

WAC 222-10-050 Adoption by reference. Except to those rules that may not be applicable, the forest practices board hereby adopts by reference chapter 197-11 WAC, the "SEPA rules" adopted by the state of Washington department of ecology. [Statutory Authority: RCW 43.21C.120, 76.09.040 and 42.30.075. 84-18-021 (Order 429, Resolution No. 8-8-84), § 222-10-050, filed 8/29/84, effective 10/1/84; Order 258, § 222-10-050, filed 5/21/76.]

WAC 222-10-070 Additional definitions. In addition to those definitions contained within WAC 197-11-700 through 197-11-799, the following terms shall have the following meanings:

(1) "Board" means the forest practices board, as defined by chapter 76.09 RCW.

(2) "SEPA rules" means chapter 197-11 WAC adopted by the state of Washington department of ecology. [Statutory Authority: RCW 43.21C.120, 76.09.040 and 42.30.075. 84-18-021 (Order 429, Resolution No. 8-8-84), § 222-10-070, filed 8/29/84, effective 10/1/84; Order 258, § 222-10-070, filed 5/21/76.]

WAC 222-10-090 Designation of responsible official. The board shall act as the responsible official for the purpose of complying with the SEPA rules, or the board may designate the chairperson of the forest practices board or his/her designee to serve as such responsible official. [Statutory Authority: RCW 43.21C.120, 76.09.040 and 42.30.075. 84-18-021 (Order 429, Resolution No. 8-8-84), § 222-10-090, filed 8/29/84, effective 10/1/84; Order 258, § 222-10-090, filed 5/21/76.]

WAC 222-10-110 Board's SEPA public information center. There is hereby established in the Public Lands Building, 2nd Floor, Olympia, Washington, the location of the board's SEPA public records in accordance with chapter 42.17 RCW. [Statutory Authority: RCW 43.21C.120, 76.09.040 and 42.30.075. 84-18-021 (Order 429, Resolution No. 8-8-84), § 222-10-110, filed 8/29/84, effective 10/1/84; Order 258, § 222-10-110, filed 5/21/76.]

WAC 222-10-120 Exemption for emergency actions. The board may promulgate rules which must be promulgated immediately, or within a time too short to allow full compliance with this chapter of the SEPA rules where such action is required to avoid an imminent threat to public health or safety, to prevent imminent danger to public or private property or prevent imminent threat of serious environmental degradation without complying with the procedural requirements of this chapter of the SEPA rules. [Statutory Authority: RCW 43.21C.120, 76.09.040 and 42.30.075. 84-18-021 (Order 429, Resolution No. 8-8-84), § 222-10-120, filed 8/29/84, effective 10/1/84; Order 258, § 222-10-120, filed 5/21/76.]

Title 230 WAC GAMBLING COMMISSION

Chapters

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| 230-02 | General provisions and definitions. |
| 230-04 | Application for issuance of licenses. |
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Chapter 230-02 WAC

GENERAL PROVISIONS AND DEFINITIONS

WAC

230-02-020 Time and place of meetings.

WAC 230-02-020 Time and place of meetings. Regular public meetings of the commission shall normally be held in March, June, September, and December. Each such regular meeting shall be held in Olympia, Washington, beginning at the hour of 10:00 a.m., date and place to be set by the commission with at least two weeks advance notice. Additional public meetings necessary to discharge the business of the commission may be called from time to time. [Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-02-020, filed 1/9/85; Order 78, § 230-02-020, filed 11/17/77; Order 62, § 230-02-020, filed 10/15/76; Order 51, § 230-02-020, filed 4/30/76; Order 5, § 230-02-020, filed 12/19/73.]

Chapter 230-04 WAC

APPLICATION FOR ISSUANCE OF LICENSES

WAC

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| 230-04-065 | Lesser requirements for applicants for certain classes of licenses to operate bingo, raffles, amusement games and fund raising events. |
| 230-04-120 | Licensing of distributors of punchboards, pull tabs or devices for the dispensing of pull tabs. |
| 230-04-121 | Repealed. |
| 230-04-122 | Repealed. |
| 230-04-123 | Licensing of distributor's representatives. |
| 230-04-125 | Distributor's representative license may be reissued when changing distributors. |
| 230-04-130 | Licensing of manufacturer's representatives. |
| 230-04-193 | Persons may obtain an annual permit to conduct bingo at agricultural fairs only. |
| 230-04-197 | Permits for raffles on separate premises. |
| 230-04-201 | Fees. |
| 230-04-230 | Intentionally understating anticipated revenue--Prohibited. |
| 230-04-290 | Loss or destruction of licenses or permits. |
| 230-04-300 | One annual change of premises allowed for bingo. |
| 230-04-310 | Change of name. |

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| 230-04-315 | Change of schedule. |
| 230-04-320 | Change of location. |
| 230-04-325 | Cancellation, change of time, date, or location of fund raising event. |
| 230-04-340 | Transfer of licenses—Conditions. |
| 230-04-350 | Death or incapacity of licensee. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 230-04-121 | Distributor's representatives to represent only one distributor at a time. [Order 80, § 230-04-121, filed 12/28/77.] Repealed by 85-01-065 (Order 145), filed 12/18/84. Statutory Authority: RCW 9.46.070 (1), (4), (5), (6), (7), (11), (14) and (17) and 9.46.310. |
| 230-04-122 | Distributor's representative shall not represent manufacturers—Exception. [Order 80, § 230-04-122, filed 12/28/77.] Repealed by 85-01-065 (Order 145), filed 12/18/84. Statutory Authority: RCW 9.46.070 (1), (4), (5), (6), (7), (11), (14) and (17) and 9.46.310. |

WAC 230-04-065 Lesser requirements for applicants for certain classes of licenses to operate bingo, raffles, 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. (Classes A and B)
- (3) Raffles. (Classes C and D)
- (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 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) For the above categories only, the director may prepare a simplified form which all applicants 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 bylaws; a partnership applicant's articles and partnership agreement; copies of any bylaws 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 and those referred to in WAC 230-08-015, do not apply to fund raising events. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-065, filed 6/15/84. Statutory Authority: RCW 9.46.070 (4), (7), (8) and (11). 83-06-077 (Order 127), § 230-04-065, filed 3/2/83. 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 230-04-120 Licensing of distributors of punchboards, pull tabs or devices for the dispensing of pull tabs. Prior to selling or supplying to any person, any punchboard, pull tab or device for the dispensing of pull tabs, or any gambling equipment or paraphernalia for use in connection with licensed fund raising events, within the state of Washington or for use within the state of Washington, a distributor shall first obtain a license from the commission.

The applicant shall include upon the application form supplied by the commission, the following information, as well as all other information and materials required elsewhere in these rules:

(1) The full name and address of the applicant and, if a distributor, the name and address of each of the separate locations operated by the distributor;

(2) The name and home address of all owners of a distributorship if the business is not a corporation. If the business is a corporation, the name and address of each of the officers and of each of the directors of the corporation and of each of the stockholders having ten percent or more of the shares of any class of stock in the corporation;

(3) A full description of each type of punchboard, pull tab, or device for the dispensing of pull tabs that the distributor intends to market in this state or for use in this state;

(4) For each such device, the brand name under which it will be sold;

(5) If the applicant is a distributor located out of state, then the name, business and home address of the agent who is a resident of this state designated by the applicant pursuant to WAC 230-12-300;

(6) A list of all manufacturers of such devices and all businesses or organizations located in the state of Washington in which the applicant has some financial

interest. For the purposes of this subsection, the term financial interest shall include, among all other interests, an indebtedness from the other person to the applicant, or vice versa, in excess of five hundred dollars. [Statutory Authority: RCW 9.46.070 (1), (4), (5), (6), (7), (11), (14) and (17) and 9.46.310. 85-01-065 (Order 145), § 230-04-120, filed 12/18/84; Order 80, § 230-04-120, filed 12/28/77; Order 23, § 230-04-120, filed 9/23/74; Order 14, § 230-04-120, filed 3/27/74; Order 5, § 230-04-120, filed 12/19/73.]

WAC 230-04-121 Repealed. See Disposition Table at beginning of this chapter.

WAC 230-04-122 Repealed. See Disposition Table at beginning of this chapter.

WAC 230-04-123 Licensing of distributor's representatives. Prior to selling or supplying to any person any punchboard, pull tab or device for the dispensing of pull tabs, or any gambling equipment or paraphernalia for use in connection with licensed fund raising events, within the state of Washington or for use within the state of Washington, a representative or agent of the distributor of such devices shall first obtain a license from the commission. A sole owner, partner, major officer and/or owner of a substantial interest in a corporation licensed as a distributor shall not be required to be additionally licensed as a distributor's representative to engage in the selling or supplying of the distributor's products or services. Office, clerical or warehouse personnel employed by the distributor who have contact with the public and potential customers only occasionally and only by telephone or at the distributor's own premises when working under the immediate and direct supervision of the owner, a partner, or major officer of a corporation licensed as a distributor, shall also be exempt from this licensing requirement. A manager or supervisor who is not a sole owner, partner or a major officer or owner of a substantial interest in a licensed distributor whose duties and responsibilities include the supervision of selling, supplying and/or the promotion of the distributor's products shall be licensed as required by this rule prior to performing such functions in connection with the selling or furnishing of gambling devices, equipment or related items in the state of Washington or for use within the state of Washington. A distributor shall not allow an unlicensed person to represent it in such transactions and shall take all measures necessary to prevent an unlicensed person from doing so.

On or before the first day he or she actually performs work as a distributor's representative, 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.)

The distributor for which a distributor's representative will work shall sign the application of each such distributor's representative acknowledging that the applicant will be representing the distributor with the distributor's knowledge and consent.

No person licensed as a distributor's representative shall represent more than one distributor at a time. A distributor's representative shall not represent a manufacturer: *Provided*, That this rule shall not bar the distributor's representative from representing his own distributor who is also licensed as a manufacturer. [Statutory Authority: RCW 9.46.070 (1), (4), (5), (6), (7), (11), (14) and (17) and 9.46.310. 85-01-065 (Order 145), § 230-04-123, filed 12/18/84.]

WAC 230-04-125 Distributor's representative license may be reissued when changing distributors. In the event that a licensed distributor's representative ceases to represent the distributor under whom his license was granted, the license shall be automatically suspended and he shall return it to the commission forthwith: *Provided*, That if such person is employed to represent a different distributor within the term otherwise remaining under the license, he may apply to the commission to have his license reissued as a representative of that distributor for such remaining term. The fee for this transfer shall be as required by WAC 230-04-201. The distributor which the distributor's representative seeks to represent shall sign the application for transfer acknowledging that the applicant for transfer will be representing the distributor with the distributor's knowledge and consent. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-125, filed 6/15/84; Order 14, § 230-04-125, filed 3/27/74; Order 9, § 230-04-125, filed 12/19/73.]

WAC 230-04-130 Licensing of manufacturer's representatives. Prior to selling or supplying to any person any punchboard, pull tab or device for the dispensing of pull tabs within the state of Washington or for use within the state of Washington, a representative or agent of the manufacturer of such devices shall first obtain a license from the commission. A sole owner, partner, major officer and/or owner of a substantial interest in a corporation licensed as a manufacturer shall not be required to be additionally licensed as a manufacturer's representative to engage in the selling or supplying of the manufacturer's products or services. Office, clerical or warehouse personnel employed by the manufacturer who have contact with the public and potential customers only occasionally and only by telephone or at the manufacturer's own premises when working under the immediate and direct supervision of the owner, a partner, or major officer of a corporation licensed as a manufacturer, shall also be exempt from this licensing requirement. A manager or supervisor who is not a sole owner, partner or a major officer or owner of a substantial interest in a licensed manufacturer whose duties and

responsibilities include the supervision of selling, supplying and/or the promotion of the manufacturer's products shall be licensed as required by this rule prior to performing such functions in connection with the selling or furnishing of gambling devices, equipment or related items in the state of Washington or for use within the state of Washington. A manufacturer shall not allow an unlicensed person to represent it in such transactions where a license is required and shall take all measures necessary to prevent an unlicensed person from doing so.

On or before the first day he or she actually performs work as a manufacturer's representative, 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).

The manufacturer for which a manufacturer's representative will work shall sign the application of each such manufacturer's representative acknowledging that the applicant will be representing the manufacturer with the manufacturer's knowledge and consent. [Statutory Authority: RCW 9.46.070 (1), (4), (5), (6), (7), (11), (14) and (17) and 9.46.310. 85-01-065 (Order 145), § 230-04-130, filed 12/18/84; Order 80, § 230-04-130, filed 12/28/77; Order 12, § 230-04-130, filed 2/14/74.]

