

***(6) Stream protection - ground application with power equipment.**

- (a) Leave a 10 foot buffer strip on each side of every Type 1 and 2 Water and each flowing Type 3 Water.
- (b) Do not allow entry of chemicals into any water.
- (c) Do not exceed allowable dosages.

***(7) Stream protection - hand application.**

Apply only to specific targets, such as a stump, burrow, bait or trap.

***(8) Limitations on application.** Chemicals shall be applied only in accordance with all limitations:

- (a) Printed on the United States Environmental Protection Agency container registration label, and/or
- (b) Established by regulation of the state department of agriculture.
- (c) Established by state and local health departments (in municipal watersheds).
- (d) Established by the Federal Occupational Safety and Health Administration, or the state department of labor and industries, as they relate to safety and health of operating personnel and the public.

***(9) Container disposal.** Chemical containers shall be either:

- (a) Removed from the forest and disposed of in the manner consistent with label directions; or
- (b) Removed and cleaned for reuse in a manner not inconsistent with any applicable regulations of the state department of agriculture or the state or local health departments.

***(10) Daily records - aerial application of pesticides.** On all aerial applications of pesticides, the operator shall maintain for 3 years daily records of spray operations as required by the state department of agriculture WAC 16-228-190.

***(11) Reporting of spills.** All potentially damaging chemical spills shall be immediately reported to the department of ecology.

[Statutory Authority: RCW 76.09.040, 88-19-112 (Order 551, Resolution No. 88-1), § 222-38-020, filed 9/21/88, effective 11/1/88; 87-23-036 (Order 535), § 222-38-020, filed 11/16/87, effective 1/1/88. Statutory Authority: RCW 76.09.040 and 76.09.050, 82-16-077 (Resolution No. 82-1), § 222-38-020, filed 8/3/82, effective 10/1/82; Order 263, § 222-38-020, filed 6/16/76.]

**Chapter 222-50 WAC
RELATIONSHIP TO OTHER LAWS AND REGULATIONS**

WAC
222-50-020 Other agency requirements.

WAC 222-50-020 Other agency requirements. (1) Many other laws and regulations apply to the conduct of forest practices. Other agencies administer some of these other regulatory programs. Permits may be required by such agencies prior to the conduct of certain forest practices. The department will maintain a list for distribution of state, regional and local regulatory programs that apply to forest practice operations. Affected parties

are urged to consult with the specified agencies and independent experts with respect to the regulatory requirements shown on the list.

(2) Hydraulics project approval law, RCW 75.20.100. A hydraulics project approval must be obtained from the department of fisheries and the department of wildlife prior to constructing any form of hydraulic project or other work that will use, divert, obstruct, or change the natural flow or bed of any river or stream or that will utilize any of the waters of the state or materials from the stream beds. See RCW 75.20.100 and WAC 232-14-010.

(3) Compliance with the Shoreline Management Act, chapter 90.58 RCW, is required. The Shoreline Management Act is implemented by the department of ecology and the applicable local governmental entity. A substantial development permit must be obtained prior to conducting forest practices which are "substantial developments" within the "shoreline" area as those terms are defined by the Shoreline Management Act.

(4) Nothing in these regulations is intended to interfere with any authority of the department of wildlife to protect wildlife under any other statutes or regulations, or under any agreements with landowners.

[Statutory Authority: RCW 76.09.040, 88-19-112 (Order 551, Resolution No. 88-1), § 222-50-020, filed 9/21/88, effective 11/1/88. Statutory Authority: RCW 76.09.040 and 76.09.050, 82-16-077 (Resolution No. 82-1), § 222-50-020, filed 8/3/82, effective 10/1/82; Order 263, § 222-50-020, filed 6/16/76.]

**Title 230 WAC
GAMBLING COMMISSION**

Chapters

- 230-02 General provisions and definitions.
- 230-04 Licensing.
- 230-08 Records and reports.
- 230-12 Rules of general applicability.
- 230-20 Bingo, raffles and amusement games.
- 230-25 Fund raising events.
- 230-30 Punchboards and pull tabs.
- 230-40 Card games.
- 230-46 Unlicensed activities.

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

WAC
230-02-125 Adjusted net gambling receipts defined.
230-02-280 Identification and inspection services stamps.
230-02-290 Records entry labels.
230-02-350 Commercial stimulant defined.

WAC 230-02-125 Adjusted net gambling receipts defined. "Adjusted net gambling receipts" means the combined income from all gambling activities that are compared to gross sales for determination of commercial stimulant compliance. Adjusted net gambling receipts are determined by deducting the following expenses from net gambling receipts, when they are supported by

verifiable records and actually paid out during the period:

(1) Federal, state, and local taxes and fees, other than income taxes, directly relating to the gambling activity: *Provided*, That taxes and fees may be deducted using the accrual accounting method if all accounting records are normally maintained on the accrual method and notice is provided to the commission;

(2) The cost of one licensed card room employee to be on duty any time the activity is open for business: *Provided*, That the total cost allowed shall not exceed \$12.50 per hour of operation;

(3) The cost of providing a "pan" dealer as allowed by WAC 230-40-225: *Provided*, That the total cost allowed shall not exceed \$7.50 per hour of operation; and

(4) The cost of punchboards, pull tabs, dispensing devices, cards, chips and card room furniture and fixtures actually used in conjunction with the gambling activity. Card room furniture and fixtures that cost in excess of one thousand dollars may be treated as a capital improvement for purposes of this rule.

(5) The actual cost of capital improvements and leasehold improvements to the licensed premises, less interest. Capital improvements shall include remodeling, updating, and other improvements to the licensed premises. Routine maintenance, cleaning, and painting shall not be treated as capital improvements. *Provided*, the cost for such improvements shall be amortized during a period of not less than two years. The licensee shall choose the period and report it on its quarterly report, along with copies of all receipts supporting the expenditure: *Provided*, the capital improvement deduction shall not exceed \$5,000 for any quarter.

[Statutory Authority: RCW 9.46.070. 88-19-038 (Order 183), § 230-02-125, filed 9/13/88. Statutory Authority: Chapter 9.46 RCW. 86-19-056 (Order 161), § 230-02-125, filed 9/15/86, effective 1/1/87.]

WAC 230-02-280 Identification and inspection services stamps. Identification and inspection services stamps are printed under the control of the commission for purposes of identifying and controlling gambling devices within the state of Washington. Each stamp is preglued and imprinted with the seal of the commission and an unique number or combination of alpha characters and numbers.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-02-280, filed 6/14/88.]

WAC 230-02-290 Records entry labels. Record entry labels are a set of removable, preglued labels, attached to identification and inspection services stamps and imprinted with the same unique number or combination of alpha characters and numbers as the stamp, plus an electronically identifiable bar code equivalent of the identification number. These labels are attached to a punchboard or pull tab series flare by the manufacturer of the punchboard or pull tab at the same time the identification and inspection services stamp is attached. These labels may only be removed and used as record entries as prescribed by other rules of this section.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-02-290, filed 6/14/88.]

WAC 230-02-350 Commercial stimulant defined. "Commercial stimulant" means all licensed gambling activities, when operated by an established food and/or drink business with the primary purpose of increasing the volume of food and/or drink sales for "on premise" consumption. For purposes of chapter 9.46 RCW and these rules, gambling activities shall qualify as a commercial stimulant only when the combined "adjusted net gambling receipts" from punchboards, pull tabs, and public card rooms are less than the total "gross" sales from the food and/or drink business.

[Statutory Authority: Chapter 9.46 RCW. 87-07-038 (Order 165), § 230-02-350, filed 3/16/87; 86-24-025 (Order 163), § 230-02-350, filed 11/24/86; 86-17-057 (Order 160), § 230-02-350, filed 8/18/86. Statutory Authority: RCW 9.46.020(5). 82-23-050 (Order 125), § 230-02-350, filed 11/15/82. Statutory Authority: RCW 9.46.020(5) and section 1(5), chapter 326, Laws of 1977 ex. sess. and RCW 9.46.070(4). 78-03-061 (Order 81), § 230-02-350, filed 2/22/78; Order 78, § 230-02-350, filed 11/17/77; Order 29, § 230-02-350, filed 1/23/75; Order 23, § 230-02-350, filed 9/23/74.]

Chapter 230-04 WAC LICENSING

WAC

230-04-020	Application procedure—Mandatory training required.
230-04-065	Simplified application form authorized for lower volume gambling activities.
230-04-123	Licensing of distributor's representatives.
230-04-140	Licensing of public card room employees.
230-04-145	Licensing of managers of bingo games.
230-04-190	Issuance of license.
230-04-197	Repealed.
230-04-199	Class R recreational card games conducted by a bona fide charitable or bona fide nonprofit organization.
230-04-201	Fees.
230-04-260	Effect of exceeding license class income limit.
230-04-455	Employees to wear identification tags.
230-04-900	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-04-197	Permits for raffles on separate premises. [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.] Repealed by 88-07-059 (Order 175), filed 3/15/88. Statutory Authority: RCW 9.46.070 (8), (11) and (14).
230-04-900	Test for optional payment plan for annual licenses. [Statutory Authority: RCW 9.46.070 (1), (2), (4), (5), (6), (11), (14) and (17). 86-13-055 (Order 158), § 230-04-900, filed 6/13/86.] Repealed by 87-21-015 (Order 172), filed 10/9/87. Statutory Authority: RCW 9.46.070 (1), (2), (3), (4) and (14).

WAC 230-04-020 Application procedure—Mandatory training required. Applicants for license from the commission shall submit applications with the fee as established by WAC 230-04-201 to the office of the commission in Olympia. The information requested on the appropriate application form is required to be submitted by each applicant for a license.

The application shall be signed under oath by the highest ranking executive officer of a charitable, non-profit or profit seeking corporation, such as the president of a firm or club or the head pastor or minister of a church; or by the principal owner of a profit seeking business. Other persons, including but not limited to, the chairman of a board of directors or trustees, the person in charge of the financial records, or persons having a substantial interest in the applicant business and/or charitable nonprofit organization, may at the commission director's discretion be required to sign the application. When the application is being submitted by or on behalf of an incorporated city or town in the state of Washington, the application must be signed by the mayor or the mayor's designated representative.

Each such person shall acknowledge that he assumes full responsibility for the fair and lawful operation of all licensed activities that the applicant conducts.

The commission will consider only those applicants submitting the form and fully completing all the applicable portions of the form. Each applicant shall certify under oath that the information set forth in the application and any accompanying materials is true, accurate and complete.

The application form and all information set forth therein and all supplemental information submitted at the commission's request, except statements as to arrests of any person, shall constitute public records and the entire contents thereof may, at the discretion of the commission, be disclosed to the public or discussed at the public meetings of the commission.

The commission shall issue the license applied for only after it is satisfied that the applicant is qualified to operate the activity for which the license is being requested. The commission will refrain from issuing the license until the person that signed the application form and the designated person responsible for the gambling activity has completed a training course as established and provided by the commission and until the completion of such review and investigation as the commission deems necessary. Provided: Mandatory training shall not be required for licensing of manufacturers; manufacturers representatives; recertification of existing licenses, unless there has been a change in the highest ranking executive officer since the issuance of the license; and for licensees with special circumstances as approved by the director.

[Statutory Authority: RCW 9.46.070 (1), (2), (3), (4) and (14). 87-21-015 (Order 172), § 230-04-020, filed 10/9/87. Statutory Authority: Chapter 9.46 RCW. 87-09-043 and 87-10-017 (Orders 167 and 167A), § 230-04-020, filed 4/14/87 and 4/30/87. Statutory Authority: RCW 9.46.070 (1), (7), (11), (14), and (17). 83-21-073 (Order 137), § 230-04-020, filed 10/18/83; Order 60, § 230-04-020, filed 9/10/76; Order 42, § 230-04-020, filed 9/18/75; Order 12, § 230-04-020, filed 2/14/74; Order 5, § 230-04-020, filed 12/19/73.]

