properly establish the winner's identity. The licensee

shall not pay out any prize unless and until the winner has fully and accurately furnished to the licensee all information required by this rule to be maintained in the [licensee] [license]'s record of the win.

(6) Every licensee shall keep the record of all prizes awarded in excess of twenty dollars, containing all of the information required in subsection (5) above, and all winning pull tabs or punchboard punches of five dollars or more for a period of six months and shall display the same to any member of the public, representative of the commission or law enforcement officials upon demand.

(7) For the purposes of this rule, the retail value of a merchandise prize shall be the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(8) Spindle-type pull tab series which award only merchandise prizes valued at no more than five dollars, are hereby permitted to employ schemes whereby certain predesignated pull tabs are free or the player is otherwise reimbursed the actual cost of said pull tabs. Flares for spindle-type pull tabs operated in this manner shall designate the total number of pull tabs in the series and the total number of pull tabs designated as free or reimbursable. Free or reimbursable pull tabs in these types of pull tab series shall not constitute a prize or prizes nor shall monies collected and later reimbursed constitute revenue for the purposes of determining gross receipts. [Statutory Authority: RCW 9.46.070 (8) and (11). 82-01-065 and 82-03-033 (Order 115 and 116), § 230-30-070, filed 12/18/81 and 1/18/82; 81-21-033 (Order 114), § 230-30-070, filed 10/15/81. Statutory Authority: RCW 9.46.070(10). 79-09-029 (Order 91), § 230-30-070, filed 8/14/79; Order 43, § 230-30-070, filed 11/28/75; Order 29, § 230-30-070, filed 1/23/75; Order 27, § 230-30-070, filed 11/15/74; Order 23, § 230-30-070, filed 9/23/74; Order 14, § 230-30-070, filed 3/27/74; Order 12, § 230-30-070, filed 2/14/74; Order 5, § 230-30-070, filed 12/19/73.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 230-30-075 Minimum percentage of prizes for certain gambling activities. No operator shall put out for play and no distributor or manufacturer of punchboards and pull tabs shall sell or otherwise provide to any person in this state or for use in this state any punchboard or pull tab series that does not contain the following minimum percentage in prizes:

(1) Punchboards - a minimum of 60 percent respecting each punchboard placed out for public play.

(2) Pull tabs - a minimum of 60 percent respecting each series of pull tabs placed out for public play.

(3) For the purposes of determining the percentage of prizes offered on any punchboard, or in any pull tab series under this section, total merchandise prizes shall be computed at the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(4) Single cash prizes on punchboards/pull tabs shall not exceed:

(a) One hundred (\$100) in cash[;][,] or

(b) A merchandise prize, or combination merchandise prize, for which the operator has expended more than one hundred dollars. [Statutory Authority: RCW 9.46.070(11). 82-06-007 (Order 119), § 230-30-075, filed 2/19/82. Statutory Authority: RCW 9.46.070(10). 79-09-029 (Order 91), § 230-30-075, filed 8/14/79; Order 70, § 230-30-075, filed 5/24/77; Order 43, § 230-30-075, filed 11/28/75.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 230-30-080 Limitation on pull tab dispensing devices.

(1) No pull tabs shall be placed out for public play unless the total number of pull tabs originally in the series shall be clearly disclosed on the face of the flare advertising the prizes available from that series of pull tabs.

(2) No pull tab shall be added to a series of pull tabs after that series has been shipped from its place of manufacture.

(3) No pull tab series, or any portion thereof, shall be placed in, or if a spindle upon, any pull tab dispensing device until any other series of pull tabs previously in, or upon, the device has been played out or permanently removed from public play.

(4) No pull tab once placed in, or if a spindle upon, a pull tab dispensing device out for public play shall be removed from the dispensing device until the series is permanently removed from public play, except only:

(a) Those pull tabs actually played by consumers,

(b) Those pull tabs removed by representatives of the commission, or other law enforcement agency inspecting the device, and

(c) Those tabs temporarily removed during necessary repair or maintenance of the device.