WAC 230-04-193 Persons may obtain an annual permit to conduct bingo at agricultural fairs only. (1) An operator of bingo games may apply to the commission for a permit approving that operator to conduct bingo games at licensed agricultural fairs only. Such a permit shall be valid only when such games are conducted under an agreement with a fair holding a bingo license from the commission.

(2) It shall not be necessary for a licensed fair to obtain a permit on behalf of an operator under WAC 230-04-191 when the operator possesses a permit including the applicable event and location which has been obtained under this rule. However, the management of each agricultural fair licensee shall not be relieved from full and concurrent responsibility for the fair and lawful operation of bingo conducted under the authority of its license and any violation by any one of the permittees of any of the provisions of chapter 9.46 RCW, or any amendments thereto, or of the rules of the commission, shall be grounds for the suspension or revocation of the license.

(3) Applications for these annual permits shall be submitted by the operator upon the application forms provided by the commission, and accompanied by the required fee. All information required by the commission or its staff shall be submitted in accordance with the procedures and subject to the same conditions as an application for a license under these rules. A change in the

information furnished to the commission shall be made known to the commission in writing by the owner or chief executive officer of the operator within ten days of the change.

(4) Persons holding these permits who have contracted with a licensee to operate bingo shall notify, in writing, the county sheriff of each county, or the chief of police of each city, in which he will operate these games, of the times and locations at which they will be operated not later than ten days prior to operating any such games in that jurisdiction. The employment records of the permittee shall be made available to such local law enforcement officers upon demand. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-193, filed 6/15/84; Order 53, § 230-04-193, filed 5/25/76; Order 23, § 230-04-193, filed 9/23/74; Order 15, § 230-04-193, filed 4/17/74.]

WAC 230-04-197 Permits for raffles on separate premises. A person holding Class "C" through Class "F" licenses to conduct raffles may hold drawings connected with such raffles at a location other than the premises for which the license is issued only after obtaining a permit to do so from the commission in advance of conducting each such raffle.

Application for such permit must be made by the licensee no later than thirty days prior to any promotion or sale of tickets connected with the raffle and no such activity shall be undertaken prior to receipt by the licensee of the permit. Application shall be made upon a form provided by the commission and submitted with the fee required for each such permit. The form shall require, among other things, the following:

(a) The name of the applicant-licensee, the number of its license to conduct raffles and the address for which the license is issued;

(b) The address of the premises upon which it will conduct the drawing for the subject raffle and a list of the name and address of each owner of such premises;

(c) Details of any rental or lease arrangements between the applicant-licensee or any of its members and the owner(s) of the premises upon which the drawing is to be held;

(d) The inclusive dates that the raffle will be conducted and the date the drawing will be held;

(e) If the raffle is being held by a subdivision of the licensee, then the name of the subdivision and an explanation of the subdivision's status as a part of the applicant-licensee;

(f) The name and address of each person who will participate in managing the raffle or is responsible for keeping the financial records of the applicant-licensee with respect to the proceeds of the raffle together with a "personal information form" for each such person if one has not been filed with the commission.

The permit issued by the commission shall be conspicuously posted and displayed upon the premises at all times during the occasion when the drawing is being conducted. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order

140), § 230-04-197, filed 6/15/84; Order 9, § 230-04-197, filed 12/19/73.]

WAC 230-04-201 Fees. Tables 1 and 2 contain the fees that shall be paid to the commission for gambling licenses, permits, miscellaneous changes, and special investigative and inspection services.

Table 1. (For bona fide nonprofit/charitable organizations)

| <u>LICENSE TYPE</u> | <u>DEFINITION</u> | <u>FEE</u> |
|----------------------------------|---|--------------|
| 1. AMUSEMENT GAMES | (Fee based on annual net receipts) | |
| Class A | \$500 or less | \$ 35 |
| Class B | \$501 - 1,000 | 50 |
| Class C | \$1,001 - 5,000 | 75 |
| Class D | \$5,001 - 15,000 | 250 |
| Class E | over \$15,000 | 350 |
| 2. BINGO | (Fee based on annual gross receipts) | |
| Class A | Up to \$10,000 | \$ 50 |
| Class B | \$ 10,001 to 50,000 | 150 |
| Class C | \$ 50,001 to 100,000 | 500 |
| Class D | \$ 100,001 to 300,000 | 800 |
| Class E | \$ 300,001 to 500,000 | 1,500 |
| Class F | \$ 500,001 to 1,000,000 | 3,000 |
| Class G | \$1,000,001 to 1,500,000 | 4,000 |
| Class H | \$1,500,001 to 2,000,000 | 5,000 |
| Class I | \$2,000,001 to 2,500,000 | 6,000 |
| Class J | \$2,500,001 to 3,000,000 | 7,000 |
| Class K | \$3,000,001 to 3,500,000 | 8,000 |
| 3. BINGO GAME MANAGER | Original Renewal | \$ 150 75 |
| 4. CARD GAMES | | |
| Class A | General (fee to play charged) | \$ 500 |
| Class B | Limited card games - to hearts, rummy, mah-jongg, pitch, pinochle, coon-can and/or cribbage - (fee to play charged) | 150 |
| Class C | Tournament only - no more than ten consec. days per tournament | 50 |
| Class D | General (no fee to play charged) | 50 |
| Class R | Primarily for recreation (WAC 230-04-199) | 25 |
| 5. CHANGES | | |
| NAME | (See WAC 230-04-310) | \$ 25 |
| LOCATION | (See WAC 230-04-320) | 25 |
| FRE | (Reno Nite date(s)/time(s)) (See WAC 230-04-325) | 25 |
| LICENSE CLASS | (See WAC 230-04-260) New class fee[,] less previous fee paid, plus | 25 |
| DUPLICATE LICENSE REPLACEMENT | (See WAC 230-04-290) | 25 |
| IDENTIFICATION STAMPS | (See WAC 230-30-016) | 25 |

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| 6. | FUND RAISING EVENT | | |
| | Class A | One event not more than 24 consec. hrs. | \$ 300 |
| | Class B | One event not more than 72 consec. hrs. | 500 |
| | Class C | Additional participant in joint event (not lead organization) | 150 |
| <hr/> | | | |
| 7. | PERMITS | Agricultural fair/special property bingo | |
| | Class A | One location and event only (see WAC 230-04-191) | \$ 25 |
| <hr/> | | | |
| 8. | PUNCHBOARDS/ PULL TABS | (Fee based on annual gross receipts) | |
| | Class A | Up to \$10,000 | \$ 300 |
| | Class B | Up to \$50,000 | 475 |
| | Class C | Up to \$100,000 | 960 |
| | Class D | Up to \$200,000 | 1,560 |
| | Class E | Up to \$300,000 | 2,360 |
| | Class F | Up to \$400,000 | 3,150 |
| | Class G | Up to \$500,000 | 3,775 |
| | Class H | Up to \$600,000 | 4,350 |
| | Class I | Up to \$700,000 | 4,825 |
| | Class J | Up to \$800,000 | 5,225 |
| | Class K | Over \$800,000 | 5,900 |
| <hr/> | | | |
| 9. | RAFFLES | (Fee based on annual net receipts) | |
| | Class C | \$500 or less | \$ 50 |
| | Class D | \$501 - 5,000 | 100 |
| | Class E | \$5,001 - 15,000 | 400 |
| | Class F | Over \$15,000 | 600 |
| <hr/> | | | |
| 10. | SEPARATE PREMISES | | |
| | BINGO | Occasion (see WAC 230-04-300) | \$ 25 |
| | RAFFLES | (See WAC 230-04-197) | 25 |
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| 11. | SPECIAL FEES | | |
| | INVESTIGATION | (See WAC 230-04-240) | As required |
| | IDENTIFICATION AND INSPECTION STAMP | (See WAC 230-30-015 and 230-30-030) | As required |

Table 2. (For commercial stimulant/profit seeking organizations)

| <u>LICENSE TYPE</u> | <u>DEFINITION</u> | <u>FEE</u> |
|----------------------|---|------------|
| 1. CARD GAMES | | |
| Class B | (Fee to play charged) limited card games - to hearts, rummy, pitch, pinochle, mah-jongg, coon-can and/or cribbage | \$ 150 |
| Class C | Tournament only, no more than ten consec. days per tournament | 150 |
| Class D | General (no fee to play charged) | 50 |
| Class E | General (fee to play charged) | |
| E-1 | One table only | 350 |
| E-2 | Up to two tables | 600 |
| E-3 | Up to three tables | 1,000 |
| E-4 | Up to four tables | 2,000 |
| E-5 | Up to five tables | 3,000 |

Application For Issuance of Licenses

230-04-201

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|-------|--------------------------------|--|----------|---------|
| 2. | CHANGES | | | |
| | NAME | (See WAC 230-04-310) | \$ | 25 |
| | LOCATION | (See WAC 230-04-320) | | 25 |
| | BUSINESS CLASSIFICATION | (Same owners - see WAC 230-04-340(3)) | | 50 |
| | LICENSE CLASS | (See WAC 230-04-260) New class fee, less previous fee paid, plus | | 25 |
| | DUPLICATE LICENSE | (See WAC 230-04-290) | | 25 |
| | OWNERSHIP OF STOCK REPLACEMENT | (See WAC 230-04-340(1)) | | 50 |
| | IDENTIFICATION STAMPS | (See WAC 230-30-016) | | 25 |
| | LICENSE TRANSFERS | (See WAC 230-04-125, 230-04-340 and 230-04-350) | | 50 |
| <hr/> | | | | |
| 3. | DISTRIBUTOR | (Fee based on annual gross receipts for sale of punchboards, pull tabs, pull tab dispensing devices and sale/lease of fund raising event equipment.) | | |
| | | | Original | Renewal |
| | Class A | up to \$600,000 | \$2,750 | \$1,250 |
| | Class B | over \$600,000 | \$2,750 | \$1,700 |
| <hr/> | | | | |
| 4. | DISTRIBUTOR'S REPRESENTATIVE | Original | \$ | 220 |
| | | Renewal | | 110 |
| <hr/> | | | | |
| 5. | MANUFACTURER | Original | | \$3,300 |
| | | Renewal | | 1,650 |
| <hr/> | | | | |
| 6. | MANUFACTURER'S REPRESENTATIVE | Original | [\$] | 220 |
| | | Renewal | | 110 |
| <hr/> | | | | |
| 7. | PERMITS | Agricultural fair/special property bingo | | |
| | Class A | One location and event only (see WAC 230-04-191) | \$ | 25 |
| | Class B | Annual permit for specified different events and locations (see WAC 230-04-193) | | 150 |
| <hr/> | | | | |
| 8. | PUBLIC CARD ROOM EMPLOYEE | Original | \$ | 150 |
| | | Renewal | | 75 |
| <hr/> | | | | |
| 9. | PUNCHBOARDS/ PULL TABS | (Fee based on annual gross receipts) | | |
| | Class A | Up to \$10,000 | \$ | 300 |
| | Class B | Up to \$50,000 | | 475 |
| | Class C | Up to \$100,000 | | 960 |
| | Class D | Up to \$200,000 | | 1,560 |
| | Class E | Up to \$300,000 | | 2,360 |
| | Class F | Up to \$400,000 | | 3,150 |
| | Class G | Up to \$500,000 | | 3,775 |
| | Class H | Up to \$600,000 | | 4,350 |
| | Class I | Up to \$700,000 | | 4,825 |
| | Class J | Up to \$800,000 | | 5,225 |
| | Class K | Over \$800,000 | | 5,900 |

| | | | |
|-------|--|--|-------------|
| 10. | SPECIAL FEES | | |
| | INVESTIGATION | (See WAC 230-04-240) | As required |
| | IDENTIFICATION AND INSPECTION STAMP | (See WAC 230-30-015 and 230-30-030) | As required |
| <hr/> | | | |
| 11. | SPECIAL LOCATION | (Fee based on annual net receipts) | |
| | AMUSEMENT GAMES | | |
| | Class A | One event per year lasting no longer than 12 consecutive days | \$ 500 |
| | Class B | \$25,000 or less | 500 |
| | Class C | \$25,001 - 100,000 | 1,500 |
| | Class D | \$100,001 - 500,000 | 3,000 |
| | Class E | Over \$500,000 | 5,000 |

[Statutory Authority: RCW 9.46.070 (1), (2), (4), (5), (6), (9), (11), (14) and (17) and 9.46.020 (19) and (23). 85-17-015 (Order 153), § 230-04-201, filed 8/12/85. Statutory Authority: RCW 9.46.070 (8), (11) and (14). 85-03-024 (Order 142), § 230-04-201, filed 1/9/85. Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-201, filed 6/15/84. Statutory Authority: RCW 9.46.070 (5), (6), (8), (10) and (11). 84-01-026 (Order 139), § 230-04-201, filed 12/12/83.]