WAC 230-04-065 Simplified application form authorized for lower volume gambling activities. (1) The director may prepare a simplified license application form for bona fide charitable and nonprofit organizations conducting the following activities:

- (a) Fund raising events (All classes);

- (b) Bingo (Classes A and B);
- (c) Raffles (Classes A, B, and C); and
- (d) Amusement games (Classes A, B, and C).

(2) The simplified application form shall follow the same procedure as required by WAC 230-04-020.

(3) At the minimum, the following information and documents shall be submitted with the application:

(a) Copy of a corporate applicant's articles of incorporation and bylaws or, if not incorporated, a copy of any bylaws and other documents which set out the organizational structure and purposes for which a noncorporate organization applicant was formed and operates. If the above documents 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) A copy of the tax exemption letter from the United States Internal Revenue Service or information as to whether such exemption has been applied for and 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;

(4) 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 (8), (11) and (14). 88-13-060 (Order 179), § 230-04-065, filed 6/14/88. 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 230-04-123 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.) In addition, the applicant must complete a training course as provided by the commission within 30 days after the first day worked.

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: Chapter 9.46 RCW. 87-09-043 (Order 167), § 230-04-123, filed 4/14/87. 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 230-04-140 Licensing of public card room employees. (1) No person shall act as a public card room employee unless he or she has either received a license to do so from the commission or, if:

(a) The commission has not previously revoked a license or denied an application by that person for such a license; and

(b) He or she has properly applied for such license. If there has been such a previous denial or revocation, or if the applicant has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to certain offenses set forth in RCW 9.46.158, that person shall not act as a public card room employee unless he or she has been issued a license by the commission.

(2) On or before the first day he or she actually performs work as a public card room employee, 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): Provided, That the requirements of this section shall not apply to persons employed in a public card room operating under a Class B or Class D license only. In addition, the applicant must complete a training course as provided by the commission within 30 days after the first day worked.

(3) A sole owner, partner, major officer and/or owner of a substantial interest in a corporation licensed to operate a public card room shall not be required to be additionally licensed as a public card room employee to perform duties in connection with the card room. Except as provided in this section, an operator of a public card room shall not employ any unlicensed person to perform duties for which a license is required in or in connection with a public card room, and shall take all measures necessary to prevent an unlicensed person from doing so.

(4) The operator of a public card room or partner or officer of the entity operating the card room for which the applicant will work shall sign the application of each such public card room employee acknowledging that the applicant will be working for that operator with the operator's knowledge and consent.

[Statutory Authority: Chapter 9.46 RCW. 87-09-043 (Order 167), § 230-04-140, filed 4/14/87. Statutory Authority: RCW 9.46.070 (1), (7), (11), (14), and (17). 83-21-073 (Order 137), § 230-04-140, filed 10/18/83. Statutory Authority: RCW 9.46.070(16). 80-03-059 (Order 98), § 230-04-140, filed 2/25/80; 79-09-029 (Order 91), § 230-04-140, filed 8/14/79; 78-08-055 (Order 86), § 230-04-140, filed 7/20/78, effective 9/1/78; 78-06-066 (Order 85), § 230-04-140, filed 5/25/78, effective 9/1/78.]

WAC 230-04-145 Licensing of managers of bingo games. (1) No person shall perform the duties of a bingo game manager as defined by WAC 230-02-418 for a Class D and above bingo licensee unless they have:

(a) Received a license to do so from the commission; or

(b) Submitted a completed application to the commission on or before the first day the applicant begins working: Provided, That section (1)(b) above shall not apply if one or more of the following reasons exist:

(i) The applicant's present or past license has been previously denied, suspended, or revoked by the commission; or

(ii) The applicant is presently involved with pending commission charges or criminal prosecution; or

(iii) The applicant has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to certain offenses set forth in RCW 9.46.158; or

(iv) The applicant has violated, failed, or refused to comply with provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW or any rules of the commission.

(c) Completed a training course as provided by the commission within 30 days after the first day worked.

(2) Each application shall be submitted as specified in WAC 230-04-020, and signed by both the applicant and the highest ranking executive officer of the employing bingo licensee. The duration of the license shall be:

(a) One year from the date of application, if the applicant began working the same day or prior to licensure as authorized by section (1)(b) above; or

(b) One year from the date of issuance, if the applicant waited for licensure as required by section (1)(b)(i-iv) above; or

(c) Upon termination of employment with the organization listed on the license application, for any reason, the license shall expire and the licensee must reapply for licensure.

(3) The fee for this license shall be as required by WAC 230-04-201: Provided, That if an applicant is changing employment from one bingo licensee to another prior to the expiration date as specified in (2)(a) and (b) above, the fee shall be as required for license renewal.

[Statutory Authority: Chapter 9.46 RCW. 87-15-052 (Order 169), § 230-04-145, filed 7/14/87; 87-09-043 (Order 167), § 230-04-145, filed 4/14/87; 87-07-038 (Order 165), § 230-04-145, filed 3/16/87. Statutory Authority: RCW 9.46.070 (1), (7), (11), (14), and (17). 83-21-073 (Order 137), § 230-04-145, filed 10/18/83. Statutory Authority: RCW 9.46.070(17), 81-21-032 (Order 113), § 230-04-145, filed 10/15/81.]

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

- (a) Bingo;
- (b) Raffles;
- (c) Amusement games;
- (d) Punchboards and pull tabs;
- (e) Social cards; and

(2) **Fund raising event as defined in RCW 9.46.0233.**

The commission may issue a license to a bona fide charitable or bona fide nonprofit organization defined in RCW 9.46.0209, other than any agricultural fair defined therein, to conduct fund raising events.

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

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

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

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

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

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

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

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

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

(a) All annual licenses for punchboard and pull tab and Class C and above bingo shall be issued with an expiration date adjusted to expire on March 31, June 30, September 30, or December 31, whichever date is closest to the license issuance date and does not exceed one year. All other applicants or licensees may request specific license expiration dates to correspond with the above dates. Whenever license expiration dates are adjusted under this provision, the required fee shall be prorated by the commission. This prorating of fees shall be computed on a monthly basis (i.e., one-twelfth of the annual payment per month) and subtracted from the regular annual fee. Prorating shall be based on the number of whole months remaining upon approval of a license. For the purposes of this proration, any part of a month in which the activity is licensed shall be deemed to be a whole month when computing an annual fee. Any difference between the required fee which exceeds twenty dollars, shall be refunded to the applicant.

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

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

during the period from the issuance of the license through the conclusion of the fair or festival.

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

(e) Licenses issued for fund raising events shall be valid for one year from the date issued but the event (or events) permitted under the license shall be held only at the place and time set forth in the application or otherwise approved by the commission. The number of events permitted under the license in any calendar year is subject to the limitations set out in RCW [9.46.020 33] [9.46.0233] defining fund raising events.

(f) Licenses issued to individuals shall be valid for a period of one year from the date of employment or issuance, whichever occurs first: Provided that; licenses issued to bingo game managers shall expire as set out in WAC 230-04-145.

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

(h) Licenses approved under the six month payment plan shall be issued with an expiration date of six months from the license approval date or the original license expiration date, whichever is applicable. Upon receipt and validation of the second half payment, a licensee may be granted a second license for an additional six month period. Second half payments must be received by the commission on or before the due date. If the licensee fails to submit the second half of the fee payment(s) as established by WAC 230-04-201 prior to the expiration date, the license shall expire.

(9) **Conditions of license issuance.** All activities so licensed are licensed subject to compliance with all of the applicable provisions of chapter 9.46 RCW, including any amendments thereto, all applicable rules and regulations passed by the commission, all other applicable laws of the United States, the state of Washington and all political subdivisions of the state of Washington.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-04-190, filed 6/14/88. Statutory Authority: RCW 9.46.070 (1), (2), (3), (4) and (14). 87-21-015 (Order 172), § 230-04-190, filed 10/9/87. Statutory Authority: RCW 9.46.020(23). 81-03-045 (Order 105), § 230-04-190, filed 1/16/81. Statutory Authority: RCW 9.46.070(16). 78-06-066 (Order 85), § 230-04-190, filed 5/25/78. Statutory Authority: RCW 9.46.070(10). 78-05-043 (Order 84), § 230-04-190, filed 4/21/78; Order 78, § 230-04-190, filed 11/17/77; Order 51, § 230-04-190, filed 4/30/76; Order 42, § 230-04-190, filed 9/18/75; Order 23, § 230-04-190, filed 9/23/74; Order 5, § 230-04-190, filed 12/19/73.]

WAC 230-04-197 Repealed. See Disposition Table at beginning of this chapter.

WAC 230-04-199 Class R recreational card games conducted by a bona fide charitable or bona fide nonprofit organization. (1) Bona fide charitable or bona fide

nonprofit organizations will be issued, and may permit the playing of social card games on their premises under, a Class R recreational card game license only when the following conditions are met:

(a) No person is charged, directly or indirectly, more than \$1.00 in cash, or goods or services, to play in card games permitted on the premises in any calendar day; and

(b) Only bona fide members and guests of the organization are permitted to play in the card games; and

(c) Only bona fide members of the organization who are not compensated for such services are permitted to perform any work or service in support of such card games; and

(d) Only the following card games are permitted by the licensee:

- (i) Hearts,
- (ii) Rummy,
- (iii) Pitch,
- (iv) Pinochle,
- (v) Cribbage,
- (vi) Bridge.

See WAC 230-40-015 to determine rules of these games.

(2) Applications for such Class R recreational card room licenses shall be made on a simplified form prepared by the director submitted in the manner, and including the information, required by WAC 230-04-065(4):

(3) Class R licensees need not comply with the following rules of the commission:

(a) WAC 230-04-280, requiring notice to local law enforcement of the activity;

(b) WAC 230-08-010 and 230-08-090, respecting recordkeeping; and WAC 230-08-160, respecting quarterly reports, but the licensee must, in the alternative, maintain those records required by WAC 230-08-015, such records to be retained by the licensee for a period of not less than one year from the end of the license year for which the record is kept;

(c) WAC 230-40-020, limiting the part of premises which may be used for card playing;

(d) WAC 230-40-030, limiting the number of tables and players;

(e) WAC 230-40-050, fees for card playing, provided the \$1.00 per day limit set out in (1)(a) above may not be exceeded;

(f) WAC 230-40-070, requiring the licensee to furnish all cards, chips and other services;

(g) WAC 230-40-080, prohibiting people from bringing their own cards and chips; and

(h) WAC 230-40-130, requiring wagers to be made only with chips.

[Statutory Authority: RCW 9.46.070 (11) and (14). 88-17-050 (Order 182), § 230-04-199, filed 8/16/88. Statutory Authority: RCW 9.46.070 (10) and (13). 79-05-026 (Order 89), § 230-04-199, filed 4/18/79.]