Excepting only tabs removed under (b) and (c) hereinabove, once a pull tab has been removed from public play it shall not again be put out for public play.

(5) No person shall put out any pull tab series for public play unless the series of pull tabs is wholly contained within, or if a spindle upon, the device used for dispensing that series.

(6) No person shall sell or transfer to another person in this state, or for use within this state, or shall place out for public play any device for the dispensing of pull tabs not so constructed as to allow a consumer to clearly see each pull tab within, or if a spindle upon, the device prior to playing the device. However, a metal plate, not to exceed 3/4 inch in height, may be affixed across the front at the bottom of the dispensing columns of a mechanical pull tab dispensing device.

(7) No person shall sell or transfer to any other person in this state, or for use within this state, or put out for public play any device for the dispensing of pull tabs without permanent lines or markings on the face of the

device and clearly visible to the consumer which effectively divide the tabs remaining in the device into divisions of approximately 25 tabs so that the consumer can determine how many tabs remain within the device.

(8) No person shall put out for public play any device for the dispensing of pull tabs which is not so constructed as to provide for at least one selection position for every 400 pull tabs originally in the series in play in the machine.

The following schedule shall be followed in the enforcement of this subsection:

MINIMUM NUMBER OF TABS FROM WHICH SELECTION MUST BE AVAILABLE	THE NUMBER OF TABS ORIGINALLY IN SERIES OF PLAY
1	1-400
2	401-800
3	801-1200
4	1201-1600
5	1601-2000
6	2001-2400
7	2401-2800
8	2801-3200
9	3201-3600
10	3601-4000

(9) No person shall sell or transfer to another person in this state, or for use within this state, or put out for public play, any pull tab series which contains more than 4000 individual pull tabs. [Statutory Authority: RCW 9.46.070(14). 81-19-073 (Order 112), § 230-30-080, filed 9/15/81. Statutory Authority: RCW 9.46.070(10). 79-07-019 (Order 90), § 230-30-080, filed 6/14/79; Order 55, § 230-30-080, filed 6/25/76; Order 43, § 230-30-080, filed 11/28/75; Order 15, § 230-30-080, filed 4/17/74; Order 9, § 230-30-080, filed 12/19/73, 1:26 p.m.; Order 5, § 230-30-080, filed 12/19/73, 1:25 p.m.]

WAC 230-30-200 Punchboard and pull tab business restrictions. (1) No operator shall buy, receive or otherwise obtain, nor shall any manufacturer or distributor, or anyone connected therewith, sell or deliver any punchboard, pull tab, pull tab dispensing device or related equipment, or merchandise for prizes to be awarded in connection with such activities, to any operator, except a cash [the] basis nor shall any operator permit any manufacturer or distributor or anyone connected therewith, to acquire any interest, including a security interest, in any such equipment or merchandise. A cash basis shall consist of payment in full, either by cash or by check, with payment made to the seller by the operator upon, or prior to, actual physical delivery of the merchandise to the operator: *Provided*, That when a check is used for payment to constitute a cash basis payment it shall be presented for payment into the banking system by the end of the tenth calendar day following the day the check is written. If an operator can demonstrate by a preponderance of evidence that it has properly made a payment by check, as required by this section, then it will not be held liable for a violation of this rule if the violation is caused solely by the failure of

the manufacturer or distributor to deposit the check into the banking system in a timely fashion.

(2) No operator shall accept a loan of money or any thing of value from any manufacturer or distributor, or from anyone connected therewith. [Statutory Authority: RCW 9.46.070(13). 81-13-033 (Order 110), § 230-30-200, filed 6/15/81; Order 18, § 230-30-200, filed 5/21/74; Order 5, § 230-30-200, filed 12/19/73.] See Reviser's Note.

Reviser's note: Permanent Order 30, filed by the Washington state gambling commission in the office of the code reviser on January 23, 1975, set an effective date of April 1, 1975, on the following section included in this chapter:

WAC 230-30-200 as a repealed section.
Emergency Order 34, filed April 1, 1975, deferred the effective date of Permanent Order 30, from April 1, 1975, to June 27, 1975.