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 230-04-230 Intentionally understating anticipated revenue—Prohibited. It shall constitute grounds for revocation or suspension of a license if any applicant intentionally understates the anticipated gross or net receipts from a licensed activity for any purpose. [Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-04-230, filed 1/9/85. Statutory Authority: RCW 9.46.070 (5), (6), (8), (10), and (11). 84-01-026 (Order 139), § 230-04-230, filed 12/12/83; Order 42, § 230-04-230, filed 9/18/75; Order 5, § 230-04-230, filed 12/19/73.]

WAC 230-04-290 Loss or destruction of licenses or permits. Upon the loss or destruction of any license or permit granted by the commission to conduct gambling activities in the state of Washington, application for a duplicate copy of the license or permit must be made to the commission upon a form to be supplied by the commission. Such application shall include an affidavit signed by the licensee, chief executive officer of a corporation, or by each of the owners of a profit making business which details the circumstances under which the license was lost or destroyed. The fee for replacement of a license shall be as required by WAC 230-04-201. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-290, filed 6/15/84. Statutory Authority: RCW 9.46.070(13). 78-06-066 (Order 85), § 230-04-290, filed 5/25/78; Order 5, § 230-04-290, filed 12/19/73.]

WAC 230-04-300 One annual change of premises allowed for bingo. A bona fide charitable or nonprofit organization, except agricultural fairs, which has obtained an annual license from the commission to conduct bingo games upon a specified premise may, not more often than once during each annual period for which it is

licensed, make written application to the commission for permission to conduct bingo, not to exceed three consecutive days, and not to exceed sixteen consecutive hours each day, at a location other than is authorized under its license.

Such application may be by letter, signed by the chief executive officer of the organization. The letter shall set out the name and address of the location upon which the bingo occasion would be conducted, the desired inclusive dates, the names and addresses of all persons who have an interest of any kind in those premises, the amount of rent, if any, that would be paid for the use of the premises, the basis upon which that rent was computed, and a detailed explanation of why the change of location is being requested.

The application shall be made not less than fifteen calendar days prior to the date of the bingo occasion, and shall be accompanied by the required fee.

If the commission approves, the applicant will be notified by mail and provided with a permit for the event by the commission. The permit shall be prominently displayed upon the premises during the event. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-300, filed 6/15/84; Order 29, § 230-04-300, filed 1/23/75; Order 5, § 230-04-300, filed 12/19/73.]

WAC 230-04-310 Change of name. No licensee shall adopt or make a change in his or her given name or a trade or corporate name without notifying the commission at least thirty days prior to the effective date of such change. Each such change shall be made subject to the approval of the commission. The fee for such adoption or change of name shall be as required by WAC 230-04-201. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-310, filed 6/15/84. Statutory Authority:

RCW 9.46.070(13). 78-06-066 (Order 85), § 230-04-310, filed 5/25/78; Order 5, § 230-04-310, filed 12/19/73.]

WAC 230-04-315 Change of schedule. No bingo licensee shall change the days and times of operation of the gambling activity from those indicated on the application or otherwise filed with the commission without first notifying the commission in writing at least 10 days prior to the planned change. This notification shall be deemed properly submitted when it has been delivered to the commission office: *Provided*, That this rule shall not apply to changes in the schedule for holidays or changes caused by inclement weather or emergencies affecting the health and safety of the public. [Statutory Authority: RCW 9.46.070 (1), (4), (5), (6), (7), (11), (14) and (17) and 9.46.310. 85-01-065 (Order 145), § 230-04-315, filed 12/18/84.]

WAC 230-04-320 Change of location. No change of location of licensed premises shall be made without the written consent of the commission. The fee for such change will be as required by WAC 230-04-201: *Provided*, That persons operating amusement games under a special amusement game license issued pursuant to WAC 230-04-190(2) shall pay no fee for adding to or deleting from the list of locations for which that license was issued. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-320, filed 6/15/84; Order 60, § 230-04-320, filed 9/10/76; Order 21, § 230-04-320, filed 8/20/74; Order 5, § 230-04-320, filed 12/19/73.]

WAC 230-04-325 Cancellation, change of time, date, or location of fund raising event. A cancellation or a change in time, 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 time, date, or location, the licensee shall:

(a) Give at least ten days written notice to the commission in advance of the new time, date, or location change, 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 as required by WAC 230-04-201 to the commission for each such time, date, or location change.

(3) For a cancellation [of] [or] change in time, date, and/or location, the license authorizing the event for the specific time, date, or location shall be returned to the commission. [Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-04-325, filed 1/9/85. Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-325, filed 6/15/84. Statutory Authority: RCW 9.46.070 (5), (14) and 9.46.020(23). 81-19-073 (Order 112), § 230-04-325, filed 9/15/81.]

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 230-04-340 Transfer of licenses--Conditions. Transfers of licenses issued by the commission shall be permitted only under the following circumstances and conditions and those set out in WAC 230-04-350, upon approval by the director or the commission. Otherwise, no transfer of any license issued by the commission shall be permitted.

(1) If the licensee is a corporation, except as provided in subsection (2) below, a change in ownership of stock shall not be deemed a transfer of a license: *Provided*, That any change in the ownership of any stock in such corporation which results in any person or organization becoming the owner of a substantial interest therein who was not the owner of a substantial interest immediately preceding the transaction, or which involves ten percent or more of any class of stock, shall be reported to the commission, in writing, within ten days of the close of such transaction, together with such information concerning the person or persons receiving such stock as the director may require.

(2) Where a change in the ownership of the stock of any corporate licensee results in any person, together with any members of his or her immediate family, or results in any organization, becoming the owner of a majority of the voting shares of that corporation who or which had not held a substantial interest in the corporation immediately prior to the change in ownership, gambling licenses held by that corporation shall immediately terminate and be void. In such cases a new license must be obtained from the commission prior to the operation of any gambling activity requiring a license.

(3) Licenses issued to other than bona fide charitable or bona fide nonprofit organizations may be transferred to a business entity wholly owned by the same person or persons who owned the business entity to which the license was originally issued, or by their spouses or children under the age of eighteen and residing at the family home or by others possessing less than a substantial interest in the business to which the license transfer is sought, but only when the licensed activity will be conducted on the same premises as that for which the license was issued.

(4) Transfers will not be permitted when any person owning or holding a substantial interest in any of the entities to which transfer is sought is not qualified to hold a gambling license.

The license or licenses of any corporation in which a person holds or acquires a substantial interest will be revoked when such person is not qualified to hold a gambling license.

The fee for transfer of the license under this rule shall be as required by WAC 230-04-201. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-340, filed 6/15/84. Statutory Authority: RCW 9.46.030 (2) and (3) and 9.46.070 (11) and (14). 83-19-024 (Order 136),

§ 230-04-340, filed 9/13/83; Order 68, § 230-04-340, filed 4/25/77; Order 40, § 230-04-340, filed 6/26/75; Order 5, § 230-04-340, filed 12/19/73.]

WAC 230-04-350 Death or incapacity of licensee. In the event of the proven incapacity, death, receivership, bankruptcy or assignment for benefit of creditors of any licensee, upon approval of the director or commission the license may be transferred to a court appointed or court confirmed guardian, executor or administrator, receiver, trustee, or assignee for the benefit of creditors, who may continue to operate the activity under the license, subject to the provisions of chapter 9.46 RCW and the commission's rules.

The person to whom a license is transferred hereunder must be otherwise qualified to hold a gambling license.

The license following transfer shall be subject to regular renewal based upon its original expiration date and shall be void upon that person ceasing to hold such a court appointed, or court confirmed, position.

The fee for transfer of the license under this rule shall be as required by WAC 230-04-201. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-04-350, filed 6/15/84; Order 68, § 230-04-350, filed 4/25/77; Order 5, § 230-04-350, filed 12/19/73.]

Chapter 230-08 WAC RECORDS AND REPORTS

WAC

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| 230-08-095 | Minimum standards for Class C and larger bingo games—Monthly and annual accounting records. |
| 230-08-120 | Quarterly activity report by operators of bingo games (license Class C and above). |
| 230-08-125 | Annual activity reports by operators of Class A or B bingo, all classes or raffles, and bona fide charitable or nonprofit amusement games. |
| 230-08-130 | Quarterly activity reports by operators of punchboards and pull tabs. |
| 230-08-140 | Quarterly activity reports by distributors. |
| 230-08-150 | Quarterly activity reports by manufacturers. |
| 230-08-160 | Quarterly activity reports by operators of social and public card rooms. |
| 230-08-170 | Punchboard and pull tab retention. |
| 230-08-240 | Annual activity reports by special location amusement game licensees other than bona fide charitable or nonprofit organizations. |
| 230-08-250 | Annual activity reports by agricultural fairs and other bona fide charitable or nonprofit organizations with special location licenses to conduct bingo, raffles, and amusement games. |
| 230-08-260 | Fund raising events—Activity report required. |

WAC 230-08-095 Minimum standards for Class C and larger bingo games—Monthly and annual accounting records. A double entry accounting system shall be maintained by all bingo licensees, except Class A and B:

(1) This system shall include all receipts and disbursements of the licensee, including but not limited to, those related to bingo, and shall conform to generally accepted accounting principles, except as modified by other commission rules or instructions for activity reports.

The preferable method of accounting shall be the accrual method. The cash basis or modified cash basis shall be acceptable accounting system methods only as long as they accurately represent the results of operations. The accrual method is mandatory where the licensee has substantial liabilities or substantial expenses not requiring a current outlay of cash, such as depreciation or amortization expenses.

At minimum, the double entry system shall include all records required by other sections of this WAC, a monthly cash disbursements journal (check register), a monthly sales journal (cash receipts journal), plus a listing of all assets and liabilities. Licensees with substantial assets and liabilities or licensed to receive more than \$300,000 bingo gross receipts must have a complete general ledger system.

(2) All expenditures by the licensee relating to gambling activities, shall be sufficiently documented in the following manner:

(a) Invoices or other appropriate supporting documents from commercial vendors or service agencies should contain at least the following details:

(i) The name of the person or entity selling the goods or providing the service;

(ii) A complete description of goods or services purchased;

(iii) The amount of each product sold or service provided;

(iv) The price of each unit;

(v) The total dollar amount billed; and

(vi) The date of the transaction.

(b) Disbursements, in excess of twenty-five dollars, made directly to individuals, who do not furnish normal, business type, invoices or statements, should be supported by other written documentation indicating at least the following details:

(i) The name of the person receiving the payment;

(ii) The amount;

(iii) The date; and

(iv) The purpose.

(c) Normally, cancelled checks and/or statements without further support, such as listed in (2)(a) and (2)(b) above, are not considered sufficient documentation.

(3) All expenditures by the licensee relating to non-gambling activities shall be sufficiently documented to provide an audit trail and will conform to generally accepted accounting principles. [Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-08-095, filed 1/9/85; Order 45, § 230-08-095, filed 12/30/75.]

WAC 230-08-120 Quarterly activity report by operators of bingo games (license Class C and above). Each licensee for the operation of bingo games (license Class C and above) conducted by bona fide charitable or nonprofit organizations, shall submit an activity report to the commission concerning 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.

The report form shall be furnished by the commission and the completed 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 highest ranking executive officer or his designee. 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 be completed in accordance with the related instructions furnished with the report. The report shall include, among other items, the following:

- (1) The gross receipts from bingo by month.
- (2) The total amount of cash prizes actually paid out and the total of the cost to the licensee of all merchandise prizes actually paid out by month.
- (3) The net receipts by month.
- (4) Full details on all expenses directly related to bingo, including at least the following:
 - (a) A listing of each person connected with the management, promotion, conduct or operation of the bingo game along with his duties, hours and wages;
 - (b) A statement describing the allocation method used in allocating common use expenses; and
 - (c) A detailed listing of all items included under "other."
- (5) The net income.
- (6) The total number of customers participating.
- (7) The total number of sessions held. [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-120, filed 2/22/85. Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-08-120, filed 1/9/85. Statutory Authority: RCW 9.46.070 (4), (7), (8) and (11). 83-06-077 (Order 127), § 230-08-120, filed 3/2/83; Order 70, § 230-08-120, filed 5/24/77; Order 46, § 230-08-120, filed 2/13/76; Order 42, § 230-08-120, filed 9/18/75; Order 29, § 230-08-120, filed 1/23/75; Order 23, § 230-08-120, filed 9/23/74; Order 15, § 230-08-120, filed 4/17/74; Order 5, § 230-08-120, filed 12/19/73, 1:25 p.m.]