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)

LICENSE TYPE	DEFINITION	FEE
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
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

LICENSE TYPE	DEFINITION	FEE
7. PERMITS Class A	Agricultural fair/special property bingo One location and event only (see WAC 230-04-191)	\$ 25
8. PUNCHBOARDS/ PULL TABS Class A Class B Class C Class D Class E Class F Class G Class H Class I Class J Class K	(Fee based on annual gross receipts) Up to \$10,000 Up to \$50,000 Up to \$100,000 Up to \$200,000 Up to \$300,000 Up to \$400,000 Up to \$500,000 Up to \$600,000 Up to \$700,000 Up to \$800,000 Over \$800,000	\$ 300 475 960 1,560 2,360 3,150 3,775 4,350 4,825 5,225 5,900
9. RAFFLES Class A Class B Class C Class D Class E Class F	(Fee based on annual gross receipts) Up to \$5,000 Up to \$10,000 Up to \$25,000 Up to \$50,000 Up to \$75,000 Over \$75,000	\$ 50 150 300 500 800 1,200
10. SEPARATE PREMISES BINGO	Occasion (see WAC 230-04-300)	\$ 25
11. SPECIAL FEES INVESTIGATION IDENTIFICATION AND INSPECTION STAMP EXCEEDING LICENSE CLASS	(See WAC 230-04-240) (See WAC 230-30-015 and 230-30-030) (See WAC 230-04-260) In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less.	As required As required As required

<u>LICENSE TYPE</u>	<u>DEFINITION</u>	<u>FEE</u>
12. SIX-MONTH PAYMENT PLAN	<p>The commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments.</p> <p>SIX-MONTH PAYMENT PLAN PROCEDURE: The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must be submitted and received in the commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six month period. Licensees exceeding 50% of the authorized level shall be required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00.</p>	\$ 25

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
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

<u>LICENSE TYPE</u>	<u>DEFINITION</u>	<u>FEE</u>	
3. DISTRIBUTOR	(Fee based on annual gross receipts)	Original	Renewal
Class A	up to \$600,000	\$2,750	\$1,250
Class B	over \$600,000	\$2,750	\$1,700
4. DISTRIBUTOR'S REPRESENTATIVE	Original Renewal		\$ 220 110
5. MANUFACTURER	Original Renewal		\$3,300 1,650
6. MANUFACTURER'S REPRESENTATIVE	Original Renewal		\$ 220 110
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
8. PUBLIC CARD ROOM EMPLOYEE	Original Renewal	\$	150 75
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 IDENTIFICATION AND INSPECTION STAMP EXCEEDING LICENSE CLASS	(See WAC 230-04-240)		As required
	(See WAC 230-30-015 and 230-30-030)		As required
	(See WAC 230-04-260)		As required
	In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less.		

<u>LICENSE TYPE</u>	<u>DEFINITION</u>	<u>FEE</u>
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
12. SIX-MONTH PAYMENT PLAN	The commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments. SIX-MONTH PAYMENT PLAN PROCEDURE: The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must be submitted and received in the commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six-month period. Licensees exceeding 50% of the authorized level shall be required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00.	\$ 25

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-04-201, filed 6/14/88. Statutory Authority: RCW 9.46.070(5). 88-11-071 (Order 177), § 230-04-201, filed 5/18/88. Statutory Authority: RCW 9.46.070 (1), (2), (3), (4) and (14). 87-21-015 (Order 172), § 230-04-201, filed 10/9/87. Statutory Authority: RCW 9.46.070 (1), (2), (4), (5), (6), (11), (14) and (17). 86-13-055 (Order 158), § 230-04-201, filed 6/13/86. 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.]

WAC 230-04-260 Effect of exceeding license class income limit. (1) A licensee shall not exceed the class limit on annual gross or net receipts from the licensed activity.

(2) When it is apparent that any licensee's class limit of annual gross or net receipts from licensed activity will be exceeded, the licensee shall immediately notify the commission and shall apply for the license class which is proper, submitting the basic fee required for the upgrade class less the amount originally submitted for the previous license, plus a change of classification fee required by WAC 230-04-201.

Any such additional license issued by the commission shall be valid only for the period which remains in the term of the previous license at the time such additional license is issued: Provided, that if the commission assigns a license class, or if a licensee voluntarily upgrades their license to comply with this subsection, and in either case operates at a level lower than the class assigned or requested, then the licensee shall be allowed to apply for a refund. The amount of refund shall be the difference between the fee for the licensed class.

(3) Any licensee failing to comply with the requirements set forth in paragraph (2) above and exceeds the license class limit within a present or previous license year, may be assessed an exceeding class fee not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less. Upon written notice by the commission assessing an exceeding class fee, a licensee shall remit the proper fee plus all upgrade fees within 20 days. Failure to remit such fees may result in a summary suspension of all licenses held by the licensee pending a hearing for the suspension or revocation of such licenses.

[Statutory Authority: RCW 9.46.070(14). 88-15-019 (Order 181), § 230-04-260, filed 7/11/88. Statutory Authority: RCW 9.46.070 (5), (6), (8), (10), and (11). 84-01-026 (Order 139), § 230-04-260, filed 12/12/83. Statutory Authority: RCW 9.46.070 (5) and (9). 80-03-

060 (Order 99), § 230-04-260, filed 2/25/80; Order 42, § 230-04-260, filed 9/18/75; Order 5, § 230-04-260, filed 12/19/73.]

WAC 230-04-455 Employees to wear identification tags. Each employee required to obtain a license from the commission shall wear an identification tag at all times while working or playing in the gambling activity on the employer's premises. The identification tag shall be a minimum of 3" X 2" and shall display the employee's name and the name of the gambling operator or establishment. All information on the identification tag shall be clear and easily visible to the players in the gambling activity. The identification tag shall be worn on the employee's chest. It shall be furnished to the employee by the operator, who shall be equally responsible with the employee to insure the identification tag is displayed as required by this rule.

While playing cards off-duty on the employer's premises the licensed employee must wear the identification tag unless a sign is clearly posted in the card room as follows: "Employees of this card room may participate in the card games while off-duty as players. Upon your request, the card room floor person will identify any employee playing cards."

[Statutory Authority: RCW 9.46.070 (11) and (14). 88-17-050 (Order 182), § 230-04-455, filed 8/16/88. Statutory Authority: RCW 9.46.070 (10) and (13). 78-08-055 (Order 86), § 230-04-455, filed 7/20/78.]

WAC 230-04-900 Repealed. See Disposition Table at beginning of this chapter.

Chapter 230-08 WAC RECORDS AND REPORTS

WAC	
230-08-010	Monthly records.
230-08-017	Control and use of identification and inspection services stamps.
230-08-025	Accounting records to be maintained by distributors and manufacturers.
230-08-130	Quarterly activity reports by operators of punchboards and pull tabs.
230-08-170	Repealed.
230-08-260	Fund raising events—Activity report required.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-08-170	Punchboard and pull tab retention. [Statutory Authority: RCW 9.46[.070] (8), (14). 87-17-052 (Order 171), § 230-08-170, filed 8/18/87. 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.] Repealed by 88-13-117 (Order 180), filed 6/22/88. Statutory Authority: RCW 9.46.[070] (8), (11) and (14).
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WAC 230-08-010 Monthly records. Every person or organization licensed to operate any authorized gambling activity shall keep and maintain permanent

monthly records of all of the activities of the licensee related to each licensed activity. [Each of these records shall be maintained by the licensee for a period of not less than three years from the end of the fiscal year for which the record is kept unless the licensee is released by the commission from this requirement as to any particular record or records.] These records must include all financial transactions and contain enough detail to determine compliance with the requirements of WAC 230-04-050 and 230-04-080. The record for each licensed activity shall be a separate unit, covering all transactions occurring during a calendar month. These records shall be complete in every detail and available for audit or inspection by agents of the commission or other law enforcement personnel no later than thirty days following the end of each month. Each record shall include, but not necessarily be limited to, all details of the following:

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

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

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

(4) With respect to those organizations licensed as qualified bona fide charitable or bona fide nonprofit organizations, except agricultural fairs, records shall clearly show in detail how those proceeds from each licensed activity obtained by the licensee were used or disbursed by that licensee.

(5) With respect to commercial stimulant licensees, records shall include at least the following details:

(a) Gross sales of food and drink for consumption on their licensed premises;

(b) Gross sales of food and drink for consumption off the licensed premises; and

(c) Gross sales from all other business activities occurring on the licensed premises.

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

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

(b) The Washington state identification and inspection services stamp number issued by the commission and placed thereon: Provided, that after December 31, 1988, when records entry labels are attached to the punchboard or pull tab series flare, a label shall be attached to the record in lieu of a written entry;

(c) The date removed from play;

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

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

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

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

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

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

(j) The net gambling receipts (gross gambling receipts less total prizes paid);

(k) The cash over or short determined by (1) subtracting actual cash from net gambling receipts for punchboards and pull tabs which pay cash prizes, and (2) subtracting actual cash from gross receipts for punchboards and pull tabs which award merchandise prizes; and

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

In the alternative, with written commission approval, licensees operating pull tabs may record (k) and (l) in total on a daily, weekly, or monthly basis.

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

[Each of these records shall be maintained by the licensee for a period of not less than three years from the end of the fiscal year for which the record is kept unless the licensee is released by the commission from this requirement as to any particulars record or records.]

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-08-010, filed 6/14/88. Statutory Authority: RCW 9.46[.070] (8) and (14). 87-17-052 (Order 171), § 230-08-010, filed 8/18/87. Statutory Authority: Chapter 9.46 RCW. 86-19-056 (Order 161), § 230-08-010, filed 9/15/86, effective 1/1/87. Statutory Authority: RCW 9.46.070 (4), (8), (11) and (14). 86-07-037 (Order 155), § 230-08-010, filed 3/14/86. Statutory Authority: RCW 9.46.070 (8), (11), and (14). 83-13-050 (Order 134), § 230-08-010, filed 6/14/83. Statutory Authority: RCW 9.46.070(8). 82-01-065 and 82-03-033 (Order 115 and 116), § 230-08-010, filed 12/18/81 and 1/18/82; Order 74, § 230-08-010, filed 8/17/77; Order 18, § 230-08-010, filed 5/21/74; Order 9, § 230-08-010, filed 12/19/73, 1:26 p.m.; Order 5, § 230-08-010, filed 12/19/73, 1:25 p.m.]

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

WAC 230-08-017 Control and use of identification and inspection services stamps. No punchboard, series of pull tabs, or device for dispensing pull tabs shall be sold or purchased for use within this state until an identification and inspection services stamp obtained from the commission has been permanently and conspicuously affixed thereto. Once attached, such stamp shall not be removed, disfigured, or otherwise tampered with by any person. These stamps shall be attached and controlled in the following manner:

(1) Identification and inspection services stamps shall be sold only to licensed manufacturers. The fee charged for each stamp shall be twenty-five cents. After September 1, 1988, all punchboards and pull tabs series manufactured, if for sale in Washington state must have identification and inspection stamps plus records entry labels attached. Manufacturers who have identification and inspection services stamps on hand after September

1, 1988, which do not have records entry labels attached, will be afforded the opportunity to exchange these stamps, one for one and without cost by submitting them to the commission's Olympia headquarters office prior to October 1, 1988. After October 1, 1988, any stamps returned will be exchanged only after payment of a ten cent service charge, for each stamp as set out in WAC 230-30-018;

(2) Identification stamps shall only be affixed to punchboards, pull tab series flares, and devices for dispensing pull tabs in such a manner as to assure reasonable inspection without obstruction. If punchboards or pull tabs series flares are packaged with protective materials, after stamps are affixed, then the stamps shall be readily visible for inspection without removal of any portion of the protective packaging: Provided that when more than one device is packed in a shipping carton, this requirement shall not apply if the identification and service stamp numbers of all devices contained in the carton are printed or otherwise noted on the outside of the carton. Stamps and records entry labels shall be affixed only by licensed manufacturers in the following manner:

(a) On the reverse side of all punchboards in an area that will not obstruct removal of punches: Provided, that if sufficient space is not available on the reverse side, the records entry labels may be wrapped around and/or partially attached to the edge of a punchboard in a manner that will not obstruct display of prizes available or other information required by rules of the commission;

(b) On the face or reverse side of the flare for all pull tab series. If placed on the face, then they must be in an area that will not obstruct prizes available or any other information required by rules of the commission; and

(c) On the outside of the main body of pull tab dispensing devices, in an area that is not normally removed and replaced, and in a manner that will not obstruct the view of the pull tabs available for play. The records entry labels shall not be affixed to dispensing devices and may be discarded.

