

**SENATE BILL REPORT**

**ESB 5940**

**AS PASSED SENATE, JUNE 25, 1991**

**Brief Description:** Requiring legislative approval for lottery or electronic gambling devices.

**SPONSORS:** Senators Hayner, Bailey, Roach, Craswell, Oke, Erwin, Johnson, Bluechel, Barr, Cantu and Metcalf.

**SENATE COMMITTEE ON WAYS & MEANS**

**Majority Report:** Do pass.

Signed by Senators McDonald, Chairman; Craswell, Vice Chairman; Bailey, Bluechel, Cantu, Hayner, Johnson, Metcalf, Newhouse, L. Smith, West, and Wojahn.

**Staff:** Terry Wilson (786-7715)

**Hearing Dates:** March 11, 1991

**BACKGROUND:**

The federal Indian Gaming Regulatory Act (IGRA) provides a comprehensive scheme to govern gambling on Indian reservations. Under the IGRA, gambling is divided into three categories. Class I gaming consists of social games solely for prizes of minimal value or traditional forms of Indian gaming engaged in by individuals as a part of or in connection with tribal ceremonies or celebrations. Class II gaming includes bingo and, if played at the same location as bingo, pull-tabs, lotto, punchboards, tip jars, instant bingo and other games similar to bingo, provided the state permits such gaming by anyone for any purpose. Class III gaming includes all forms of gaming that are not class I or class II.

Class III games are lawful on Indian lands only if the games are located in a state that permits the gaming for any purpose by any person, organization, or entity. Class III games may not be conducted unless a compact governing the specific form of gambling is in effect between the state and the tribe. The state must negotiate with the tribe in good faith. Permitted class III gaming is subject to state regulation under the terms of the compact.

Class III gaming allowed under state law includes on-track and satellite betting on horse racing, the state lottery, and charitable casino nights. The state lottery is authorized to use electronic or mechanical devices or video terminals which do not require a printed ticket.

**SUMMARY:**

The state lottery is prohibited from using electronic or mechanical devices or video terminals which do not require a printed ticket. The authorization for charitable casino nights is eliminated.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**TESTIMONY FOR:** None

**TESTIMONY AGAINST:**

Reno nights raise money for many charitable and community needs. The bill takes away an important source of income. On Indian reservations the revenues would be used to fund social and health programs. The compacts limit hours and wagers.

**TESTIFIED:** Doris Wells-Snyder, WA State Eagles Auxiliary (con); Wayne Williams, Doug Bell, Tulalip Tribes (con); Lynn Melby, Stuart Halsan, WA State Federation of Clubs (con)