WAC 230-08-125 Annual activity reports by operators of Class A or B bingo, all classes or raffles, and bona fide charitable or nonprofit amusement games. Each licensee for the operation of all classes of raffles and bona fide charitable or nonprofit amusement games, and Class A or B bingo shall submit to the commission an annual summary of each separate licensed activity on a form supplied by the commission. This section shall become effective for license years beginning after March 31, 1983.

The report form shall be furnished by the commission and the completed report shall be received in the office

of the commission or postmarked no later than 30 days following the expiration of such organization's license year. The report shall be signed by the highest ranking executive officer or his designee. If the report is prepared by someone other than this officer, then the preparer shall also sign the report.

The report shall be completed in accordance with the related instructions furnished with the report. The report shall include, among other items, the following:

- (1) The gross receipts from the conduct of each licensed activity;
- (2) The total amount of cash prizes actually paid out, and the total of the cost to the licensee of all merchandise prizes actually paid out for each licensed activity;
- (3) The net receipts for each activity;
- (4) Full details on all expenses directly related to each activity, including all compensation paid by the licensee to each person for any work connected with the management, promotion, conduct or operation of each of the licensed activities, including a description of the work performed by that person. Provided that RCW 9.46.020(19) and WAC 230-20-070 are observed in relation to the restriction against employing persons to conduct or otherwise take part in the operation of a raffle.
- (5) The net income from each activity. [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-125, filed 2/22/85. Statutory Authority: RCW 9.46.070 (4), (7), (8) and (11). 83-06-077 (Order 127), § 230-08-125, filed 3/2/83.]

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.

The report form shall be furnished by the commission and the completed 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 highest ranking executive officer or his designee. 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 be completed in accordance with the related instructions furnished with 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) and (9). 85-06-002 (Order 147), § 230-08-130, filed 2/22/85. 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 230-08-140 Quarterly activity reports by distributors. Each licensed distributor 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.

The report form shall be furnished by the commission and the completed 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 highest ranking executive officer or his designee. 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 from all sales of devices, equipment or merchandise of any kind which could be used to operate, or in connection with, punchboards, pull tabs, or pull tab dispensing devices, where such sales are made in the state of Washington or for use or distribution within this state.

(2) The quantity of each specific type of device, equipment or merchandise sold within this state or for distribution and use within this state by the licensee.

(3) A listing of the name and address of each person who was a distributor's representative for the licensee during the three month period or who attempted to solicit sales of such devices, equipment or merchandise, either within the state of Washington or for use or distribution within the state.

(4) The number of employees in the state of Washington other than those listed in (3) above. [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002

(Order 147), § 230-08-140, filed 2/22/85. Statutory Authority: RCW 9.46.070(7). 79-09-029 (Order 91), § 230-08-140, filed 8/14/79; Order 70, § 230-08-140, filed 5/24/77; Order 46, § 230-08-140, filed 2/13/76; Order 29, § 230-08-140, filed 1/23/75; Order 5, § 230-08-140, filed 12/19/73, 1:25 p.m.]

WAC 230-08-150 Quarterly activity reports by manufacturers. Each licensed manufacturer 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.

The report form shall be furnished by the commission and the completed 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 highest ranking executive officer or his designee. 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 from all sales of devices, equipment, or merchandise of any kind which could be used to operate, or in connection with, punchboards, pull tabs, or pull tab dispensing devices, when such sales are made in the state of Washington or for distribution or use within the state of Washington.

(2) The quantity of each specific type of such device, equipment, or merchandise sold within the state or for distribution or use within the state of Washington by the licensee.

(3) A listing of the name and address of each person who was a manufacturer's representative for the licensee or who solicited sales of such devices or equipment for or on behalf of the licensee within the state of Washington or for use or distribution within the state.

(4) The number of employees in the state of Washington other than those listed in (3) above.

(5) A summary of the prices charged by the licensee for each specific type of such device, equipment, paraphernalia, or merchandise of any kind sold or furnished by the licensee during the period for which the report is made. If the price of a particular item has varied during the period, each such change shall be listed together with the date each such change was made. [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-150, filed 2/22/85; Order 70, § 230-08-150, filed 5/24/77; Order 46, § 230-08-150, filed 2/13/76; Order 29, § 230-08-150, filed 1/23/75; Order 14, § 230-08-150, filed 3/27/74; Order 5, § 230-08-150, 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 230-08-160 Quarterly activity reports by operators of social and public card rooms. Each licensee for the operation of social or public card rooms 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.

The report form shall be furnished by the commission and the completed 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 highest ranking executive officer or his designee. 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 be completed in accordance with the related instructions furnished with 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 report 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) Gross receipts from the collection of fees charged for allowing persons to play.

(4) Full details on all expenses directly related to the operation of the card room, including all compensation paid by the licensee to each person for any work connected with the management, promotion, conduct or operation of the card room, including a description of the work performed by that person.

(5) The net income or loss from the operation of the card room for the reporting period.

Provided, That persons licensed under Class D - general, no fee charged, are exempt from all portions of this rule. [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-160, filed 2/22/85. Statutory Authority: RCW 9.46.070 (4), (7), (8) and (11). 83-06-077 (Order 127), § 230-08-160, filed 3/2/83; Order 80, § 230-08-160, filed 12/28/77; Order 70, § 230-08-160, filed 5/24/77.]

WAC 230-08-170 Punchboard and pull tab retention. (1) 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.

(2) 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.

(3) Licensees shall account for each punchboard and pull tab series purchased. Punchboards or pull tab series not placed out for public play or returned to the distributor or manufacturer must be retained. A punchboard or pull tab series deemed by the licensee to be defective or unplayable, for any reason, shall not be returned to the distributor or manufacturer without the written approval of the gambling commission. When a punchboard or pull tab series is found to be defective after it has been put into play, the licensee will record the defective punchboard or pull tab series on the monthly report required by WAC 230-08-010 and retain for six months unless released by the gambling commission. All punchboards and pull tab series returned to distributors and manufacturers shall be listed by commission stamp number on an invoice used in connection with the transaction. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-08-170, filed 6/15/84. 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.]

WAC 230-08-240 Annual activity reports by special location amusement game licensees other than bona fide charitable or nonprofit organizations. Each licensee to conduct amusement games at special locations, other than bona fide charitable or nonprofit organizations, shall submit an activity report to the commission concerning the operation of those amusement games and other matters set forth below for each calendar year.

The report form shall be furnished by the commission and the completed report shall be received in the office of the commission or postmarked no later than February 28th of the following calendar year.

The report shall be signed by the highest ranking executive officer or his designee. 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 from amusement games by location;

(2) The total cash prizes actually paid out and the total of the cost to the licensee of all merchandise prizes actually paid out for amusement games by location;

(3) The net receipts from amusement games;

(4) Full details on all expenses directly related to conducting such amusement games;

(5) The net income from amusement games; and

(6) The gross receipts from the rental or leasing of space for any licensed gambling activity. [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-240, filed 2/22/85; Order 74, § 230-08-240, filed 8/17/77.]

WAC 230-08-250 Annual activity reports by agricultural fairs and other bona fide charitable or nonprofit organizations with special location licenses to conduct bingo, raffles, and amusement games. Each bona fide charitable or nonprofit licensee for the operation of bingo, raffles, and amusement games conducted only at agricultural fairs and other special locations shall submit an activity report to the commission concerning the operation of the licensed activities and other matters set forth below for the period of their license.

The report form shall be furnished by the commission and the completed report shall be received in the office of the commission or postmarked no later than 30 days following the expiration date of the license. All persons operating by virtue of a permit issued by the commission shall furnish to the licensee in conjunction with whom the permit is used, all information with respect to their own operation which is needed by the licensee to complete its report not less than ten days prior to the time the licensee is required to file his report with the commission.

The report shall be signed by the highest ranking executive officer or his designee. 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 from each separate gambling activity;

(2) The total cash prizes actually paid out and the total of the cost to the licensee of all merchandise prizes actually paid out for each separate gambling activity;

(3) The net receipts for each separate gambling activity;

(4) Full details on all expenses directly related to each separate gambling activity;

(5) The net income from each separate gambling activity; and

(6) The gross receipts from the rental or leasing of space for licensed gambling activities. [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-250, filed 2/22/85; Order 74, § 230-08-250, filed 8/17/77.]

WAC 230-08-260 Fund raising events--Activity report required. [(1)] Each [organization licensed to conduct a fund raising event and each lead organization for

a joint fund raising event,] [licensee for the operation of fund raising events] shall submit an activity report to the commission concerning the operation of the licensed activities and other matters set forth below for the period of each event.

[The report shall include among other items, the following information:

(a) Revenue per records for each gambling activity;

(b) Gross receipts and prizes paid for bingo, raffles, lotteries, and drawings;

(c) Adjustments to net receipts (i.e., discounts on foreign currency and cash over/short);

(d) Annual net receipts reconciliation (this item need not be completed on a joint event report submitted by the lead organization for the total event); and

(e) Full details of all expenses directly related to each event.

(2) Each participating licensee in a joint fund raising event shall submit a joint fund raising event supplemental report which shall include among other items, the following information:

(a) Percentage of adjusted net receipts and expenses per joint fund raising event agreement;

(b) Dollar amounts allocated to your organization for adjusted net receipts, expenses, and net income; and

(c) Annual net receipts reconciliation.

[The report form shall be furnished by the commission and the completed report shall be received in the office of the commission no later than 30 days following the authorized operating days or day.

The report shall be signed by the highest ranking executive officer or his designee. If the report is prepared by someone other than the licensee or his employee, then the preparer shall sign the report also.

The report shall be completed in accordance with the related instructions furnished with the report. [The report shall include, among other items, the following information:

(1) The gross receipts from each separate gambling activity;

(2) Total cash prizes actually paid out and the total of the cost to the licensee of all merchandise prizes actually given out for each separate gambling activity;

(3) The net receipts for each separate gambling activity;

(4) The total net receipts;

(5) Full details of all expenses directly related to each event.] [Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-260, filed 2/22/85. Statutory Authority: RCW 9.46.010 and 9.46-.070 (8) and (14). 85-03-025 (Order 143), § 230-08-260, filed 1/9/85; Order 78, § 230-08-260, 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.

**Chapter 230-12 WAC
RULES OF GENERAL APPLICABILITY**

WAC
230-12-020 Gambling receipts deposit required by all bona fide charitable and nonprofit organizations.

WAC 230-12-020 Gambling receipts deposit required by all bona fide charitable and nonprofit organizations. (1) Every licensed bona fide charitable or nonprofit organization shall keep a separate gambling receipts' account in a recognized Washington state depository authorized to receive funds, which shall be kept separate and apart and actually segregated from the licensee's general funds: *Provided*, That if such activities are conducted on the United States' portion of the Point Roberts Peninsula, Washington, the deposit may be made in a British Columbia branch of a Canadian bank. Licensees are not limited to a single gambling receipts account as long as a minimum of one separate account is maintained. The following conditions of deposit will be met:

(a) No expenditures other than for prizes shall be made from the receipts of any licensed gambling activity until such receipts have first been deposited in the gambling receipts account: *Provided*, That bingo receipts may be withheld from deposits for jar, pig, or other similar special game prizes if:

(i) The total of all such prize funds does not accumulate to exceed \$200.00;

(ii) The amount withheld each session is entered in the bingo daily record; and

(iii) A reconciliation of the special game fund is made of the bingo daily record;

(b) All net receipts from the operation of bingo which are being held pending disbursement shall be deposited in the licensee's gambling receipts account not later than the second banking day following receipt thereof;

(c) All net receipts from the operation of card rooms, punchboards, pull tabs, raffles (Class D and above), and amusement games (Class B and above) shall be deposited in the licensee's gambling receipts account at least once each week; and

(d) All deposits from bingo net receipts made to the gambling receipts account shall be made separately from all other deposits, and the validated deposit receipt shall be kept with the daily records as required by WAC 230-08-080.