(3) Identification and inspection services stamps shall not be attached to punchboards, pull tab series flares, or pull tab dispensing devices that do not comply with rules of the commission. Stamps shall not be affixed to any device prior to approval of the device by the commission.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-08-017, filed 6/14/88.]

WAC 230-08-025 Accounting records to be maintained by distributors and manufacturers. Every licensed distributor and manufacturer shall keep and maintain a complete set of records which include all details of all activities of the licensee related to the conduct of the licensed activity. These records shall be recorded using the double entry accounting system [prepared] and maintained in accordance with generally accepted accounting principles. This system shall also be on the same basis as the licensee's federal income tax return. All records shall be maintained for a period of not less than three years following the end of the licensee's fiscal year. These records shall be updated at least once a

month and provide a monthly balance for each account. The minimum record system shall include the following:

(1) Sales invoices – every manufacturer and distributor shall record every sale, return, or any other type of transfer of punchboards/pull tabs or pull tab dispensing devices by completing a standard sales invoice or credit memo. These invoices shall set out the following information:

(a) Each invoice must be prenumbered at the time of purchase. The numbering must be consecutive, using not less than four digits: Provided, that manufacturers may use a computer generated numbering system if the same system is used for all sales and specific numbers can not be input by use of a manual override function;

(b) The date of sale. For distributors only: If the date of delivery is different, then the delivery date must also be entered;

(c) The customer's name and an adequate business address;

(d) A full description of each item sold, including the identification and inspection services stamp number for each item. For all sales occurring after December 31, 1988, distributors shall use a standard invoice in a format prescribed and approved by the commission. A separate line shall be used for each stamp number. This invoice shall provide space for the operator to either attach a records entry label or enter the identification and inspection services stamp number and the date the device was placed out for play. These spaces shall be adjacent to the written entry of the I.D. stamp number made by the distributor;

(e) The quantity and sales price of each individual item, including individual items of merchandise to be used as prizes on punchboards and pull tabs;

(f) The gross amount of each sale to each customer including all discount terms and the total dollar amount of any discount;

(g) The sales invoice shall be prepared in at least three parts: Provided that after December 31, 1988, all distributor invoices shall have at least four parts; and the invoices shall be distributed and maintained as follows:

(i) The original shall be issued to the customer: Provided that after December 31, 1988, an additional copy of distributor invoices shall be provided to the customer;

(ii) One shall be retained in an invoice file by customer name; and

(iii) One shall be retained in an invoice file by invoice number or in an alternative manner that accounts for each invoice numerically. This provision may be waived if the licensee receives written commission approval.

(h) Credit memos for returned items shall be prepared in the same detail as items (a) through (g) above.

(2) Sales journal – the sales journal shall contain at least, but not be limited to, the following by month:

(a) The date of the sale;

(b) The invoice number of the sale;

(c) The customer name or person remitting a payment;

(d) Sales shall be categorized at least by the following:

(i) Punchboards that pay out cash prizes;

(ii) Punchboards that pay out merchandise prizes;

(iii) Pull tabs that pay out cash prizes;

(iv) Pull tabs that pay out merchandise prizes;

(v) Pull tab dispensing devices;

(vi) Merchandise: Only that which is used as a prize on a punchboard or series of pull tabs.

(vii) Other types of sales including but not limited to, equipment leases, equipment sales, and bingo supplies.

(e) Total amount of the invoice;

(3) Cash disbursements book (check register) – this record shall include a recording of all checks issued by the licensee, cash payments made by the licensee, or payments made by any other means. All expenses by the licensee, both gambling and nongambling related, shall be documented by invoices or other appropriate supporting documents. Entries to this record shall contain at least, but not limited to, the following information by month:

(a) The date the check was issued or payment made;

(b) The number of the check issued;

(c) The name of the payee; and

(d) Each disbursement shall be categorized by type of expense.

(4) Cash receipts – all cash receipts shall be recorded in an original book of entry whether it be a sales journal, a check register, or a separate cash receipts journal, and at a minimum shall include a recording of not only cash sales, but also cash received from all sources, and shall contain at least, but not limited to, the following by month:

(a) The date the payment was received;

(b) The name of the person remitting the payment;

(c) The amount of payment received;

(5) General ledger – each licensee whose gambling related sales exceed \$500,000 per year, shall have a general ledger which shall contain, in addition to all other accounts by month, a separate sales account for each type of sale.

(6) Bank reconciliation – a bank reconciliation shall be performed each month. In addition, all undeposited funds at year end shall be reconciled in an account titled cash on hand.

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

(8) Manufacturer shall maintain records that provide an accountability trail for all identification and inspection stamps purchased. These records shall include enough details to allow audit of all used, unused, and damaged stamps and includes the following minimum items:

(a) The name of the purchaser;

(b) The date of the sale; and

(c) The invoice number recording the sale.

(9) An alternative format may be used for sections (1)(a), (1)(g)(ii), (1)(g)(iii), (1)(h), (2), and (3), above upon advance written approval from the commission.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-08-025, filed 6/14/88. Statutory Authority: RCW 9.46.070 (8) and (11). 83-10-002 (Order 132), § 230-08-025, filed 4/21/83.]

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 230-08-130 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 the following:

- (1) Gross sales, other than licensed gambling activities during the reporting period;
- (2) That portion of the gross sales that relates solely to the sale of food and drink for consumption on the premises;
- (3) The gross gambling 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) Full details of all expenses related to the purchase and operation of punchboards and pull tabs; and
- (6) Total net gambling income.
- (7) For the calendar quarter ending December 31, 1988, the number of punchboards and the number of pull tab series that were either in play and in inventory awaiting play as of the end of business on September 30, 1988;
- (8) For all calendar quarters ending after September 30, 1988, the number of punchboards and the number of pull tab series removed from play during the period; and
- (9) For all calendar quarters ending after September 30, 1988, the number of punchboards and the number of pull tab series purchased during the period, less all unplayed devices returned for credit during the period.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-08-130, filed 6/14/88. Statutory Authority: Chapter 9.46 RCW. 86-19-056 (Order 161), § 230-08-130, filed 9/15/86, effective 1/1/87. 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 230-08-170 Repealed. See Disposition Table at beginning of this chapter.

WAC 230-08-260 Fund raising events--Activity report required. Each 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 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.

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(14). 88-15-019 (Order 181), § 230-08-260, filed 7/11/88. 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.]

Chapter 230-12 WAC

RULES OF GENERAL APPLICABILITY

WAC

230-12-305 Licensee required to submit updated documents or information.

WAC 230-12-305 Licensee required to submit updated documents or information. In addition to any other requirements set forth in these rules, the persons licensed by the commission shall be required to submit any changes in the following documents or information on file with the commission:

(1) Articles of incorporation or by laws, or any other documents which set out the organizational structure and purposes;

(2) Internal Revenue Service tax exemption status (charitable/nonprofit organizations only); and

(3) All leases, rental, consignment, franchise, or other agreements relating to gambling activities or altering the commercial stimulant business, whether oral or written;

The new or updated documents and/or information shall be submitted to the commission by notation on the next quarterly activity report filed, and by attaching all details concerning each transaction: *Provided*, That licensees not required to submit quarterly activity reports shall submit the required information no later than (60) days following the transaction(s) date.

[Statutory Authority: Chapter 9.46 RCW. 87-09-043 (Order 167), § 230-12-305, filed 4/14/87.]

Chapter 230-20 WAC

BINGO, RAFFLES AND AMUSEMENT GAMES

WAC

230-20-010	Disclosure of prizes and rules.
230-20-064	Maximum receipts, prizes, and expenses for bingo games—Net income required.
230-20-100	Receipting required for income and prizes in bingo games.
230-20-240	Bingo equipment to be used.
230-20-241	Player selection games.
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.
230-20-610	Amusement games—Factors affecting skill to be readily visible to players.
230-20-615	Amusement games—Material degree of skill required—Standards.
230-20-630	Amusement games—Fees, rules, prizes and variations in objects to be posted—Fees to be paid in cash or script—Prizes not to differ from those posted.
230-20-699	Special amusement game license—Test at limited locations.

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.

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.

Any advertisements or published information pertaining to bingo prizes, to be awarded at bingo games, must disclose if there are any contingencies which may result in changes to these prizes. In case of inclement weather, natural disaster, or other unforeseen emergency, bingo prizes and game format may be changed; provided, a sign with the changes must be conspicuously posted so that all participants are aware of any changes prior to paying for the opportunity to play.

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 (11) and (14). 88-17-050 (Order 182), § 230-20-010, filed 8/16/88. Statutory Authority: RCW 9.46.020 (1) and (10) and 9.46.070 (3), (11) and (14). 86-09-036 (Order 157), § 230-20-010, filed 4/11/86. 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 230-20-064 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 and/or periodically by request of the commission with proper and timely notification to the staff.

(5) During the commission's study on MAXIMUM LIMITATIONS on bingo income, an organization may exceed the Class K gross receipts limitation if the organization has been in compliance for the last 12 months with all Class K requirements set forth in Table 1. This authorization will only be issued to those organizations who voluntarily agree to donate 14% of all gross income generated in excess of \$3,500,000 to a charitable organization of their choice. Provided: The donation may not be

given to an auxiliary or to another bingo licensee Class E and above. Provided further: All donations made within the licensed year may be counted as a credit towards the 14% requirement. This section will terminate on December 31, 1988.

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 (8), (11) and (14). 88-07-059 (Order 175), § 230-20-064, filed 3/15/88. Statutory Authority: Chapter 9.46 RCW. 87-13-045 (Order 168), § 230-20-064, filed 6/16/87. Statutory Authority: RCW 9.46.070 (7), (13) and (18). 85-13-041 (Order 151), § 230-20-064, filed 6/14/85.]

WAC 230-20-100 Receipting required for income and prizes in bingo games. Except for bingo activities conducted at a qualified agricultural fair all income from bingo games shall be receipted for by the licensee at the time the income is received from each individual player and all prizes shall be receipted for at the time the prize is distributed to each individual winner.

(1) Income receipts: Income receipts shall be supplied by the licensee. They may be consecutively numbered tickets, consecutively numbered disposable bingo cards, or cash register receipts. Each individual player must possess a proper receipt for the number of cards being played in order to be awarded the prize for the game.

(a) Cash register receipts for income: In the event a cash register is used, a consecutively numbered receipt shall be given to the customer. The following information shall appear upon the receipts given to the customer:

- (i) The name of the licensee operating the activity;
- (ii) The date;
- (iii) The amount of money paid for the opportunity to play; and
- (iv) The consecutive customer receipt number.

The cash register shall have a consecutive four digit customer receipt number which does not return to zero at the conclusion of any period of use.

Written commission staff approval must be obtained for use of a cash register which does not meet the above standard but does contain adequate control features.

The cash register shall have sufficient keys to record separately each type of sale as required by WAC 230-08-080, and shall provide a total for each type of sale recorded. Further, any cash register used must retain its transaction count between uses whether or not its power source is interrupted.

All cash register receipts for voids, overrings, returns, no sales and any other related receipts must be retained with the daily bingo records.

All transactions, customer receipt numbers, and control totals must be recorded on the tape retained in the cash register. The internal tape, showing these transactions, shall be retained with the daily records of the licensee for a period of not less than three years. If the cash register is used by the licensee for purposes other than recording the receipts from bingo, the internal cash register tapes from the other uses shall also be retained for not less than three years.