Permanent Order 36, filed May 9, 1975, voided Orders 30 and 34 as it existed prior to the adoption of adoption of Orders 30, 34, and 36. See later promulgation, this section.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**Chapter 230-40 WAC
CARD GAMES**

WAC

- 230-40-010 Types of card games authorized.
- 230-40-015 Rules by which the authorized card games shall be played.
- 230-40-020 Portion of premises used for card playing limited.
- 230-40-050 Fees for card playing.
- 230-40-120 Limits on wagers in card games.
- 230-40-315 No food or drink sales on time basis in card room.
- 230-40-400 Hours limited for card games.

WAC 230-40-010 Types of card games authorized. The commission hereby authorizes the following card games to be played in public card rooms and social card rooms licensed by the commission:

(1) Poker.

Any poker game described in Hoyle's Modern Encyclopedia of Card Games, by Walter B. Gibson, published by Doubleday and Company, Inc., April 1974, 1st Edition, pages 219 through 277 provided that only a maximum of five betting rounds per hand are permitted.

- (2) Hearts.
- (3) Bridge.
- (4) Pinochle.
- (5) Cribbage.
- (6) Rummy.
- (7) Mah-jongg (tiles).
- (8) Coon-Can.
- (9) Pan.
- (10) Pitch.

Card games not herein authorized are prohibited. [Statutory Authority: RCW 9.46.070(11). 82-23-050 (Order 125), § 230-40-010, filed 11/15/82. Statutory Authority: RCW 9.46.070(10) (See, RCW 9.46.020(20)). 80-09-067 (Order 103), § 230-40-010, filed 7/17/80; Order 78, § 230-40-010, filed 11/17/77; Order 67, § 230-40-010, filed 3/11/77; Order 40, §

230-40-010, filed 6/26/75; Order 23, § 230-40-010, filed 9/23/74.]

WAC 230-40-015 Rules by which the authorized card games shall be played. (1) Card games authorized by the commission shall be played only in the manner set out for that game in Hoyle's Modern Encyclopedia of Card Games, by Walter B. Gibson, published by Doubleday & Company, Inc., April 1974 first edition: *Provided*, That each licensee may make immaterial modifications to the rules of each authorized game set out in that publication.

Each such immaterial modification, or rule of conduct, shall be conspicuously posted on the premises where it can be clearly seen by the players in the card game.

(2) Each licensee may establish rules of conduct for the card players on its premises.

(3) Where other of the commission's rules are inconsistent in any respect with the above-referenced publication, or with any modification or rule of conduct of the licensee, the commission's rule shall prevail over such inconsistent requirement. [Statutory Authority: RCW 9.46.070(11). 82-23-050 (Order 125), § 230-40-015, filed 11/15/82. Statutory Authority: RCW 9.46.070(10) (See, RCW 9.46.020(20)). 80-09-067 (Order 103), § 230-40-015, filed 7/17/80; Order 67, § 230-40-015, filed 3/11/77; Order 40, § 230-40-015, filed 6/26/75; Order 29, § 230-40-015, filed 1/23/75.]

WAC 230-40-020 Portion of premises used for card playing limited. Only those specific parts or portions of licensed premises which have been approved by the commission for licensed card games shall be used for that purpose. Card playing operating under the authority of a license issued by the commission involving wagers shall not take place upon any other portion or part of the premises. Social card games authorized by RCW 9.46.030(9) shall not be allowed by the organization in the same room or rooms with the licensed card games. [Statutory Authority: RCW 9.46.070(20). 82-23-050 (Order 125), § 230-40-020, filed 11/15/82; Order 78, § 230-40-020, filed 11/17/77; Order 23, § 230-40-020, filed 9/23/74.]

WAC 230-40-050 Fees for card playing. No fee shall be charged a person, directly or indirectly, to play in a card game in excess of those fees set forth below:

(1) For all card games, except as provided in (2) below, the fee shall not exceed \$1.00 per half hour, or portion thereof, per player.