(2) Bona fide charitable or nonprofit organizations that conduct only one or more of the following activities and do not possess any other licenses issued by the gambling commission are exempt from this rule:

(a) Raffles under the provisions of RCW 9.46.030(2);

(b) Bingo, raffles, or amusement games under the provisions of RCW 9.46.030(3);

(c) Class A or B bingo game;

(d) Class C raffle; or

(e) Class A amusement game.

(3) Bona fide charitable or nonprofit organizations who conduct only fund raising events or membership raffles and have no other gambling licenses are exempt

from having a separate gambling receipts account, but must meet the following conditions of deposit:

(a) No expenditures other than for prizes shall be made until such receipts have first been deposited in the licensee's bank account;

(b) All net receipts shall be deposited within two banking days following receipt thereof; and

(c) The validated deposit receipt shall be kept with the licensee's gambling records. [Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-12-020, filed 1/9/85. Statutory Authority: RCW 9.46.070 (9), (12) and (14). 83-08-051 (Order 130), § 230-12-020, filed 4/1/83. Formerly WAC 230-20-150.]

Chapter 230-20 WAC

BINGO, RAFFLES AND AMUSEMENT GAMES

| | |
|------------|---|
| WAC | |
| 230-20-010 | Disclosure of prizes and rules. |
| 230-20-063 | Repealed. |
| 230-20-064 | Maximum receipts, prizes, and expenses for bingo games—Net income required. |
| 230-20-325 | Manner of conducting a raffle. |
| 230-20-380 | Persons obtaining a special amusement game license to conduct activities only at limited locations. |
| 230-20-605 | Types of amusement games authorized. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

| | |
|------------|--|
| 230-20-063 | Limits on bingo gross receipts and prize payouts and requirements for net income. [Statutory Authority: RCW 9.46.070 (5), (6), (8), (10) and (11). 84-01-026 (Order 139), § 230-20-063, filed 12/12/83.] Repealed by 85-13-041 (Order 151), filed 6/14/85. Statutory Authority: RCW 9.46.070 (7), (13) and (18). |
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WAC 230-20-010 Disclosure of prizes and rules.

All prizes awarded in connection with bingo and amusement games, whether in cash or merchandise, and all rules by which such prizes may be won, including all costs to a participant, shall be disclosed to each participant in the licensed activity prior to that participant taking part in the activity or paying for the opportunity to take part in the activity.

This disclosure shall be made by conspicuously posting or displaying upon the premises where the activity is operated, the available prizes, or a list and complete description thereof, together with the rules of the activity, an explanation of how each prize can be won, and the cost to participate in the activity.

In those cases where persons are able to pay for the opportunity to participate in the activity after the winner of any one of the prizes offered has been determined, the licensee shall remove each prize won from any display of prizes, and from any list of prizes which have been posted or displayed upon the premises where the activity is conducted, immediately upon the determination of the winner of that particular prize. [Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-20-010, filed 4/15/85. Statutory Authority:

RCW 9.46.070 (8) and (11), 83-11-034 (Order 133), § 230-20-010, filed 5/16/83; Order 42, § 230-20-010, filed 9/18/75; Order 23, § 230-20-010, filed 9/23/74; Order 5, § 230-20-010, filed 12/19/73, 1:25 p.m.]

WAC 230-20-063 Repealed. See Disposition Table at beginning of this chapter.

WAC 230-20-064 Maximum receipts, prizes, and expenses for bingo games—Net income required. Bingo is to be conducted as a social pastime and for the raising of funds to support the purpose(s) of the organization only. Bona fide charitable or nonprofit organizations licensed to operate bingo must comply with the following limitations:

(1) Gross receipts from the sale of bingo cards shall not exceed the limits by class of license for the license year as set out in WAC 230-04-201 and Table 1. below. Any organization not currently licensed to conduct bingo at any class and applying for a Class "F" or above license shall submit with its license application a pro forma plan of operation including a market study with: Planned attendance; prices; prize payout schedules; and net income predictions; and any other information requested by the commission.

(2) To prevent the payment of prizes in such amounts that would significantly reduce net income, prize payouts as percentages of gross receipts shall not exceed the

percentages listed in Table 1. by class of license. Any licensee who exceeds the maximum calendar quarter prize payout limit for its class of license by more than two percentage points (2.0%) in any month and/or exceeds its calendar quarter limits during any quarter must report to the commission, no later than 15 days following the end of the month or quarter.

(3) To insure that licensees meet the intent of RCW 9.46.010 and to prevent the payment of excessive expenses, adjusted net income as a percentage of gross receipts shall not be less than the percentage listed in Table 1. by class of license for any calendar year. Any licensee who reports net income more than two percentage points (2.0%) below the minimum calendar year requirement for its class during any quarter must report to the commission additional information as required.

(4) All administrative procedures, policies, and definitions required to administer this section shall be approved by the commission, and furnished to all affected licensees. Prize payout limits, net income minimum requirements, and administrative procedures will be reviewed annually to measure the effect of this section on the licensed organizations. The annual review shall be held at the March meeting which by law must be held in Olympia and/or periodically by request of the commission with proper and timely notification to the staff.

Table 1.

| License Class | Annual Gross Receipts | Calendar Year Prize Payout Limits | Calendar Quarter Prize Payout Limits | Calendar Year Adjusted Net Income Minimum Requirements |
|---------------|-----------------------|-----------------------------------|--------------------------------------|--|
| A | Up to \$ 10,000 | No Limits | No Limits | None |
| B | \$ 10,001- 50,000 | No Limits | No Limits | None |
| C | 50,001- 100,000 | No Limits | No Limits | None |
| D | 100,001- 300,000 | No Limits | No Limits | None |
| E | 300,001- 500,000 | No Limits | No Limits | None |
| F | 500,001- 1,000,000 | 83.0 - 80.0% | 84.0% | 4.0 - 5.0% |
| G | 1,000,001- 1,500,000 | 80.0 - 78.0% | 81.0% | 5.0 - 7.0% |
| H | 1,500,001- 2,000,000 | 78.0 - 76.0% | 79.0% | 7.0 - 9.0% |
| I | 2,000,001- 2,500,000 | 76.0 - 74.0% | 77.0% | 9.0 - 11.0% |
| J | 2,500,001- 3,000,000 | 74.0 - 72.0% | 75.0% | 11.0 - 13.0% |
| K | 3,000,001- 3,500,000 | 72.0 - 70.0% | 73.0% | 13.0 - 14.0% |

[Statutory Authority: RCW 9.46.070 (7), (13) and (18), 85-13-041 (Order 151), § 230-20-064, filed 6/14/85.]

WAC 230-20-325 Manner of conducting a raffle. All raffles shall be conducted by selling individual pre-numbered tickets for not more than five dollars and awarding prizes by selecting winners by a random drawing from among all tickets sold. The following operating procedures apply:

(1) All tickets for use in any raffle shall be consecutively numbered and each ticket shall be accounted for separately in accordance with WAC 230-08-070. Raffle tickets sold to the general public shall have a stub or other detachable section bearing a duplicate number corresponding to the number on the ticket.

(2) All prizes awarded, whether in cash or merchandise, and all rules by which such prizes may be won, including all costs to a participant, shall be disclosed to each participant. This information shall be printed upon each ticket sold, or shall be otherwise provided in writing to each purchaser at the time of sale and shall also include, but not be limited to, date and time of drawing, location of drawing, and name of organization conducting raffle.

(3) No person shall be required to pay, directly or indirectly, more than \$5.00 in order to enter any raffle. Each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle. No free tickets, or any opportunity to participate in

the drawing of any raffle, shall be awarded or given to a person as a prize or reward for selling raffle tickets or for purchasing a certain number of raffle tickets. No person shall be required to obtain more than one ticket or to pay for anything other than the ticket, in order to enter the raffle; *Provided*, That licensed raffles conducted among members of the organization only, may be conducted using alternative sales methods if specifically authorized by the commission. This authority will be issued on an individual basis and will require a detailed written request.

(4) If an entrant is required to be present at a raffle drawing in order to be eligible for the prize drawing, then a statement setting forth this condition shall be set forth conspicuously on each raffle ticket and on all promotional material concerning the raffle. When the participant is not required to be present at the drawing the ticket stub or other detachable section(s) of the ticket shall contain the purchaser's name, complete address, and telephone number, and shall be maintained for a period of not less than three years from the end of the fiscal year in which the raffle was completed.

(5) In conducting a drawing in connection with any raffle, each ticket seller shall return to the licensee the stubs or other detachable section of all tickets sold. The licensee shall then place each stub or other detachable section of each ticket sold into a receptacle out of which the winning tickets are to be drawn. Such receptacle shall be designed so that each ticket placed therein has an equal opportunity with every other ticket to be the one withdrawn. [Statutory Authority: RCW 9.46.070 (1), (2), (4), (5), (6), (9), (11), (14) and (17) and 9.46.020 (19) and (23). 85-17-015 (Order 153), § 230-20-325, filed 8/12/85. Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-20-325, filed 4/15/85. Statutory Authority: RCW 9.46.070 (8) and (11). 83-11-034 (Order 133), § 230-20-325, filed 5/16/83.]

WAC 230-20-380 Persons obtaining a special amusement game license to conduct activities only at limited locations. (1) Persons other than bona fide charitable or bona fide nonprofit organizations shall conduct amusement games only after obtaining a "special amusement game license" from the commission.

(2) Amusement games may be conducted under such a license only as a part of, and upon the site of:

(a) Any agricultural fair as authorized under chapter 15.76 or 36.37 RCW; or

(b) A civic center of a county, city or town; or

(c) A world's fair or similar exposition which is approved by the Bureau of International Expositions at Paris, France; or

(d) A community-wide civic festival held not more than once annually and sponsored or approved by the city, town, or county in which it is held; or

(e) A commercial exposition organized and sponsored by an organization or association representing the retail sales and service operators conducting business in a shopping center or other commercial area developed and operating for retail sales and service, but only upon a

parking lot or similar area located in said shopping center or commercial area for a period of no more than 17 consecutive days by any licensee during any calendar year.

(3) No amusement games shall be conducted in any location except in conformance with local zoning, fire, health and similar regulations.

In no event shall the licensee conduct any amusement games at any of the locations set out in (2) above without first having obtained the written permission to do so from the person or organization owning the premises or an authorized agent thereof, and from the persons sponsoring the fair, exhibition, commercial exhibition, or festival, or from the city or town operating the civic center, in connection with which the games are to be operated.

(4) In no event shall the licensee operate amusement games at any location not set forth on his application for licensure, or of which he has not given the commission at least ten day prior written notice, except that the director may shorten this time period if, in his sole discretion, good cause is shown.

(5) The holder of a Class A special amusement game license shall conduct the games only at the location, and during the event, for which the license is issued. [Statutory Authority: RCW 9.46.020 (1) and (23) and 9.46.070(1). 85-11-023 (Order 150), § 230-20-380, filed 5/13/85; Order 51, § 230-20-380, filed 4/30/76.]

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 bona fide 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. The weight of individual bottles shall not exceed seven and one-half pounds.

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

(s) **Batter-up.** The player uses a whiffle ball bat to swing and strike whiffle balls which are pitched at medium speed from a pitching machine. The player wins when he "hits" a ball into the "home run" shelf. The "home run" shelf is located at the back of the batting cage approximately fifteen feet from the player.

(t) **Sky bowling.** Two bowling pins are set on predetermined painted spots on a shelf. A ball is attached to a chain suspended from a stationary support at least 6 inches to the right or left of the bowling pins. The object is to swing the ball, miss the pins with the ball as it goes forward and knock the pins over as the ball returns.

(u) **Clown rolldown.** A ball is tossed through the open mouth of a moving clown or animal head. The ball then rolls down a chute to numbered slots to the rear of the clown or animal head. The scores represented by the balls in each numbered slot are added up at the conclusion of the game. Prizes are awarded on the points achieved.

(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.

(f) **Boomball.** The player uses a cannon with compressed air to propel balls into a target area. The targets have varied point value and if the ball remains in the target, a computer adds up the scores. Prizes are awarded based on the points achieved.

(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.

(j) **Soccer kick.** The player kicks a soccer ball(s) through a hole(s) in the target area to win.

(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 (3), (8) and (11). 85-09-040 (Order 149), § 230-20-605, filed 4/15/85. Statutory Authority: RCW 9.46.070 (4), (7), (8) and (11). 83-06-077 (Order 127), § 230-20-605, filed 3/2/83. Statutory Authority: RCW 9.46.070(11). 82-13-054 (Order 121), § 230-20-605, filed 6/14/82.]