(b) Ticket receipts for income: When tickets are used for receipting the following conditions must be met:

- (i) All tickets on a roll must be preprinted by the manufacturer with a consecutive number prior to purchase;
- (ii) Each ticket on a roll shall represent the same specific amount of money and the amount of money represented by each ticket shall be clearly preprinted by the manufacturer on the face of the ticket;
- (iii) Once a roll of tickets has been started, tickets shall be issued consecutively off of that roll;

(iv) A log shall be maintained, listing the date each roll of tickets is purchased or obtained by the licensee, the color, the dollar value of the tickets, the beginning ticket number, and the number of tickets on that roll. All tickets received shall be entered in the log prior to the licensee beginning the next bingo occasion. The individual logging the entry shall initial the log at the time of entry; and

(v) The licensee shall record in its daily records, the color, the value, the lowest numbered ticket and the highest numbered ticket issued as a receipt from each separate roll of tickets used. Tickets issued for each type of sale shall be recorded separately as required by WAC 230-08-080. Any ticket not issued as a receipt during a session that bears a number falling below the highest numbered ticket issued shall be retained by the licensee as a part of its daily records, along with any leftover tickets not issued from the end of a roll, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years

(c) Disposable bingo card receipts for income: Disposable bingo cards themselves may be used as the receipt required by this rule: Provided, That:

(i) Each disposable card or sheet of cards sold represents a specific amount of money which has been paid to the licensee;

(ii) Each disposable card or sheet of cards from the same series shall be consecutively issued and sold for the same price as each other disposable card or sheet of cards in the same series: Provided, that sets of cards used in player selection games, which do not have a unique series number assigned, shall be treated as one series. In addition, each different color of cards shall constitute a different series;

(iii) A log shall be maintained, listing the date each set of disposable cards is purchased or obtained by the licensee, the series number, the color, the number of cards per sheet, the beginning card or sheet number and the number of cards or sheets per set. Licensees are prohibited from purchasing or utilizing cards for player selection games which have duplicate card or sheet numbers and are the same color, unless the set of cards has an unique series number assigned. All disposable cards or sheets received shall be entered in the log prior to the licensee beginning the next bingo occasion. The individual logging the entry shall initial the log at the time of entry; and

(iv) The licensee shall record in its daily records the series number, the color, the value, the beginning card or sheet number and the ending card or sheet number issued as a receipt for each separate set of disposable cards used: Disposable cards issued for each type of sale shall be recorded separately as required by WAC 230-08-080: Provided, That when more than one card or sheet number appears on a sheet of cards issued, then the lowest card or sheet number shall be used to determine the beginning number sold and the ending number sold. Each time the numbering of the sheets breaks in the series a separate entry shall be made in the records. Disposable cards or sheets of cards which were not issued as receipts during a session, that bear a number

below the highest numbered card or sheet issued shall be retained by the licensee as a part of its daily records, along with any leftover cards, or sheets of cards, not issued from the end of a series, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years.

(2) Receipts for prizes: Receipts for prizes shall be consecutively numbered and issued. Each prize receipt shall contain at least a three digit consecutive number, printed prior to purchase. Prize receipts bearing a number below the highest number issued shall be voided and retained with the daily records. Each receipt for prizes shall contain the following information:

(a) The name of the licensee operating the activity;

(b) The date;

(c) The game number;

(d) The true name and address of the winner of the prize; and

(e) A description of the prize won and the licensee's cost of that prize.

It shall be the responsibility of the licensee to see that the prize winner is accurately identified upon the receipt and the licensee shall require such proof of identification as is necessary to establish the winner's identity. The licensee shall not pay out any prize until the winner has furnished to the licensee all information required by this rule to be upon the receipt for the prize.

The original of each prize receipt shall be given to the winner and a duplicate copy shall be retained by the licensee as a part of its records for a period of not less than three years.

Provided, That Class A bingo licensees and persons conducting bingo under the provisions of RCW 9.46.030(3), are exempt from all portions of this rule. Class B bingo licensees are exempt from maintaining the required logs for ticket and disposable card receipting, and from the issuing of prize receipts so long as they record items (2)(b), (c), (d) and (e) above in their records.

[Statutory Authority: RCW 9.46.070 (11) and (14), 88-17-050 (Order 182), § 230-20-100, filed 8/16/88. Statutory Authority: RCW 9.46.020 (1) and (10) and 9.46.070 (3), (11) and (14), 86-09-036 (Order 157), § 230-20-100, filed 4/11/86. Statutory Authority: RCW 9.46.070 (8), (11) and (14), 83-13-050 (Order 134), § 230-20-100, filed 6/14/83. Statutory Authority: RCW 9.46.070(7) and (8), 78-11-049 (Order 87), § 230-20-100, filed 10/20/78; Order 74, § 230-20-100, filed 8/17/77; Order 29, § 230-20-100, filed 1/23/75; Order 25, § 230-20-100, filed 10/23/74; Order 15, § 230-20-100, filed 4/17/74; Order 5, § 230-20-100, filed 12/19/73, 1:25 p.m.]

WAC 230-20-240 Bingo equipment to be used. The conduct of bingo must include the following required items:

(1) A mechanical device which uses an air flow for mixing and randomly withdrawing balls to determine the letters and numbers to be called must be utilized by all Class D and above operators. This device shall be constructed in a manner that:

(a) Will allow participants full view of the mixing action of the balls; and

(b) The operation cannot be interrupted to change the random placement of the balls at the exit receptacle of

the device, except when the device is shut off as allowed by WAC 230-20-246.

(2) A set of seventy-five balls bearing the numbers 1 through 75 and the letters B, I, N, G, and O. The 75 balls shall be available for inspection by the players before a bingo session begins to determine that all are present and in operating condition. Each numbered ball shall be the same weight as each of the other balls and free from any defects.

(3) Flashboards shall be utilized to display numbers called at all Class D and above bingo games. They must be visible to all players and clearly indicate all numbers that have been called: Provided, That malfunctions occurring during a bingo occasion need not be repaired during that occasion, but must be repaired before use on any other occasion;

(4) Except as provided for under WAC 230-20-241, hardcards and disposable bingo cards must be pre-printed, manufactured cards and have twenty-five spaces, one of which may be a free space, arranged in five even columns headed with the letters B, I, N, G, and O.

(5) Each set of disposable bingo cards must be consecutively numbered from the first card to the last card, or from the first sheet of cards to the last sheet of cards. Each card or sheet must have printed on its face both its individual card or sheet number, and the series number assigned by the manufacturer to that set of disposable cards: Provided, that cards used in player selection games may be exempted from having separate series numbers if:

(a) The card or sheet numbering system has at least six digits and the numbering sequence for any set of cards of the same color does not repeat in less than 999,999 numbers; and

(b) Cards or sheet of cards of the same color with duplicate numbers, must not be purchased, maintained, and/or utilized on the bingo premises, prior to completing play of all similarly numbered and colored cards.

[Statutory Authority: RCW 9.46.070 (11) and (14). 88-17-050 (Order 182), § 230-20-240, filed 8/16/88. Statutory Authority: RCW 9.46.020 (1) and (10) and 9.46.070 (3), (11) and (14). 86-09-036 (Order 157), § 230-20-240, filed 4/11/86. Statutory Authority: RCW 9.46.070 (5), (6), (8), (10) and (11). 84-01-026 (Order 139), § 230-20-240, filed 12/12/83. Statutory Authority: RCW 9.46.070 (8), (11) and (14). 83-13-050 (Order 134), § 230-20-240, filed 6/14/83.]

WAC 230-20-241 Player selection games. A licensee may offer bingo games in which players are allowed to select their own numbers. In such games, the cards used are not required to have five even columns with preprinted letters if the following conditions are met:

(1) A two part disposable card that provides an exact duplicate copy is used;

(2) The disposable card method of receipting for income per WAC 230-20-100 (1)(c) is used. The licensee shall not purchase or use disposable cards without pre-designated numbers and letters unless the purchase invoice contains all the items required by WAC 230-20-100 (1)(c)(iii). Purchase invoices for all disposable

cards, either in play or in the unplayed inventory, are maintained on the premises;

(3) Players shall mark their numbers on each card in a distinct, clear, and legible manner prior to separation of the duplicate and no alterations are allowed after separation of the duplicate and original cards. Operators shall establish and set forth in plain view house rules setting out any conditions by which an entry may be added, deleted or changed prior to separation. Any such changes must be verified by a worker authorized by the bingo manager;

(4) All original cards shall be placed in containers which shall be physically locked and controlled to assure no cards are placed in the container after the first bingo ball is called;

(5) The player retains and plays the duplicate copy;

(6) In addition to the requirements of WAC 230-20-246(12), a winning card of \$250.00 or more is verified by the winner's signature on the back of the duplicate copy and the verifying neutral player's name and complete address on the back of the original card;

(7) All winning cards and the duplicate copies shall be retained by the operator as a part of their daily bingo records; and

(8) Incomplete cards and cards with alterations which were not verified per subsection (3) above shall not be paid as winners. Numbers or initials, on the duplicate copy of a card, which were completed by any means other than by the original duplicating function, will be considered an alteration. Altered cards are the players' responsibility and refunds shall not be allowed: Provided, that a one-for-one exchange may be made by the game management in cases where errors are discovered prior to separating the duplicate and original sheets. In this case the operator will mark "VOID" on the original, initial next to the players initials and maintain the replaced card with their daily bingo records.

[Statutory Authority: RCW 9.46.070 (11) and (14). 88-17-050 (Order 182), § 230-20-241, filed 8/16/88.]

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 available, whether 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. After April 15, 1990, 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) From October 15, 1988, through April 15, 1990, each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle. However, the sponsor may provide to a purchaser of a raffle ticket an opportunity to obtain by random method a discount on such a ticket, including the opportunity to obtain that ticket free, but only if the sponsor maintains records for each book of raffle tickets so that income from the sale of tickets in each book can be audited.

(5) 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.

(6) 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.

(7) The raffle license issued by the commission or a photostatic copy of the license shall be conspicuously posted and displayed at the location at all times during the occasion when a drawing is being conducted.

[Statutory Authority: RCW 9.46.070. 88-19-038 (Order 183), § 230-20-325, filed 9/13/88. Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-07-059 (Order 175), § 230-20-325, filed 3/15/88. 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; or

(f) An amusement park. An amusement park is a group of activities, at a permanent location, to which people go to be entertained through a combination of various mechanical or aquatic rides, theatrical productions, motion picture and/or slide show presentation with food and drink service. The amusement park must include at least five different mechanical or aquatic rides, three additional activities and the gross receipts must be primarily from these amusement activities.

(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: Chapter 9.46 RCW. 87-07-038 (Order 165), § 230-20-380, filed 3/16/87. 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 whether coin operated or not, 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 9.46.032(1) at an authorized location. For clarification, games will be classified as either "nondispensing" (operator awards prize or redeems tickets or tokens for prize) or "self-dispensing" (game awards merchandise prize).

(1) Nondispensing amusement games.

(a) **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.

(b) **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.

(c) **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.

(i) **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.

(ii) **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.

(iii) **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.

(iv) **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.

(d) **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.

(i) **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.

(ii) **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.

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

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

(v) **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.

(vi) **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.

(vii) **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.

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

(ix) **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.

(x) **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.

(xi) **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.

(xii) **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.

(xiii) **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).

(xiv) **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.

(xv) **(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.

(xvi) **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.

(xvii) **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.

(xviii) **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.

(xiv) **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.

(xxi) **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.

(xxii) **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.

(xxiii) **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.

(xxiv) **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.

(e) **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.

(i) **Short range (shooting gallery)** includes where 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, or 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, or 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.