The fee charged shall be collected by the licensee in cash[,] or in wagering chips, directly from the player upon each half hour only. No player shall be required to pay for or purchase any other goods or services as a condition of playing cards beyond the \$1.00 per half hour per player except under section (3) below. The fee schedule applicable to the type of games and number of tables in the card room shall be conspicuously posted on the premises where it can be clearly seen by the players in the card games.

(2) The fee for entry into a tournament for prizes shall not exceed \$25.00, including all separate fees which might be paid by a player for various phases or events of the tournament. The licensee shall maintain a record of all such fees collected, by date of collection, for each such tournament held.

(3) A person requesting a new deck of cards beyond those regularly furnished by the operator as required by WAC 230-40-070(2) may be charged a fee not to exceed the actual cost to the licensee of the deck. Further, class D licensees may charge a fee not to exceed actual cost to the licensee per deck for each deck of playing cards furnished to a table as required by these rules, or as requested by any player at the table. The fee shall be collected in cash directly from the players, or the player requesting the deck, at the time the deck is introduced into the game.

(4) This rule shall not prevent a bona fide nonprofit or charitable organization which has been established and operated for purposes other than card playing from charging its usual membership fee to belong to the organization.

(5) The licensee shall collect the same fee from all players at a table except licensed card room employees or the licensed owner. If he elects to allow free play, then all players at a table must be allowed to play for free.

The amount collected each half hour shall be recorded by the licensee on a standard card room format prescribed and supplied by the commission to the licensee. All records required by this rule shall be maintained for a period of three years from the end of the licensee's fiscal year for which the record is kept. [Statutory Authority: RCW 9.46.070(11). 82-11-028 (Order 120), § 230-40-050, filed 5/11/82; 80-09-067 (Order 103), § 230-40-050, filed 7/17/80; Order 72, § 230-40-050, filed 7/26/77; Order 42, § 230-40-050, filed 9/18/75; Order 38, § 230-40-050, filed 5/9/75; Emergency Order 37, § 230-40-050, filed 5/9/75; Order 35, § 230-40-050, filed 3/14/75; Order 29, § 230-40-050, filed 1/23/75; Order 23, § 230-40-050, filed 9/23/74.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 230-40-120 Limits on wagers in card games. The following limits shall not be exceeded in making wagers on any card game. For games in which the following method of wagering is allowed:

(1) Multiple wagers per player per hand during each round, each wager or raise shall not exceed \$5.00. There shall be no more than a total of two raises per round irrespective of the number of players.

(2) Single wagers per player per hand during each round (no raises), each wager shall not exceed \$5.00.

(3) Single wager per player per game, each wager shall not exceed \$5.00.

(4) Amount per point, each point shall not equal more than five cents in value.

(5) An ante, except for panguingue (pan), shall not be more than twenty-five cents per person per hand to be played, contributed by each player, or the dealer of each hand, subject to house rules, may ante for all players before dealing in an amount not to exceed \$2.00.

(6) Forced wagers or raises in poker are prohibited except as an ante. In other authorized games, forced wagers and raises are prohibited except as they may be expressly included within the basic definition of the particular card game in Hoyle's Modern Encyclopedia of Card Games, by Walter B. Gibson, published by Doubleday & Company, Inc., April 1974 edition, pages 219-277.

(7) Panguingue (pan) - maximum value of a chip for payoff will not exceed \$2.00. Ante will not exceed one chip. No doubling of conditions. Players going out, may collect not more than two chips from each participating player.

No licensee shall allow these wagering limits to be exceeded in a card game on his premises. [Statutory Authority: RCW 9.46.020(20)(d) and 9.46.070(11). 82-23-050 (Order 125) and 83-01-045 (Order 125A), § 230-40-120, filed 11/15/82 and 12/13/82. Statutory Authority: RCW 9.46.070(11). 82-04-010 (Order 118), § 230-40-120, filed 1/22/82; 81-19-073 (Order 112), § 230-40-120, filed 9/15/81. Statutory Authority: RCW 9.46.070(10). 80-03-059 (Order 98), § 230-40-120, filed 2/25/80; Order 80, § 230-40-120, filed 12/28/77; Order 51, § 230-40-120, filed 4/30/76; Order 48, § 230-40-120, filed 3/23/76; Order 23, § 230-40-120, filed 9/23/74.]