Chapter 230-25 WAC FUND RAISING EVENTS

WAC

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| 230-25-030 | Fund raising event—Ten thousand dollars annual net receipt maximum. |
| 230-25-065 | Licensees may join together to conduct a fund raising event. |
| 230-25-120 | Limits upon amount for rent, lease or similar payments for fund raising events. |
| 230-25-200 | Bingo at fund raising event. |
| 230-25-220 | Raffles or similar lotteries conducted at fund raising events. |
| 230-25-260 | Bona fide member of organization conducting fund raising event. |

WAC 230-25-030 Fund raising event—Ten 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 ten 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 ten 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 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-25-030, filed 6/15/84. 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.]

WAC 230-25-065 Licensees may join together to conduct a fund raising event. (1) Organizations holding a license to conduct a fund raising event may join together with other organizations holding such a license to jointly conduct a fund raising event providing that the following conditions are met:

(a) Prior approval to do so is received by each licensee from the commission for that particular fund raising event;

(b) The method by which any income or losses and expenditures will be received, expended, and apportioned among the licensees conducting the fund raising event is disclosed in writing to the commission, together with the application for the fund raising event. Changes to the original application must be approved by the commission;

(c) The percentage of income or loss agreed to by any organization shall not be greater than the percentage needed for them to reach the maximum of \$10,000 for the calendar year;

(d) A lead organization and an event manager are designated in the application, with the lead organization having the responsibility for the central accounting system required by WAC 230-25-070, and compliance with WAC 230-25-030(3) regarding the distribution of receipts beyond those permitted in (2) below;

(e) Each licensee shall prepare a list of all persons from their organization taking part in the management or operation of the fund raising event. Such list shall be available on the premises and contain, at a minimum, the name, address, telephone number, and a brief statement signed by the chief executive officer certifying that each member listed is a bona fide member as specified in RCW 9.46.020(15) and WAC 230-25-260.

(f) A fund raising event report will be prepared and submitted by the lead organization as required by WAC 230-08-260(1) and each participating licensee, including the lead organization, shall submit a joint fund raising event supplemental report as required by WAC 230-08-260(2); and

(g) Records are kept by each of the participating licensees which clearly disclose the amount of money received and expended in connection with the joint fund raising event;

(2) The amount of income derived from the joint fund raising event will not exceed the event limit of \$10,000. In addition, each participating organization must comply with annual limits imposed by RCW 9.46.020(23) and WAC 230-25-030. The joint fund raising event shall count against only the lead organization or organizations receiving fifty percent or more of the allowable proceeds for the purposes of determining the number of such events an organization may conduct each year.

(3) The lead organization will be responsible for the deposit of the ending cash on hand and must comply with WAC 230-25-070(12). All funds due to any participating organization must be made by check and disbursed within 30 days following the end of the event. [Statutory Authority: RCW 9.46.010 and 9.46.070 (8) and (14). 85-03-025 (Order 143), § 230-25-065, filed 1/9/85. Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-25-065, filed 6/15/84.]

WAC 230-25-120 Limits upon amount for rent, lease or similar payments for fund raising events. Licensees shall not 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 four hundred dollars from each licensee 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 and twenty-five dollars from each licensee 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 thirty 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 \$55 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 \$400, for each licensee as set out in (2)(a) above.

(b) Not more than twenty 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 \$225 for each licensee 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 9.46.070 (11) and (14). 85-03-059 (Order 146), § 230-25-120, filed 1/15/85. 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 9.46.070(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 230-25-200 Bingo at fund raising event. (1) Bingo games conducted solely at, and 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 need not be reported, or accounted for, as required for bingo games conducted under a bingo license issued by the commission, or under a different statutory authority: *Provided*, That the provisions of WAC 230-20-100 shall apply to bingo games conducted at such fund raising events.

Income from bingo games conducted at, and 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 rules.

(2) All of the commission's rules applicable to the conduct of bingo games, whether general or specific, shall apply to the conduct of bingo games at, or as a part of, a fund raising event, except as provided in subsection (1) above and except the following rules which shall not be applicable:

- (a) WAC 230-20-070;
- (b) WAC 230-20-090;
- (c) WAC 230-20-170;
- (d) WAC 230-20-190;
- (e) WAC 230-20-220;
- (f) WAC 230-04-061. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-25-200, filed 6/15/84; Order 78, § 230-25-200, filed 11/17/77.]

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 230-20-325 applicable to raffles shall be

applicable to all such lotteries conducted at a fund raising event, except that single chances on lotteries may be sold for up to \$10 per chance.

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 230-08-070;
- (b) WAC 230-20-350;
- (c) WAC 230-12-020.

(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 9.46.070 (1), (2), (4), (5), (6), (9), (11), (14) and (17) and 9.46.020 (19) and (23). 85-17-015 (Order 153), § 230-25-220, filed 8/12/85. Statutory Authority: RCW 9.46.020 (1) and (23) and 9.46.070(1). 85-11-023 (Order 150), § 230-25-220, filed 5/13/85. 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 230-25-260 Bona fide member of organization conducting fund raising event. (1) For the purposes of eligibility to participate in managing or otherwise assisting in the operation of a fund raising event, a person is a bona fide member of a bona fide charitable or bona fide nonprofit organization only when he or she:

(a) Has become a member prior to the commencement of the fund raising event and such membership was not dependent upon, or in any way related to the payment of consideration to participate in, any gambling activity; and

(b) Has (i) been admitted upon written application, only after investigation and ballot, with such action being recorded in the official minutes of a regular meeting, or (ii) has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to the subject fund raising event; and

(c) Has paid reasonable initiation or admission fees for membership, and/or dues, consistent with the nature and purpose of the organization and with the type of membership obtained and is not in arrears in payment of such fees or dues; and

(d) Has met all other conditions required by the organization for membership and is in all respects a member in good standing at the time of the subject fund raising event.

(2) Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the fund raising event: *Provided, That*

(a) Members of chapters or local units of a state, regional, or national organization may be considered members of the parent organization for the purpose of a fund raising event conducted by the parent organization, if the rules of the parent organization so permit;

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a fund raising event conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a fund raising event conducted by the auxiliary; and

(c) Members of any chapter or local unit within the jurisdiction of the next higher level of the parent organization, and members of a bona fide auxiliary to that chapter or unit, may assist any other chapter or local unit of that same organization licensed by the commission in the conduct of a fund raising event. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-25-260, filed 6/15/84. Statutory Authority: RCW 9.46.070(18). 78-04-032 (Order 83), § 230-25-260, filed 3/16/78.]

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 shall be obtained only from the commission, by a licensed manufacturer only, for twenty-five cents each. Fees obtained from the sale of such stamps shall be used to offset the cost of the stamps and their distribution as well as the punchboard/pull tab special inspection services set forth in WAC 230-30-030. 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 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-30-015, filed 6/15/84. Statutory Authority: RCW 9.46.070 (6) and (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 No. 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.]

Chapter 230-30 WAC

PUNCHBOARDS AND PULL TABS

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| WAC | |
| 230-30-015 | Identification and inspection services stamp and substitute flares. |
| 230-30-016 | Replacement of commission identification stamps on pull tab dispensing devices. |
| 230-30-018 | Sellers of punchboards, pull tabs, or pull tab dispensing devices to put commission stamp numbers on invoices. |
| 230-30-030 | Punchboard and pull tab special inspection. |
| 230-30-050 | Punchboard and pull tab operation. |
| 230-30-060 | Punchboard restrictions. |
| 230-30-070 | Control of prizes. |
| 230-30-075 | Minimum percentage of prizes for certain gambling activities. |
| 230-30-102 | Pull tab series assembly and packaging. |
| 230-30-103 | Standards for construction of pull tabs. |
| 230-30-104 | Possession or sale of pull tab series in which winners or location of winners may be determined in advance—Prohibited. |
| 230-30-999 | Test of continuous play/open ended pull tab series. |

WAC 230-30-015 Identification and inspection services stamp 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

WAC 230-30-016 Replacement of commission identification stamps on pull tab dispensing devices. (1) Notwithstanding any other provisions in these rules, a licensed operator or distributor of pull tab dispensing devices may obtain a commission identification stamp to replace an identification stamp affixed to a pull tab dispensing device that has become unidentifiable due to wear: *Provided*, That the operator or distributor furnish to the commission:

(a) The invoice from the operator, distributor or manufacturer for the purchase of the dispensing device in question, or

(b) A complete notarized description of the pull tab dispensing device, serial number, manufacturer, and the commission stamp number previously affixed to the device.

(2) The request for replacement of the commission identification stamp shall be submitted on a form provided by the commission. The fee for replacement of the commission identification stamps shall be as required by WAC 230-04-201. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-30-016, filed 6/15/84; Order 48, § 230-30-016, filed 3/23/76.]

WAC 230-30-018 Sellers of punchboards, pull tabs, or pull tab dispensing devices to put commission stamp numbers on invoices. Persons selling or otherwise furnishing punchboards, pull tabs, or pull tab dispensing devices shall set out the commission stamp number of each item sold on each invoice and other documents used in connection with the sale.

Distributors shall account for each punchboard, pull tab series, and mechanical pull tab dispensing device which has a commission identification stamp affixed thereto. All punchboards, pull tab series, and mechanical pull tab dispensing devices returned to the manufacturer shall be listed by the commission identification stamp on an invoice used in connection with the transaction. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-30-018, filed 6/15/84; Order 23, § 230-30-018, filed 9/23/74.]

WAC 230-30-030 Punchboard and pull tab special inspection. (1) In addition to any other authority of the commission or its agents to conduct inspections, the commission or its agents, shall have the authority to select any punchboard or pull tab series, whether held by an operator, distributor, or manufacturer and to examine the quality and/or integrity of the punchboard or pull tab series in any manner, including punching out or pulling all chances remaining thereon: *Provided*, That if the punchboard or pull tab series so inspected is thereby altered in any manner and no defect, alteration, deceptive condition, or other violation is discovered, then the owner shall be reimbursed by the commission for his cost for the punchboard or pull tab series, and the device shall become the property of the commission. *Provided further*, That for each such punchboard or pull tab series

inspected which is found to be defective in any area related to a quality control deficiency, by the manufacturer, a fee not to exceed \$100.00 per each such punchboard or pull tab series inspected may be assessed by the commission against the manufacturer of the punchboard or pull tab series to compensate the commission for the inspection.

(2) Fees to cover the cost of punchboard and pull tab special inspection services shall be combined with identification stamp fees and collected as prescribed in WAC 230-30-015. [Statutory Authority: RCW 9.46.070 (1), (4), (5), (6), (7), (11), (14) and (17) and 9.46.310. 85-01-065 (Order 145), § 230-30-030, filed 12/18/84. Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-30-030, filed 6/15/84; Order 5, § 230-30-030, filed 12/19/73.]

WAC 230-30-050 Punchboard 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 punchboard or pull tab device. It shall be the responsibility of the licensee and the responsibility of the person physically operating the punchboard 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 punchboard 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.

(4) When operators purchase merchandise to be used as prizes on punchboards or pull tab series from other than a licensed distributor, the following information must be on the invoice provided by the seller:

(a) The date of purchase;

(b) The company's name and adequate business address;

(c) A full description of each item purchased;

(d) The quantity of items purchased;

(e) The cost per individual items purchased; and

(f) The sales invoice or receipt must be maintained by the operator for at least three years. [Statutory Authority: RCW 9.46.020 (1) and (23) and 9.46.070(1). 85-11-023 (Order 150), § 230-30-050, filed 5/13/85. 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 230-30-060 Punchboard restrictions. No operator shall put out for play, and no manufacturer shall sell or furnish to any person, any punchboard:

(1) To which any key to any winning number, or symbol, exists other than a key which is furnished to the operator, which key designates the color codes for all chances on that board without regard to whether or not such chances are designated winners.

(2) Which has taped sides, corners, or edges.

(3) Wherein the winning punches or approximate location of any winning punches can be determined in advance of punching the punchboard in a manner or by any device, including, but not limited to, any patterns in manufacture, assembly, packaging or by markings. Winning punches shall be distributed and mixed among all other punches in the punchboard. The punchboard shall be manufactured with special care so as to eliminate any pattern as between punchboards, or portions of punchboards, from which the location or approximate location of the winning punches may be determined. [Statutory Authority: RCW [9.46.]070 (1), (2) and (11) and [9.46.]110. 85-21-046 (Order 154), § 230-30-060, filed 10/14/85. Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-30-060, filed 6/15/84; Order 5, § 230-30-060, filed 12/19/73.]