(ii) **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.

(iii) **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.

(iv) **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.

(v) **Cork gallery.** The player uses a cork gun or similar device to propel objects which could include, but are not limited to, corks, suction cup darts, or styrofoam balls, to shoot at targets located on a shelf or bull's-eye type target. The player must hit the bull's-eye or 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, or by the player accomplishing other tasks as stated in the posted rules. When suction cup darts or other darts are used and fail to stay on or in the target, the player will receive the play over. The base of each target shall be uniform front and rear.

(vi) **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.

(f) **Coin pitchers.**

(i) **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.

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

(iii) **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.

(g) **Miscellaneous games.**

(i) **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.

(ii) **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.

(iii) **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.

(iv) **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.

(v) **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.

(vi) **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.

(vii) **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.

(viii) **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.

(ix) **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.

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

(xi) **Frog game.** Plastic frog or similar object sits on a small end of teeter totter. The opposite end of the teeter totter is struck with a mallet causing the frog to fly off the teeter totter. If the frog lands in a pail or similar receptacle, the player wins a prize.

(xii) **Cover the spot.** The object of the game is for player to drop 5 circular discs onto a circular spot, completely covering the spot. The diameter of each of the discs utilized to cover the spot will be a minimum of 64% of the diameter of the spot to be covered. The spot to be covered shall be painted or drawn on a permanent, solid material such as metal or wood, or may be a round opened lighted circle. The spot and each disc shall have a uniform diameter.

(xiii) **Pocket billiards.** Using a regulation pocket billiard table, a player must run a consecutive number of balls to win a prize. The number of balls shall be set by the operator.

(2) **Self-dispensing amusement games.**

All self-dispensing amusement games must have nonresetable coin in meters. The following games are authorized;

(a) **Digger.** 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.

(b) **Electronic crane (claw) games.** The player uses a joystick or buttons to maneuver the crane into a position to grab the desired prize. All games must allow at least 15 seconds per play; the crane must be able to reach any prize situated on the upper tier of prizes, must be able to maneuver to the back of the game, and to the right or left to ensure all areas are accessible to the crane, and must be able to pick up and return to drop slot all prizes contained in game. The crane mechanism must be preset by the factory to be able to pick up at least 4 ounces; all prongs must be touching or within a quarter of an inch of touching each other while the crane is in the closed position. In addition, all cranes must be clearly labeled as to maximum weight and dimensions of prizes, and all operating instructions must be in plain view so as to inform players as to how the game is played.

(3) Any additional games or modification of the games authorized above, must be submitted to the commission staff in writing prior to being used in the state. In addition, a written request shall include proposed rules of play and specifications for each game. A demonstration of the game may be required by the commission staff to be made in Olympia or at such place as designated by the commission staff. After review, the director may temporarily authorize a new or modified game, in writing, subject to final approval by the commission.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-07-059 (Order 175), § 230-20-605, filed 3/15/88. 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.]

WAC 230-20-610 Amusement games--Factors affecting skill to be readily visible to players. No amusement games shall be conducted within the state of Washington wherein the physical limitations affecting

the degree of skill necessary to win a prize are not readily visible to the player. For example, if any target, basket, hoop, can, or other similar device utilized in an amusement game, has any limiting features not readily visible to the player, a duplicate thereof showing the limitation or restriction shall be placed so as to be readily visible to the players.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-07-059 (Order 175), § 230-20-610, filed 3/15/88; Order 55, § 230-20-610, filed 6/25/76.]

WAC 230-20-615 Amusement games--Material degree of skill required--Standards. (1) Notwithstanding that a material degree of chance exists in any amusement game, no amusement game shall be conducted within the state of Washington unless the outcome of said game depends to a material degree upon the skill of the contestant. The director shall determine if a material degree of skill is present and shall submit a report to the commission for final approval of any game. The standard to be applied shall be the following:

(a) Do contestants' physical and or mental abilities play an important and integral role in determining the outcome of the game; or is the outcome based upon chance alone; and

(b) Would the success rate of the average contestant(s) improve with repeated play or practice.

If the outcome is not based upon chance alone and both (a) and (b) are present, a material degree of skill in the outcome of a game shall be deemed to be present.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-07-059 (Order 175), § 230-20-615, filed 3/15/88.]

WAC 230-20-630 Amusement games--Fees, rules, prizes and variations in objects to be posted--Fees to be paid in cash or script--Prizes not to differ from those posted. (1) No person shall conduct any amusement game at any location within the state of Washington unless there is posted in a conspicuous place, readily visible to persons playing the game, a sign(s) made of permanent material, such as wood, poster board, metal or plastic with lettering at least one and one-half inches in height that contains the following information:

(a) Fees charged for playing;

(b) The rules by which the game is to be played;

(c) Prizes to be won;

(d) Any variation in the size or weight of objects utilized in the game which is not readily visible to the player; and

(e) The name of the operator and an assigned concession number.

(2) Licensed amusement game operators shall assign each concession a number and a list of all concessions and their assigned numbers shall be kept available in the show office.

(3) No amusement games shall be conducted wherein the price charged for playing said game is paid other than in cash, or in an amount other than that posted upon the premises of said game. The term "cash" as

used herein shall include checks. In addition, the operator may accept as consideration, tokens, script or tickets, but only under the following conditions:

(a) The value of each token, ticket or item of script, as measured by the equivalent amount of cash which a player would have to present in lieu of said token, ticket or script, must be indicated on the face thereof;

(b) Said tokens, tickets or script are not redeemable for cash;

(c) Said tickets or script shall bear the name of the operator or sponsor.

(4) No amusement games shall be conducted within the state of Washington wherein the prize to be given to a prospective winner is other than that posted upon the premises of said game: Provided, however, That after an individual player has won two or more prizes, an operator may offer said player the opportunity to exchange said prizes for one or more other prizes, but only if the prize to be received by the player in exchange was available to be won during the play of the game. Any prize system which requires forfeiture of previously won prize(s) in exchange for another play is prohibited. Operators of amusement games may utilize a scheme for distribution of prizes wherein the winners of individual prizes receive tickets, which are subsequently redeemable in combination with other tickets won for a merchandise prize.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-07-059 (Order 175), § 230-20-630, filed 3/15/88; Order 55, § 230-20-630, filed 6/25/76.]

WAC 230-20-699 Special amusement game license--Test at limited locations. (1) Beginning June 1, 1988, the commission will conduct a twelve month test to determine the feasibility of allowing the operation of electronic crane and other self-dispensing amusement games at selected locations. For the purposes of this test, operators allowed to participate will be divided into three groups:

(a) Those applicants that possess a valid license from the Washington state liquor board and prohibit minors on their premises; and

(b) Those locations that are frequented by minors to participate in activities other than the playing of amusement devices, limited to movie theaters, bowling alleys, and miniature golf course facilities; and

(c) Those applicants who operate adult-supervised family amusement centers in enclosed shopping centers which prohibit minors from entry during school hours, maintain full-time personnel whose responsibilities include maintaining security and daily machine maintenance, and which close at the same time as surrounding businesses within enclosed shopping centers.

(2) This test shall be conducted using the following rules and limitations:

(a) Each participant shall be required to obtain a Class B through E "special location amusement game" license as set forth in WAC 230-04-201. For the purposes of this test, the operator of the business where the coin operated amusement game(s) is located and operated shall be licensed. If the amusement game(s) is

owned by someone other than the premises operator, that person(s) shall also obtain a license;

(b) Licenses issued under this test will not be subject to the limitations as specified in WAC 230-20-380 and 230-12-230;

(c) The maximum fee to play shall be \$1.00 per game at the locations specified in (1)(a) above, and 25 cents at the locations specified in (1)(b) and (c) above;

(d) The operator(s) cost for each merchandise prize offered shall be equal to or greater than the amount wagered per game;

(e) Prior to being put out for play, all games must be submitted to the commission staff for testing and for ultimate approval by the commission. Provided: The director may approve electronic cranes for use in this test that meet the standards set for [forth] in WAC 230-20-605 (2)(b);

(f) All games must be equipped with nonresetable "coin-in meters" to measure the gross revenue of each game;

(g) All games must have affixed a certification and identification stamp issued by the commission. Each stamp shall cost \$30. Any such game located in an area authorized under 1(a), (b), or (c) which does not have this stamp attached, or licensed under this rule, shall be prima facie evidence of an unauthorized game being used and shall subject said game to immediate seizure and forfeiture under RCW 9.46.230;

(h) Such games shall not be subject to the prohibition on revenue sharing set forth in WAC 230-12-220; and

(i) All operators shall complete and submit a "special coin operated amusement game test" report, in a format provided by the commission, on a monthly basis. This report shall be submitted no later than 15 days following the end of each month:

(3) This test shall expire on May 30, 1989, or at a earlier date if the commission determines that it is in the public interest. At the end of the test period the commission shall evaluate the test results and determine whether the limited locations contained in WAC 230-20-380 should be expanded for self-dispensing amusement games.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14), 88-09-021 (Order 176), § 230-20-699, filed 4/13/88.]

**Chapter 230-25 WAC
FUND RAISING EVENTS**

WAC	
230-25-110	Fund raising event—Use of equipment, lease or rental from licensee only.
230-25-120	Limits upon amount for rent, lease or similar payments for fund raising events.
230-25-150	Pull tabs at fund raising events—Authorized.
230-25-160	Pull tabs at fund raising events—Operational requirements—Limitations.
230-25-250	Operation of punchboards at a fund raising event prohibited.

WAC 230-25-110 Fund raising event—Use of equipment, lease or rental from licensee only. Only those

persons holding a valid license to sell or distribute punchboards, pull tabs, or pull tab dispensing devices shall be authorized to sell or lease gaming equipment and pull tabs to bona fide nonprofit or charitable organizations licensed to conduct fund raising events for use in connection with a licensed fund raising event. All rules and regulations of the commission relating to the sale or distribution of punchboards, pull tabs, or pull tab dispensing devices by such distributors, shall be likewise applicable to the sale or rental by them of gaming equipment and pull tabs for use in a licensed fund raising event, except to the extent such rules are inconsistent with the provisions of this section: Provided, commission approval of such gaming equipment shall not be required, nor shall identification stamps be required for such equipment: Provided further, a licensee to conduct fund raising events may sell, loan or rent equipment acquired for its own fund raising event to another such licensee without being licensed as a distributor.

No sale or rental of gaming equipment for use in a licensed fund raising event shall be transacted except on commercially reasonable terms established in the competitive market. All rentals shall be a lump sum or hourly rate, and shall not be based upon a percentage of the income or profit derived from the conduct of the fund raising event.

No licensee to conduct fund raising events shall purchase or rent gaming equipment except from another such licensee, or from a licensed distributor.

Any bona fide charitable or nonprofit organization licensed to conduct fund raising events may utilize such equipment, not otherwise prohibited by law or these regulations, as is owned or constructed by such licensee, or which is borrowed or leased from another bona fide charitable or nonprofit organization which has been licensed by the commission to conduct fund raising events.

No licensee to conduct fund raising events shall use, or permit the use of, equipment owned by it for any purpose other than the operation of licensed fund raising events, or other authorized gambling activities by the licensee: Provided, however, That the licensee may, within the twelve calendar month period following the conduct of the fund raising event for which it was licensed, loan or rent such equipment to another bona fide charitable or nonprofit organization for use in conjunction with a licensed fund raising event.

[Statutory Authority: RCW 9.46.070, 88-19-038 (Order 183), § 230-25-110, filed 9/13/88. Statutory Authority: RCW 9.46.020(5) and § 1(5), chapter 326, Laws of 1977 ex. sess., and RCW 9.46.070(4), 78-03-061 (Order 81), § 230-25-110, filed 2/22/78; Order 80, § 230-25-110, filed 12/28/77.]