WAC 230-40-315 No food or drink sales on time basis in card room. All sales of food or drink in the licensed card room must be charged for and collected at the time the food or drink is delivered to the customer. No licensee may charge a person playing cards in a licensed card room for food or drink on a time basis. For the purpose of determining whether a card room operator is operating the licensed card room as a commercial stimulant, the calculation of gross sales of food and drink shall not include any sale of food or drink on a time basis to a person playing cards in the licensed card room.

For purposes of this rule, a "time basis" means a charge for the consumption or opportunity to consume food or drink over a period of time. [Statutory Authority: RCW 9.46.020(5) and 9.46.070(14). 82-06-007 (Order 119), § 230-40-315, filed 2/19/82.]

WAC 230-40-400 Hours limited for card games. Licensees shall not allow the use of their premises for card playing between the hours of 2:00 a.m. and 6:00 a.m.

No card games shall be allowed in any public card room at any time the profit seeking retail business to be stimulated thereby is not open to the public for business.

At all times during the hours of operation of a Class E card room, the operator or a licensed card room employee must be on duty and in the licensed card room area. [Statutory Authority: RCW 9.46.070(11). 82-04-

010 (Order 118), § 230-40-400, filed 1/22/82; Order 58, § 230-40-400, filed 8/17/76; Order 40, § 230-40-400, filed 6/26/75; Order 23, § 230-40-400, filed 9/23/74.]

Chapter 230-42 WAC

TAX ON COIN-OPERATED GAMING DEVICES

WAC

230-42-010 Tax on coin operated gambling device.

WAC 230-42-010 Tax on coin operated gambling device. (1) In addition to any other fees and taxes imposed by statute or by commission rule, a special tax has been imposed by RCW 9.46.115 to be paid by any person who maintains for use or permits the use of, a coin-operated gambling device as defined by RCW 9.46.115(2) on any place or premises occupied by the person.

(2) The tax applies to each such gambling device so maintained or permitted at any time during the tax year. No such device shall be placed out for public play unless and until the tax due respecting it has first been paid: *Provided*, That a replacement for such [a] device removed from play shall not be deemed an additional device for that year.

The tax referred to in subsection (1) is payable to the commission on or before June 20 of each year in advance of the following taxable year, July 1 through June 30. The operator shall submit this tax with the Washington coin-operated gambling device tax return obtained from the commission. Payment shall be made in the form of cash, check, or money order.

The tax does not apply for any month during the tax year in which the device is not in use when such month is prior to the month in which the device is initially put out for play. The commission has been authorized to adopt a schedule, prorated by month, setting out the tax due for the rest of the year for devices put out for use after the beginning of the year.

(3) The following proration schedule shall apply for each coin-operated gambling device:

MACHINES IN OPERATION DURING THE MONTH OF	AMOUNT DUE FOR EACH MACHINE
July	\$ 350.00
August	320.83
September	291.67
October	262.49
November	233.33
December	204.16
January	175.00
February	145.83
March	116.66
April	87.50
May	58.33
June	29.17

(4) The licensee shall post the validated receipt showing proof of payment of this tax with the license issued

by the Washington state gambling commission to operate punchboards or pull tabs prior to placing any coin-operated gambling device for which the tax has been paid, out for public play.

(5) Payment of any tax due is a condition precedent to the issuance or renewal of any license issued by this commission to the taxpayer.

(6) The tax imposed by subsection (1) shall be in addition to any tax imposed upon such coin-operated gambling devices, or the income therefrom, by any municipal corporation or political subdivision of the state. [Statutory Authority: RCW 9.46.115. 81-13-032 (Order 109), § 230-42-010, filed 6/15/81; Order 74, § 230-42-010, filed 8/17/77; Order 58, § 230-42-010, filed 8/17/76; Order 51, § 230-42-010, filed 4/30/76.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 230-60 WAC

PUBLIC RECORDS--DISCLOSURE

WAC

- 230-60-015 Description of central and field organization of the gambling commission.
- 230-60-045 Copying.
- 230-60-070 Communications with commission.