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 require the winner to sign his name in ink on the winning pull tab being presented for payment. 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 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 representative of the commission or law enforcement officials upon demand. The licensee shall, within twenty-four hours after a winning pull tab or punch of five dollars or more has been presented for payment, mark or perforate the winning pull tab or punch in such a manner that the pull tab or punch cannot be presented again for payment.

(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 (1), (2) and (11) and [9.46.]110. 85-21-046 (Order 154), § 230-30-070, filed 10/14/85. Statutory Authority: RCW 9.46.070 (8), (11) and (14). 85-03-024 (Order 142), § 230-30-070, filed 1/9/85. 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.]

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) Two hundred in cash; or

(b) A merchandise prize, or combination merchandise prize, for which the operator has not expended more than three hundred dollars.

(5) Multiple winners on an individual pull tab or punch shall not exceed the single cash or merchandise prize limit in (4) above. [Statutory Authority: RCW [9.46.]070 (1), (2), and (11) and [9.46.]110. 85-21-046 (Order 154), § 230-30-075, filed 10/14/85. 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.]

WAC 230-30-102 Pull tab series assembly and packaging. (1) Manufacturers of pull tabs shall manufacture, assemble, and package each pull tab series in such a manner that none of the winning pull tabs, nor the location or approximate location of any of the winning pull tabs can be determined, in advance of opening the pull tabs in any manner or by any device, including but not limited to any pattern in manufacture, assembly, packaging, markings, or by the use of a light.

(2) Winning pull tabs shall be evenly distributed and mixed among all other pull tabs in the series. The series shall be assembled and packaged with special care so as to eliminate any pattern as between series, or portions of series, from which the location or approximate location of any of the winning tabs may be determined.

(3) When the series is packaged in more than one package, box or other container, the entire series of individual pull tabs shall be mixed in such a manner that no person can determine the position or approximate location of any of the winning pull tabs or determine whether any one package or portion of a series contains a larger or smaller percentage of winning pull tabs than the balance of the series. The packages, boxes or other containers shall not be numbered as to distinguish one from the other. Each series of pull tabs shall contain a packing slip placed inside the package containing the name of manufacturer, series number, date the series was packaged, and the name or identification of the person who packaged the series: *Provided*, That this information may be printed on the back of the flare or the outside of at least one of the packages, boxes or containers in which the pull tabs are packed. [Statutory Authority: RCW 9.46.070 (8), (11) and (14). 85-03-024 (Order 142), § 230-30-102, filed 1/9/85; Order 78, § 230-30-102, filed 11/17/77; Order 43, § 230-30-102, filed 11/28/75.]

WAC 230-30-103 Standards for construction of pull tabs. (1) Pull tabs shall be constructed so that it is impossible to determine the covered or concealed number, symbol, set of symbols, or game protection on the pull tab until it has been dispensed to and opened by the

player, by any method or device, including but not limited to, the use of a marking device, variance in size, variance in paper fiber, or light.

(2) All pull tabs, except banded and latex covered pull tabs, will be constructed using a two or three ply paper stock construction.

(3) The manufacturer shall conspicuously print on the face or cover sheet the series number and the name of the manufacturer or label or trademark identifying the manufacturer. On banded pull tabs, the series number and the name of the manufacturer or label or trademark identifying the manufacturer shall be printed so both are readily visible prior to opening the pull tab.

(4) The cover sheet shall be color coded when individual series numbers are repeated and may show the consumer how to open the pull tab to determine the symbols or numbers. The cover sheet will contain perforated and/or clean-cut openings centered over the symbols or numbers on the back of the face sheet in such a manner as to allow easy opening by the consumer after purchase of the pull tabs, while at the same time, not permitting pull tabs to be opened prematurely in normal handling. Perforation should exist on both horizontal lines of the opening with either perforated or clean-cut on the vertical or elliptical line where the tab must be grasped for opening after bending the edge of ticket down. On latex covered pull tabs, either the face or back of the pull tab shall be color coded when individual series numbers are repeated and may show the consumer how to remove the latex to determine the symbols or numbers. On banded pull tabs, the paper stock shall be color coded when individual series numbers are repeated.

(5) Pull tabs will be glued or sealed so that it is impossible to determine the covered or concealed numbers, symbol or set of symbols on the pull tab until it has been dispensed to and opened by the player.

(6) Thickness.

(a) Vendable pull tabs. Defined as pull tabs that are sold out of mechanical pull tab dispensing devices approved for such use in this state by the Washington state gambling commission.

(i) Single opening and double sided tabs. The overall bulk thickness of the pull tab shall be .045 inches plus or minus .003 inches.

(ii) Multiple opening tabs. The overall bulk thickness of the pull tab shall be .026 inches plus or minus .002 inches.

(b) Nonvendable pull tabs. Defined as pull tabs that cannot be sold out of mechanical pull tab dispensing devices approved for use in this state by the Washington state gambling commission. Nonvendable pull tabs may be dispensed from fishbowls, receptacles, packing boxes or spindles. Manufacturers may use any thickness, provided they comply with all other rules of the commission.

(c) All pull tabs within a single pull tab series shall be of the same thickness.

(7) Length and width.

(a) Vendable pull tabs

(i) Single opening and double sided tabs shall be 1 7/8 inches x 1 inch plus or minus 1/8 inch.

(ii) Multiple opening tabs shall be 3 1/2 inches by 1 7/8 inches plus or minus 1 inch.

(b) Nonvendable pull tabs – manufacturers may construct nonvendable pull tabs in any size provided the pull tab complies with all other rules of the commission.

(c) All pull tabs within a single pull tab series shall be uniform in length or width and not vary by more than 3/64 inch, provided that in no case shall winning pull tabs be identifiable by visible variation in dimension.

(8) All pull tabs will be constructed to insure that, when offered for sale to the public, the pull tab is virtually opaque and free of security defects wherein winning pull tabs cannot be determined prior to being opened through the use of high intensity lights or any other method.

(9) Each manufacturer shall establish his own game protection for each pull tab game or series of games. The game protection shall be a method of identifying winning pull tabs, after they have been purchased and opened, from nonwinning, altered or forged pull tabs. The manufacturer may use special numbers, colors, designs, ink or any combination to establish the game protection. Manufacturers will submit to the gambling commission a letter explaining the game protection and will keep the commission informed on any changes. [Statutory Authority: RCW [9.46.]070 (1), (2), and (11) and [9.46.]110. 85-21-046 (Order 154), § 230-30-103, filed 10/14/85. Statutory Authority: RCW 9.46-.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-30-103, filed 6/15/84; Order 78, § 230-30-103, filed 11/17/77; Order 43, § 230-30-103, filed 11/28/75.]

WAC 230-30-104 Possession or sale of pull tab series in which winners or location of winners may be determined in advance—Prohibited.

(1) No operator, distributor or manufacturer, or representative thereof, with knowledge or in circumstances whereunder he reasonably should have known, shall possess, display, put out for play, sell or otherwise furnish to any person any pull tab series or pull tab from any series:

(a) In which the winning tabs have not been evenly distributed and mixed among all other tabs in the series; or

(b) In which the location, or approximate location, of any of the winning tabs can be determined in advance of opening the tabs in any manner or by any device, including but not limited to, any pattern in the manufacture, assembly or packaging of the tabs by the manufacturer, by any markings on the tabs or container, or by the use of a light; or

(c) Which does not conform in any other respect to the requirements of these rules as to manufacture, assembly, or packaging of pull tabs.

(2) No manufacturer or distributor or representative thereof shall use as a sales promotion any statement, demonstration, or implication that any certain portion of a series of pull tabs contains more winners than other portions of the series or that any series of pull tabs may be sold by the operator in a particular manner that would give the operator any advantage in selling more of

the pull tabs before having to pay out winners. [Statutory Authority: RCW 9.46.070 (8), (11) and (14). 85-03-024 (Order 142), § 230-30-104, filed 1/9/85; Order 78, § 230-30-104, filed 11/17/77.]

WAC 230-30-999 Test of continuous play/open ended pull tab series. (1) For purposes of regulating and establishing the type, scope, and manner of conducting gambling activities, the commission shall conduct a test of the operation of continuous play/open ended pull tab series.

During this test the following definitions shall apply:

(a) "Continuous play/open ended pull tab series" are those which:

(i) Are identical as to manufacturer, manufacturer form number, sales price per pull tab, winning symbols, prize amounts, and number of pull tabs; and

(ii) Do not award a prize for the purchase of the last tab.

(b) "Continuous play/open ended pull tab sets" are:

(i) Those pull tabs which are operated as a continuous set by adding "continuous play/open ended pull tab series" to the dispensing device without first closing out any previously added pull tab series; and

(ii) No winning pull tabs are marked off the flare.

(2) Participation in the test will be limited to those licensees who voluntarily agree to conduct the test and abide by criteria set by the commission, in cooperation with the participants. All approvals to participate will be in writing and will be revokable by either the commission or the licensee by giving three days written notice. A copy of the approval shall be maintained on the premises, any time the activity is operated, and be made available to representatives of the commission and law enforcement officers.

(3) For the purposes of this test all rules of the commission will apply: Provided, That participants in the test must comply with the following rules, as modified, for continuous play/open end pull tab operations only:

(a) WAC 230-08-010(5) – A substitute monthly record format, prescribed by the commission, will be used. Whenever any portion of a series is added to a dispensing device, the unused pull tabs from that series must be first added to that dispensing device before any other pull tab series. Each series shall be entered on the monthly record immediately after any pull tab from the series has been added to the dispensing device and will include the following information:

(i) The name of the pull tab series;

(ii) The Washington state identification stamp number issued by the commission;

(iii) The series number assigned by the manufacturer;

(iv) The date the first pull tab was added to the dispensing device;

(v) The color;

(vi) The total number of tabs in the pull tab series;

(vii) The manufacturers name;

(viii) The manufacturers assigned form number;

(ix) The cost to the players to purchase one pull tab; and

(x) The gross receipts.

Net cash and winning pull tabs from each dispensing device will be maintained separately. A form will be provided by the commission to reconcile winning tabs, prizes paid, cash receipts, and deposits. Licensees must complete this form at least weekly and charitable and non profit organizations will deposit receipts as required by WAC 230-12-020.

After the close of business on the last day of each month, a cut-off count and cash reconciliation will be made of each dispensing device. All unsold tabs from any series started in the device will be counted and recorded in the monthly record as one total.

At the end of the test or when a set is permanently removed from play, all remaining pull tabs shall be counted and a reconciliation of cash made. Each set of pull tabs permanently removed from play shall be maintained as a separate group and retained for at least six months. Each set permanently removed will be labeled with at least the date pulled; manufacturers name; and manufacturers form number.

(b) WAC 230-08-170 and 230-30-080(4) – Additional reasons pull tabs, temporarily removed, may be returned to play:

(i) Mixing with new pull tabs being added to the dispensing device;

(ii) Monthly reconciliation; and

(iii) Unsold pull tabs from alternate sales locations.

(c) WAC 230-08-170 and 230-30-070(6) – All winning pull tabs must be retained, and within twenty four hours the licensee shall mark or perforate the winning pull tab in such a manner that the pull tab can not be presented again for payment. Winning tabs shall be retained for six months following the month the tabs were presented for payment.

(d) WAC 230-30-015(2) and 230-30-130 – The substitute flare used for continuous play/open end pull tabs need not display the series number or the Washington state identification stamp for the series in play.

(e) WAC 230-30-050(3) – All receipts, records, and reports, including pull tab series flares with Washington state identification stamp affixed, must be retained on the premises at least nine months after the series is placed into play, and be made available on demand to law enforcement officers and representatives of the commission.

(f) WAC 230-30-070(3) – References to prizes entered on the flare shall not be deleted at any time.

(g) WAC 230-30-070 (5)(e) – The licensee's record of pull tab winners shall not contain the date an open end pull tab series was removed from play.

(h) WAC 230-30-080(3) – This section shall not apply. See (1)(b) and (3)(b) above.

(i) WAC 230-30-106(3) – The flare advertising prizes available from the operation of any sets of pull tabs shall display the numbers or symbols for winning prizes and the total number available of each class of prize, for each individual series added to the set.

(4) An information sign explaining the test, shall be provided by the commission, and posted for public view, in close proximity to the dispensing device.

(5) All other rules of the commission, unless exempted above, will apply. [Statutory Authority: RCW 9.46.070 (8), (11) and (14). 85-03-024 (Order 142), § 230-30-999, filed 1/9/85.]