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, noncoin operated pull tab dispensing devices, pull tab scales, delivery thereof and any schooling in its use. This limitation shall not apply to the sale of pull tabs.

(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. 88-19-038 (Order 183), § 230-25-120, filed 9/13/88. 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 230-25-150 Pull tabs at fund raising events-- Authorized. Pull tabs are authorized for use at fund raising events and shall be treated as conducted solely pursuant to the license to conduct a fund raising event. Except where superseded by WAC 230-25-160, all rules applicable to the operation of pull tabs set forth in chapter 230-30 WAC shall be applicable to pull tabs utilized at fund raising events.

[Statutory Authority: RCW 9.46.070. 88-19-038 (Order 183), § 230-25-150, filed 9/13/88.]

WAC 230-25-160 Pull tabs at fund raising events-- Operational requirements--Limitations. (1) The following requirements shall be utilized in the sale of pull tabs at fund raising events.

(a) All pull tab series for use at fund raising events shall contain the inspection identification stamps and record entry labels and shall be purchased for specific use at fund raising events and delivered to the licensee no earlier than 24 hours before the commencement of the event.

(b) Pull tabs shall only be sold out of the original shipping container or a noncoin operated dispensing device (clear container). Pull tab prices shall be equal to the price set by the manufacturer for each specific series. The maximum price for any pull tab shall not exceed fifty cents.

(c) Up to a maximum of three pull tab series may be out for play at one time. All pull tabs shall be sold from a booth or similar confined area which prohibits public access to the pull tabs;

(d) Each pull tab series shall constitute a separate table and have a separate number. Each series shall have a separate corresponding lock box, money paddle, chip rack for making change and payment of prizes, and a winners register. All currency, coin, or chips used to purchase pull tabs, shall immediately be placed in the corresponding lock box by the attendant(s) on duty. All change given back to players shall be in the form of chips or coin.

(e) All winning pull tabs shall be defaced when cashed in and deposited in the corresponding lock box. Winning pull tabs shall be paid in chips and coin only. Provided: Winning pull tabs may be redeemed for additional tabs from the same series only. When a winning pull tab of \$5 or more is cashed, the attendant shall immediately delete that prize from the corresponding flare with a black marker. In addition, the attendant(s) shall fill out the winners register for prizes paid in excess of twenty dollars;

(f) When a series is removed from play, the series (including the flare), the corresponding lock box and chip rack shall be transported to the count room by a runner at which time the box shall be opened for tabulation. All monies collected, prizes paid and tabs sold

shall be tabulated and recorded on the pull tab accounting report furnished by the commission in accordance with the instructions attached to the accounting report.

(g) After completing the count, winning pull tabs shall be packaged separately or banded and placed with the unused portion of that particular series in the original shipping container. The organization must retain the used series for a period of one year; and

(h) At the completion of the fund raising event, all series still out for play shall be transported to the count room in accordance with paragraphs (f) and (g). All unopened pull tab series shall be returned to the licensed distributor who furnished the series for a full refund. Pull tabs may not be sold, or transferred to another licensee.

[Statutory Authority: RCW 9.46.070. 88-19-038 (Order 183), § 230-25-160, filed 9/13/88.]

WAC 230-25-250 Operation of punchboards at a fund raising event prohibited. No licensee to conduct a fund raising event shall operate punchboards as a part of that event.

[Statutory Authority: RCW 9.46.070. 88-19-038 (Order 183), § 230-25-250, filed 9/13/88; Order 80, § 230-25-250, filed 12/28/77.]

Chapter 230-30 WAC PUNCHBOARDS AND PULL TABS

WAC

230-30-015	Substitute flares.
230-30-018	Transfer of any gambling devices requiring identification and inspection services stamps to be affixed—Requirement for documentation.
230-30-055	Standards for construction of punchboards.
230-30-060	Punchboard restrictions.
230-30-070	Control of prizes.
230-30-072	Punchboard and pull tab inventory and retention requirements.
230-30-103	Standards for construction of pull tabs.
230-30-106	Standards for flares, made by manufacturers; distributors; operators.
230-30-300	Recall of defective punchboards, pull tabs or pull tab dispensing devices.
230-30-999	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

230-30-999	Test of continuous play/open ended pull tab series. [Statutory Authority: RCW 9.46.070 (8), (11) and (14). 85-03-024 (Order 142), § 230-30-999, filed 1/9/85.] Repealed by 87-15-052 (Order 169), filed 7/14/87. Statutory Authority: Chapter 9.46 RCW.
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WAC 230-30-015 Substitute flares. A substitute flare may be utilized on punchboards or pull tabs. Substitute flares shall have the Washington state identification and inspection services 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 device by the manufacturer. If a substitute flare is used for a pull tab series, then the manufacturer's flare, with the manufacturer's series number and the identification and inspection services 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 recording the Washington state identification and inspection services stamp number on the substitute flare shall rest with the manufacturer, distributor, or operator who changes the original flare and attaches the substitute flare.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-30-015, filed 6/14/88. 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.]

WAC 230-30-018 Transfer of any gambling devices requiring identification and inspection services stamps to be affixed—Requirement for documentation. (1) Persons selling or otherwise furnishing punchboards, pull tabs, or pull tab dispensing devices shall account for every such device received and/or transferred. All transfers shall be made by completing a sales invoice or credit memo. Each invoice or credit memo shall set out the identification and inspection services stamp number affixed to each device transferred.

(2) Manufacturers shall maintain records that will allow accountability for all identification and inspection services stamps issued to them by the commission, for at least three years after they are affixed to devices and sold. This accountability shall be by indefinite retention of unused or damaged stamps or by records as set out in WAC 230-08-025: Provided that damaged stamps may be returned to the commission and will be replaced with serviceable stamps if they are accompanied by a detailed listing of the damaged stamp numbers and a ten cent per stamp service charge.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-30-018, filed 6/14/88. 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 230-30-055 Standards for construction of punchboards. All punchboards sold for use in the state of Washington must comply with the following standards:

(1) PATTERNS: The punchboard shall be manufactured with special care so as to eliminate any patterns between punchboards, or portions of punchboards, from which the location or approximate location of winning punches may be determined. Manufacturers shall employ at least the following steps to insure that no pattern exists.

(a) The form or permanent number sheets shall be mixed prior to cutting;

(b) After the strips (straws) have been crimped, all strips shall be thoroughly mixed prior to insertion in punchboards;

(c) When filling punchboards, workers shall alter the procedures for filling sets of punchboards; and

(d) No more than eight punchboards from any one set of boards shall be included in any case of punchboards for shipment to Washington.

(2) **SERIAL NUMBERS:** Effective July 1, 1988, serial numbers set forth on the form or permanent number sheets shall be nonsequential so as to ensure that no pattern is created which would permit the tracking of boards through the serial number.

(3) **GUARANTEED NUMBERS:** All numbers or symbols designated as winners on the flare must be guaranteed by the manufacturer as being present in the board. The manufacturer may at their option place a sticker or equivalent on the back of each punchboard setting forth additional numbers or symbols that are guaranteed to be in the board. The additional numbers or symbols on the back of the board shall not exceed 5% of the total punches in the board without the written permission of the commission.

(4) **SECURITY:** All punchboards must be sealed so it is impossible to determine the number or symbol of any punch prior to being punched out of the board by any method or device including but not limited to the use of markings or light.

(5) **STEP-UP BOARDS:**

(a) All cards, straws, or punches that contain the winners in the step-up portion of any punchboard shall be completely sealed so as to prevent premature winner identification and such items shall be thoroughly mixed so as to ensure that no pattern of winners exists.

(b) Step-up boards that contain winners covered by seals must have at least twenty-five different face sheets for use on that specific step-up board. Face sheets shall be utilized in such a manner so as to ensure random distribution during the manufacturing process.

[Statutory Authority: RCW 9.46.070 (11) and (14). 87-24-016 (Order 173), § 230-30-055, filed 11/23/87.]

WAC 230-30-060 Punchboard restrictions. (1) No operator shall put out for play, and no manufacturer shall sell or furnish to any person, any punchboard or electronic punchboard:

(a) Which has not been submitted to the commission staff and been approved for sale by the commission staff in the state of Washington. An identical prototype of the electronic punchboard must be submitted to the commission for review and approval. The commission shall retain the device actually submitted when approved.

(b) 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.

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

(d) Wherein the winning punches or approximate location of any winning punches can be determined in advance of punching the punchboard in an [any] manner or by any device, including, but not limited to, any patterns in manufacture, assembly, packaging or programming. Winning punches shall be distributed and mixed

among all other punches in the punchboard. The punchboard shall be manufactured or programmed 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.

(2) When electronic punchboards are submitted for approval or modification, the commission shall assess an estimated fee to the person submitting the request, which fee is equal to the actual cost of review and analysis of the electronic punchboard submitted and which fee shall be paid prior to the electronic punchboard being approved for use and sale in the state of Washington. Excess fees collected shall be returned to the applicant at the completion of the review and analysis.

[Statutory Authority: Chapter 9.46 RCW. 87-03-023 (Order 164), § 230-30-060, filed 1/13/87. 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. 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 for a period of four 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] (8), (14). 87-17-052 (Order 171), § 230-30-070, filed 8/18/87. Statutory Authority: Chapter 9.46 RCW. 87-03-023 (Order 164), § 230-30-070, filed 1/13/87. 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 230-30-072 Punchboard and pull tab inventory and retention requirements. Each punchboard and pull tab series purchased or otherwise obtained by an operator shall be controlled and accounted for in the following manner:

(1) Each operator shall closely monitor punchboard and pull tab series purchased to assure that all identification and inspection service stamp numbers are correctly entered in all records and each device purchased is recorded. The following control procedures apply:

(a) After the close of business on September 30, 1988, and before operating punchboards and pull tabs after that date, each operator shall take a physical inventory of all punchboards and pull tabs in-play and awaiting play and record the following information separately for punchboards and pull tabs:

(i) Name of game; and

(ii) I.D. stamp number;

(b) At the time punchboards and pull tabs are delivered, each operator will assure that all purchase invoice data is correct by comparing the actual I.D. stamp numbers on each punchboard/pull tab series to the numbers entered on the purchase invoices;

(c) After December 31, 1988, all purchases of punchboards or pull tabs shall be recorded on a standard distributor's invoice, which includes space for the operator to either attach a records entry label or enter the identification and inspection stamp number and the date the

device was placed out for play. For all punchboards or pull tab series purchased after December 31, 1988, the operator shall enter the date and the identification and inspection service stamp number in the space on the invoice, adjacent to the distributors entry, by either attaching a records entry label or by written entry;

(d) After December 31, 1988, if a device is returned to a distributor for any reason, including commission required recall, the operator shall record the date, invoice or credit memo number, and "returned" on the original purchase invoice: Provided, that licensees may use a commission approved inventory log to comply with subsections (c) and (d) of this section;

(2) Each punchboard or pull tab series which is removed from operation, together with the prize flare, all unplayed tabs, and all winning punches or tabs, shall be retained by the operator for at least four months following the last day of the month in which it was removed from play. The board, unplayed tabs, flare, and all winning punches or tabs shall remain available for inspection, on the licensed premises, by commission agents and/or local law enforcement and taxing agencies: Provided, that devices may be stored off premise if they are produced for inspection upon demand;

(3) Each punchboard or pull tab series which is not placed out for public play or returned to the distributor or manufacturer from whom it was originally purchased, must be retained on the licensed premises and made available for inspection by commission agents and/or local law enforcement and taxing agencies: Provided, that devices may be stored off premise if they are produced for inspection upon demand;

(4) Each punchboard or pull tab series which is deemed by the operator to be defective or unplayable, for any reason, shall not be returned to the distributor or manufacturer without approval from the commission. If it is found to be defective after it has been placed out for play, all other rules apply and it must be recorded as required by WAC 230-08-010: Provided, that the retention time required by subsection (2) above may be shortened by the commission upon inspection and written release by a commission agent.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-13-060 (Order 179), § 230-30-072, filed 6/14/88.]