WAC 230-60-015 Description of central and field organization of the gambling commission. The administrative office of the commission and its staff is located in the capital plaza building, Olympia, 98504. Commission offices located in other cities are as follows:

CITY	ENFORCEMENT SERVICES (See Notes)
<i>Eastern Region</i>	
Spokane 99205 123 East Indiana	1,2
Moses Lake 98337 Ahlers Building, Suite A 310 S. Balsam	1
Yakima 98901 1106 A West Lincoln	1
<i>Northwest Region</i>	
Seattle 98115 444 N.E. Ravenna Blvd.	1,2
<i>Southwest Region</i>	
Tacoma 98405 The Pettibon Office Bldg. 1201 S. Proctor	1,2

Vancouver 98663
Suite 5, Angelo Plaza
1801 D Street

1

NOTES

1 - Information, inspection, investigation, training, and intergovernmental liaison.

2 - Audit.

All records of the commission are maintained in the administrative office in Olympia. [Statutory Authority: RCW 42.17.250. 81-11-039 (Order 108), § 230-60-015, filed 5/19/81. Statutory Authority: RCW 42.17.250 and 42.17.260. 79-07-019 (Order 90), § 230-60-015, filed 6/14/79; Order 75, § 230-60-015, filed 9/16/77.]

WAC 230-60-045 Copying. A fee, determined by actual cost for time and services rendered, for inspection of public records, may be charged. The commission shall charge a fee in the amount necessary to reimburse the commission for its actual costs incidental to providing copies of public records, except as noted in the following schedule of fees: *Provided, however,* That at the discretion of the director, or his designee, governmental agencies may be excluded from the payment of the fee for such service. The schedule of charges is:

ITEM	FEE
Copy of license application, supporting documents, correspondence, minutes of commission meetings, licenses approval list, list of commission licensees, reports required to be filed by the licensees, on a periodic basis concerning the operation of licensed activity, commission legislative reports, and other similar material	\$.25 cents per page for first 10 pages, \$.10 cents per page for any pages thereafter
Application for license(s) and/or supporting forms	No fee
Letter of certification to accompany copy of record or document. (Governmental agencies - no fee)	\$2.00
Specially produced listing, magnetic tapes, or labels	Cost of services, including overhead
Record look up	No charge for requests taking five minutes or less, actual cost including overhead, for single requests or a combination of multiple requests taking longer than

ITEM	FEE
	five minutes to complete
Postal charges	Actual cost
[Statutory Authority: RCW 42.17.290, 42.17.300 and 9.46.070(14), 82-13-070 (Order 122), § 230-60-045, filed 6/17/82. Statutory Authority: RCW 42.17.300, 79-11-074 (Order 93), § 230-60-045, filed 10/19/79; Order 75, § 230-60-045, filed 9/16/77.]	

WAC 230-60-070 Communications with commission. All written communications with the commission pertaining to the administration or enforcement of chapter 42.17 RCW and these rules shall be addressed as follows: Washington State Gambling Commission, Capital Plaza Building, 1025 East Union, Olympia, Washington 98504, Attention Public Records Officer. [Statutory Authority: RCW 42.17.250, 81-11-039 (Order 108), § 230-60-070, filed 5/19/81; Order 75, § 230-60-070, filed 9/16/77.]

Title 232 WAC GAME COMMISSION

Chapters

232-12	Permanent regulations.
232-16	Game reserves.
232-21	Gold prospecting--Classifications.
232-28	Seasons and limits.