Chapter 230-40 WAC CARD GAMES

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| 230-40-030 | Number of tables and players limited. |
| 230-40-050 | Fees for card playing. |
| 230-40-055 | Card tournaments for fee and prizes. |
| 230-40-120 | Limits on wagers in card games. |
| 230-40-331 | Bona fide nonprofit or charitable organizations— Members only to play social card and dice games— Exception. |

WAC 230-40-030 Number of tables and players limited. (1) No licensee to allow a public card room on its premises shall allow more than five separate tables at which card games are played, nor shall allow more than ten players to participate at any one table at any given time.

(2) No licensee to allow a social card room on its premises shall allow more than ten players to participate at any one table at any given time.

(3) The commission may permit a licensee to exceed these limits on specific occasions for good cause shown. Requests to exceed the limit shall be submitted to the commission in writing not less than 30 days preceding the date upon which the licensee wishes to exceed the limit. The request shall indicate the date(s) involved, the reasons why the request is made, and the number of games and players in the games which the licensee desires to allow on that occasion. [Statutory Authority: RCW 9.46.010 and 9.46.070 (8) and (14). 85-03-025 (Order 143), § 230-40-030, filed 1/9/85; Order 23, § 230-40-030, 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 \$2.00 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 \$2.00 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) 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.

(3) 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.

(4) 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 immediately following the collection of the fees 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 (1), (2), (4), (5), (6), (9), (11), (14) and (17) and 9.46.020 (19) and (23). 85-17-015 (Order 153), § 230-40-050, filed 8/12/85. Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-40-050, filed 1/9/85. Statutory Authority: RCW 9.46.070 (8) and (17). 83-23-055 (Order 138), § 230-40-050, filed 11/15/83. 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.]

WAC 230-40-055 Card tournaments for fee and prizes. (1) A card tournament wherein a fee is charged to the participants and prizes are awarded to the winning players shall be licensed by the commission. Card room licensees with a Class A, B, or E license may conduct a card tournament for a fee without obtaining a card tournament license: *Provided*, That Class B licensees are limited to only those card games authorized under their licensing class. Card room licensees with a Class D or R license must first obtain a card tournament license before they can conduct a card tournament in which the players are charged a fee to enter. The licensee shall notify the commission ten days in advance of any card tournament where the players are charged a fee to enter. A card tournament shall not exceed ten consecutive calendar days.

(2) The fee for a player to enter a card tournament for prizes shall not exceed \$50.00, including all separate fees which might be paid by a player for various phases or events of the tournament. There shall be no buy-ins or additional opportunities allowing the players to purchase additional chips beyond those provided with the \$50.00 entry fee.

(3) The chips used in card tournaments shall have no monetary value and may be redeemed only for prizes established by the licensee. The licensee may award prizes in excess of those entry fees collected as authorized in paragraph (2) above.

(4) The licensee may adopt house rules to facilitate the operation of card tournaments: *Provided*, That all house rules must be submitted to the commission for approval and posted where all tournament participants can see and read the rules.

(5) The licensee shall maintain a record of all such fees collected and the number of participants for each tournament conducted. This information shall be entered on the card room daily control sheet for the time and date the tournament begins.

(6) The licensee shall maintain a record of all prizes awarded to include the amount the licensed operator actually paid for each prize and the name and complete address of each winning participant. [Statutory Authority: RCW 9.46.070 (1), (2), (4), (5), (6), (9), (11), (14) and (17) and 9.46.020 (19) and (23). 85-17-015 (Order 153), § 230-40-055, filed 8/12/85. Statutory Authority: RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12). 85-03-026 (Order 144), § 230-40-055, filed 1/9/85.]

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. In lieu of an ante, the licensee may, by house rule, authorize one blind and not more than two straddles. The blind will not exceed \$1.00 and the straddles will not exceed \$3.00. The blind and straddle will become part of the player's wager. The maximum betting round when a blind and straddle are used shall not exceed \$15.00.

(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 and Company, Inc., April 1974 1st 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.]070 (1), (2) and (11) and [9.46.]110. 85-21-046 (Order 154), § 230-40-120, filed 10/14/85. 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 230-40-331 Bona fide nonprofit or charitable organizations—Members only to play social card and dice games—Exception. No bona fide charitable or nonprofit organization shall permit any person other than its members and members of a chapter or unit organized under the same state, regional, or national charter or constitution to play social card games or social dice games on its premises: *Provided*, That such organizations, when licensed to allow a social card room on its premises may permit no more than twenty-five percent of the persons playing in the licensed card room at any one time to be guests of members. [Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19). 84-13-038 (Order 140), § 230-40-331, filed 6/15/84; Order 78, § 230-40-331, filed 11/17/77.]

Chapter 230-42 WAC

TAX ON COIN-OPERATED GAMING DEVICES

WAC

230-42-010 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-42-010 Tax on coin-operated gambling device. [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.] Repealed by 84-13-038 (Order 140), filed 6/15/84. Statutory Authority: RCW 9.46.070 (5), (7), (8), (9), (11), (14) and (19).

WAC 230-42-010 Repealed. See Disposition Table at beginning of this chapter.

Chapter 230-46 WAC

UNLICENSED ACTIVITIES

WAC

230-46-010 Purpose.
230-46-020 Definitions.
230-46-030 Promotional contests—Legality.

- 230-46-040 Promotional contests limited to seven days unless optional methods of entry are included.
- 230-46-050 Promotional contests--Admission fee limitation.
- 230-46-060 Valuable consideration--Lotteries prohibited.

WAC 230-46-010 Purpose. The Washington state gambling commission, aware of the overwhelming increase of promotional contests conducted in the state of Washington, deems it to be in the public interest to interpret RCW 9.46.020(14) so as to insure uniformity and fairness to all sponsors of said promotional contests. It is further the purpose of these regulations to notify all sponsors as to what types of promotional contests are legal and not legal in the state of Washington. [Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-46-010, filed 4/15/85.]

WAC 230-46-020 Definitions. (1) "Lottery" means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

(2) "Promotional contest" means a scheme for the distribution of money or property by chance, among persons who have not paid or not agreed to pay a valuable consideration for said chance.

(3) "Retail outlet" means the place at which any business establishments sells goods or services for final consumption or to the ultimate consumer.

(4) "On behalf of in-state retail outlet" means a promotional contest sponsored by a party other than a retail outlet that may benefit a specific or chain of specific retail outlets by increased advertising or increased patronage. [Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-46-020, filed 4/15/85.]

WAC 230-46-030 Promotional contests--Legality. Any promotional contest that does not constitute a lottery is permitted in the state of Washington subject to the limitations of RCW 9.46.020(14) and the rules and regulations adopted herein. [Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-46-030, filed 4/15/85.]

WAC 230-46-040 Promotional contests limited to seven days unless optional methods of entry are included. Promotional contest conducted by or on behalf of in-state retail outlets pursuant to RCW 9.46.020 (14)(d) and (e) shall be limited to seven days, and one time a year if the promotional contest includes a drawing and its method of entry requires a person either to go to any business establishment to obtain a coupon or entry blank, or merely to register without purchase of goods or services; *Provided*, That if the promotional contest includes, in addition to the above methods of entry, an optional method of entry as set forth below, then the seven day limitation shall not be applicable.

(1) Listening to or watching a television or radio program or subscribing to a cable television service;

(2) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a

program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(3) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotional contest conducted in this state;

(4) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(5) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof. [Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-46-040, filed 4/15/85.]

WAC 230-46-050 Promotional contests--Admission fee limitation. Sponsors who conduct promotional contests on premises or in trade shows, boat shows or similar events, that require an admission fee to enter said premises or events, must provide an equal opportunity to enter the promotional contest without payment of the admission fee or "valuable consideration" shall exist. *Provided*, This section shall not apply to agricultural fairs as set forth in RCW 9.46.020 (14)(i). [Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-46-050, filed 4/15/85.]

WAC 230-46-060 Valuable consideration--Lotteries prohibited. Any scheme for the distribution of money or property by chance that includes "valuable consideration" in its method of entry shall be deemed a lottery and shall be strictly prohibited pursuant to chapter 9.46 RCW. [Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-46-060, filed 4/15/85.]

**Chapter 230-60 WAC
PUBLIC RECORDS--DISCLOSURE**

WAC
230-60-015 Description of central and field organization of the gambling 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 Jefferson Building, 1110 South Jefferson, Olympia, 98504. Commission offices located in other cities are as follows:

| CITY | ENFORCEMENT SERVICES (See Notes) |
|-----------------------|-------------------------------------|
| Eastern Region | |
| Spokane 99205 | 1,2 |
| 123 East Indiana | |

Moses Lake 98337 1
Ahlrs Building, Suite A
310 S. Balsam

Yakima 98901 1,2
1106 B
West Lincoln

Northwest Region

Seattle 98134 1,2
666 S. Dearborn
International Bldg.

Southwest Region

Tacoma 98405 1,2
1201 S. Proctor

Vancouver 98663 1
Suite 5, Angelo Plaza
1801 D Street

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 9.46.070 (7), (13) and (18). 85-07-031 (Order 148), § 230-60-015, filed 3/15/85. 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.]

Title 232 WAC GAME, DEPARTMENT OF

Chapters

232-12 Permanent regulations.
232-14 State Hydraulic Code guidelines.
232-16 Game reserves.
232-18 State Environmental Policy Act guidelines.
232-19 Department of game SEPA procedures.
232-28 Seasons and limits.
232-32 Cooperative wildlife projects.

Chapter 232-12 WAC PERMANENT REGULATIONS

WAC

232-12-017 Deleterious exotic wildlife.
232-12-025 Hunts authorized pursuant to RCW 77.12.240.
232-12-027 Game farm license provisions.
232-12-051 Muzzle-loading firearms.
232-12-064 Live wildlife.
232-12-066 Revocation, modification, or suspension of a permit to hold wild animals, wild birds, or game fish in captivity.
232-12-084 Repealed.
232-12-085 Director empowered to alter seasons.

232-12-086 Director or his designee is empowered to enter agreements to control nuisance or problem wildlife.
232-12-091 Commercial buying and processing of anadromous game fish or roe.
232-12-129 Captive propagation of raptors—Sale, records, reports and inspection.
232-12-134 Report required of licensed trappers.
232-12-157 Steelhead permit card.
232-12-227 Hunter education training program requirements.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

232-12-084 Director empowered to alter seasons. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-084, filed 6/1/81. Formerly WAC 232-12-205.] Repealed by 84-12-009 (Order 226), filed 5/25/84. Statutory Authority: RCW 77.04.020.

WAC 232-12-017 Deleterious exotic wildlife. Deleterious exotic wildlife includes:

- (1) Walking catfish, *Clarias batrachus*
- (2) Mongoose, all forms of the genus *Herpestes*
- (3) Grass carp, *Ctenopharyngodon idella*
- (4) African clawed frog, *Xenopus laevis*
- (5) Wild boar, *Sus scrofa* and hybrids involving the species *Sus scrofa*
- (6) Collared peccary (javelina), *Dicotyles tajacu*

It is unlawful to import or possess live specimens of deleterious exotic wildlife except for purposes of scientific research as authorized by the director. [Statutory Authority: RCW 77.12.040. 85-09-014 (Order 247), § 232-12-017, filed 4/9/85; 81-22-002 (Order 174), § 232-12-017, filed 10/22/81; 81-12-029 (Order 165), § 232-12-017, filed 6/1/81.]

WAC 232-12-025 Hunts authorized pursuant to RCW 77.12.240. Anyone participating in a director-authorized hunt must conduct themselves in accordance with the following rules:

- (1) Black bear
 - (a) No dogs are permitted out of the vehicle, including on a strikeboard, outside of the designated hunting area. If the bear is started inside a permit area, it may be pursued and killed outside the permit boundaries.
 - (b) When a bear is taken, the permittee shall skin the entire bear, including head, leaving claws attached, and deliver the hide, together with the first tooth behind the canine tooth on the lower jaw to the regional office. All bear hides taken pursuant to a black bear damage permit shall be disposed of as prescribed in RCW 77.12.240.
 - (c) Within 5 days after expiration of a black bear permit, the permittee shall return to the respective region a bear hunting report and the windshield identification cards. Failure to comply with this provision shall constitute ineligibility for the next year's black bear damage permit drawings.
 - (d) The permittee shall abide by all conditions as set forth on the black bear damage permit. Failure to comply with these hunting conditions shall constitute a violation of RCW 77.16.020(1) (Hunting bear during closed season).
 - (2) Deer and elk.