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, 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. Spindle-type pull tab series when played in the manner set out in WAC 230-30-070(8) are exempt from this requirement.

[Statutory Authority: Chapter 9.46 RCW. 87-15-052 (Order 169), § 230-30-103, filed 7/14/87. 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 230-30-106 Standards for flares, made by manufacturers; distributors; operators. (1) Except as set forth in paragraph (2) below, the flare advertising prizes available from the operation of any punchboard, or any series of pull tabs shall be made by the manufacturer only, winning numbers or symbols shall not be altered by any operator or distributor, and shall:

(a) Be placed only upon the upper face, or on the top, of any such punchboard or any device used to dispense the pull tabs; and

(b) Clearly set out each of the prizes available and the number or symbol which wins prizes; and

(c) Set out the winning numbers or symbols for prizes of five dollars or more in cash, or merchandise worth five dollars or more at retail, in such a manner that each may be easily and clearly deleted or marked off as each prize is won and awarded. For the purposes of this subsection the retail value of a merchandise prize shall be the amount actually paid therefore by the licensed operator plus 50 percent of that actual cost.

(2) Distributors and operators that make merchandise packages and merchandise-cash combination packages may make and use substitute flares in accordance with WAC 230-30-015 as long as the following conditions are satisfied:

(a) The substitute flare complies with the requirements of 1(a), (b), and (c) of this section;

(b) The winning numbers or symbols on the substitute flare are selected from the winning numbers or symbols on the flare made by the manufacturer, or from the optional numbers placed on the back of the board by the manufacturer; and

(c) The substitute flare is stapled to the manufacturer's flare.

(3) Spindle-type pull tab series when played in the manner set out in WAC 230-30-070(8) are exempt from this section.

[Statutory Authority: RCW 9.46.070 (11) and (14). 87-24-016 (Order 173), § 230-30-106, filed 11/23/87. Statutory Authority: RCW 9.46.070(10). 79-09-029 (Order 91), § 230-30-106, filed 8/14/79; Order 43, § 230-30-106, filed 11/28/75.]

WAC 230-30-300 Recall of defective punchboards, pull tabs or pull tab dispensing devices. (1) Upon a determination that punchboards, pull tabs or pull tab dispensing devices for sale in Washington do not meet commission standards, the director may order all defective products and all similarly constructed or printed products be recalled by the manufacturer(s).

(2) If the director orders such a recall, the manufacturer of the product shall be immediately notified regarding the items to be recalled, reason for the recall, effective date of the recall, and any other specific requirements. The verbal notification shall be followed with a written notification. Immediately upon the oral notification, manufacturers shall cease sale in the state and initiate actions to ensure complete compliance with the recall. Manufacturers will notify all distributors within 72 hours of the items recalled, effective date of recall, and arrange for the prompt return of the defective items. Distributors, when notified in writing by either manufacturer or commission of the recall, shall immediately stop sales and/or delivery of the product.

(3) The commission shall notify, in writing, each licensed distributor of gambling paraphernalia of the recall, effective dates thereof, the products involved, and of any special instructions if applicable. Within 72 hours, the distributor shall notify the Commission of the name and addresses of operators who have purchased the recalled item(s) during the last 30 days.

(4) When the distributors have provided the names of the operators, the commission shall then notify, in writing, each affected licensed operator as to the items recalled, effective date and special instructions, if applicable. Operators shall not utilize any defective punchboards, pull tabs or pull tab dispensing devices after receiving written notification from the commission.

(5) Prior to any reintroduction in the state of any recalled or similar item, the manufacturer must first submit the revised or reworked item to the commission for review, evaluation and approval. The manufacturer will be notified in writing, of the approval or disapproval and a copy of the approving letter will be sent by the manufacturer to the distributor with the next five shipments of the reworked item.

[Statutory Authority: RCW 9.46.070 (8), (11) and (14). 88-07-059 (Order 175), § 230-30-300, filed 3/15/88.]

WAC 230-30-999 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 230-40 WAC
CARD GAMES**

WAC

230-40-010	Types of card games authorized.
230-40-030	Number of tables and players limited.
230-40-055	Card tournaments for fee and prizes—Reporting requirements.

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

(1) Poker.

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

(2) Hearts.

(3) Pinochle.

(4) Cribbage.

(5) Rummy.

(6) Mah-jongg (tiles).

(7) Pan.

(8) Pitch.

Card games not herein authorized are prohibited.

[Statutory Authority: RCW 9.46.070. 88-19-038 (Order 183), § 230-40-010, filed 9/13/88. Statutory Authority: Chapter 9.46 RCW. 86-19-056 (Order 161), § 230-40-010, filed 9/15/86. Statutory Authority: RCW 9.46.070(11). 82-23-050 (Order 125), § 230-40-010, filed 11/15/82. Statutory Authority: RCW 9.46.070(10) (see RCW 9.46.020(20)). 80-09-067 (Order 103), § 230-40-010, filed 7/17/80; Order 78, § 230-40-010, filed 11/17/77; Order 67, § 230-40-010, filed 3/11/77; Order 40, § 230-40-010, filed 6/26/75; Order 23, § 230-40-010, filed 9/23/74.]

WAC 230-40-030 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. Provided: when poker is played, additional players are authorized to participate at the card table(s) as follows;

- | | |
|---------------------------------------|-----------|
| (a) Class E-1 | 2 players |
| (b) Class E-2 thru E-5
and Class D | 4 players |

Provided further, that no table shall have more than twelve players.

(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. Provided, when poker is played, they may have two tables with 12 players at each table.

(3) The commission may permit a licensee to exceed the player 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 9.46.0281 and 9.46.070 (11), (12) and (14). 88-22-019 (Order 184), § 230-40-030, filed 10/24/88. 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 230-40-055 Card tournaments for fee and prizes—Reporting requirements. (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 single or multiple buy-in exceeds \$50.00. 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, events of the tournament, food and drink offerings, and promotional material. The fee to enter a tournament and a description of all goods and services to be provided as a part of the tournament must be fully disclosed to each entrant prior to their paying such fee. Such disclosure must be posted conspicuously on the premises at the time payment is received and remain posted until the tournament is complete. This same information must be included in all advertisements for said tournament.

(3) All fees paid to enter a tournament shall be reported as gross gambling receipts: Provided, that if an operator prepares and provides food and drink items to all tournament entrants on the licensed premises as a part of their entry fee, the fair market value of the food and drink provided, not to exceed \$25 or 50% of the entry fee, whichever is greater, shall be treated as sales of food and drink for on premise consumption and not included as gross gambling receipts. Such sales, must be properly supported by records: Provided further, that if an operator provides items promoting the tournament or licensed business, such as hats, t-shirts, etc., to all participants as a part of their entry fee, the actual cost of such items, supported by invoices and other such records, shall be deducted as prizes in determining adjusted net gambling receipts for compliance with WAC 230-12-075.

(4) In addition to the entry fee, a minimum buy-in of chips may be required. The total buy-in per player shall not exceed \$200.00 per tournament and may be either a single or multiple buy-in during the course of the tournament. A record of the buy-ins for each participant will be maintained by the licensee in a format provided by the commission. All buy-ins of chips are not gross

gambling receipts and shall be returned to the participants in the form of prizes. Prizes from buy-ins are not deductible for commercial stimulant purposes.

(5) 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. The licensee's actual cost for prizes awarded to the players may be deducted from the gross gambling receipts generated by the entry fees.

(6) The licensee shall adopt tournament rules to facilitate the operation of card tournaments: *Provided*, that all tournament rules for tournaments where the single or multiple buy-in exceeds \$50.00 must be submitted to the commission for approval. All tournament rules must be posted where all tournament participants can see and read the rules.

(7) The licensee shall maintain a record of all such fees collected and the number of participant for each tournament conducted. This information shall be entered in a format approved by the commission. The total gross gambling receipts for the tournament shall be entered on the card room daily control sheet for the time and date the tournament begins and the record of participants shall be attached and maintained with that daily control sheet.

(8) 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: *Provided*, the name and address of each participant receiving promotional items as set forth in paragraph (3) above shall not be required on the prize record. The record shall be attached to the daily control sheet used on the date the majority of the prizes are awarded.

[Statutory Authority: RCW 9.46.0281 and 9.46.070 (11), (12) and (14). 88-22-019 (Order 184), § 230-40-055, filed 10/24/88. Statutory Authority: Chapter 9.46 RCW. 86-17-057 (Order 160), § 230-40-055, filed 8/18/86. 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.]

Chapter 230-46 WAC UNLICENSED ACTIVITIES

WAC

230-46-020	Definitions.
230-46-070	Punchboards/pull tabs and pull tab dispensing devices not to be used in promotional contests— Exception.

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 of chance" means a scheme designed to promote a specific business, product(s) or service, and not the scheme itself, in which a person, association, or an organization may distribute money or

property among individuals who have agreed to participate in a contest of chance equally with other participants, providing no participant is required to do more than the allowable methods of entry authorized under the provisions of RCW 9.46.0355.

(3) "Promotional material" means all material which defines the rules of a particular promotional contest of chance, which may extend to a description or an explanation of a product(s), service(s), or combination(s) thereof being promoted.

(4) "Perusing promotional material" means to read or examine contest rules and/or the specific product(s), service(s), or combination(s) thereof being promoted: *Provided*, That the contest rules or its promotional material shall disclose any additional requirement(s) to attend a demonstration, tour a facility or specific areas, visit a specified location or similar activity, to include the approximate length of time in connection with a promotional scheme: *Provided further*, That any tour, demonstration, visit, or combination of requirement(s) will not extend beyond a total of two consecutive hours in duration.

[Statutory Authority: RCW 9.46.070 (11) and (14). 88-17-050 (Order 182), § 230-46-020, filed 8/16/88. Statutory Authority: RCW 9.46.030(10) and 9.46.070 (14) and (20). 86-08-007 (Order 156), § 230-46-020, filed 3/20/86. Statutory Authority: RCW 9.46.070 (3), (8) and (11). 85-09-040 (Order 149), § 230-46-020, filed 4/15/85.]

WAC 230-46-070 Punchboards/pull tabs and pull tab dispensing devices not to be used in promotional contests—Exception. (1) Punchboards/pull tabs and pull tab dispensing devices may not be used as a part of any promotional contest of chance as authorized in RCW 9.46.0355. This prohibition shall not apply to promotional game cards which could otherwise qualify as pull tabs when such game cards meet the following standards:

(a) The promotional game cards are readily distinguishable from any specific pull tab series or pull tab type used within the state of Washington;

(b) The promotional game cards are designed and manufactured for a specific and unique promotional contest of chance;

(c) The promotional game cards clearly display the name of the sponsoring business or the name of the product(s) being promoted;

(d) The promotional game cards do not or have never contained a price per play on the card;

(e) The official rules of play including the language "no purchase necessary" are printed on the back of each promotional game card; and

(f) A game card or prototype thereof, must be submitted to the commission for review prior to being utilized in this state.

(2) Promotional game cards, punchboards/pull tabs or dispensing devices found to be in violation of this prohibition shall be subject to immediate seizure pursuant to RCW 9.46.230.

[Statutory Authority: RCW 9.46.070 (11) and (14). 88-17-050 (Order 182), § 230-46-070, filed 8/16/88.]