Chapter 232-12 WAC PERMANENT REGULATIONS

WAC

232-12-001	Definition of terms.
232-12-004	Classification of wild birds.
232-12-007	Classification of wild animals.
232-12-010	Repealed.
232-12-011	Wildlife classified as protected wildlife.
232-12-014	Wildlife classified as endangered species.
232-12-015	Repealed.
232-12-017	Deleterious exotic wildlife.
232-12-019	Classification of game fish.
232-12-020	Repealed.
232-12-021	Import and retention of nonresident wildlife.
232-12-024	Tagging requirements for bobcat, Canada lynx and river otter.
232-12-027	Game farm license provisions.
232-12-030	Repealed.
232-12-031	Game farm invoice requirements.
232-12-034	Acquisition of wildlife by game farmer.
232-12-037	Shooting preserves—Licensing—Permits—Operations.
232-12-040	Repealed.
232-12-041	Permit for holding field trials.
232-12-044	Use of game birds for training dogs, field trials—Marking requirements.
232-12-047	Unlawful firearms for hunting.
232-12-051	Muzzle-loading rifles.
232-12-054	Bow and arrow requirements.
232-12-057	Hunting with aid of aircraft, boats or other vehicles.

232-12-060	Repealed.
232-12-061	Tagging requirements.
232-12-064	Holding live wildlife in captivity.
232-12-065	Repealed.
232-12-070	Repealed.
232-12-071	Buying or selling game unlawful.
232-12-074	Retention of game.
232-12-077	Wildlife taken by another.
232-12-080	Repealed.
232-12-081	Checking stations—Inspection of game and licenses.
232-12-084	Director empowered to alter seasons.
232-12-087	Requirements to possess Indian caught anadromous game fish or roe.
232-12-090	Repealed.
232-12-091	Commercial buying and processing of anadromous game fish or roe.
232-12-094	Records for purchase and receipt of anadromous game fish and roe.
232-12-097	Transportation of anadromous game fish and roe.
232-12-099	Treaty Indian fishing gear identification.
232-12-100	Repealed.
232-12-101	Falconry and captive propagation of raptors permitted.
232-12-104	Falconry definitions.
232-12-105	Repealed.
232-12-107	Falconry permits required.
232-12-110	Repealed.
232-12-111	Repealed.
232-12-114	Permit required for capture, importation, exportation, and transfer of raptors.
232-12-117	Marking and identification of raptors required.
232-12-120	Repealed.
232-12-121	Falconry reports required.
232-12-124	Methods of capture and prohibitions in taking raptors.
232-12-127	Revocation, modifications or suspension of falconry permits.
232-12-130	Repealed.
232-12-131	Permits for special hunting seasons.
232-12-134	Report required of licensed trappers.
232-12-135	Repealed.
232-12-137	Unlawful to use game species for trapping.
232-12-140	Repealed.
232-12-141	Wild animal trapping.
232-12-144	Possession of live fish for bait while fishing.
232-12-147	Maximum number of fishing lines and hooks—Snagging and gaffing fish unlawful.
232-12-150	Repealed.
232-12-151	Fly fishing rules.
232-12-154	Juvenile fishing waters.
232-12-157	Steelhead fishing punchcard.
232-12-160	Repealed.
232-12-161	Fishing guide reports.
232-12-164	Fishing near dams—Department facilities.
232-12-167	Hunting and fishing contest rules.
232-12-170	Repealed.
232-12-171	Repealed.
232-12-173	Repealed.
232-12-174	Domestic animals on department lands.
232-12-177	Vehicles using department lands.
232-12-180	Repealed.
232-12-181	Livestock grazing on department of game lands.
232-12-184	Aircraft—Authorized use on department lands.
232-12-187	Access areas—Other department lands—Wildlife agent to control traffic thereon.
232-12-189	Duplicate licenses, tags, etc.—Rules for issuance.
232-12-190	Repealed.
232-12-191	Three convictions forfeits privileges.
232-12-194	Procedure—Petitions for reissuance of hunting license—Time period for petition—Juvenile applicants.
232-12-197	Procedures to review administrative license decisions.
232-12-200	Repealed.
232-12-201	Repealed.
232-12-205	Repealed.
232-12-207	Petitions—Consideration by commission.