

# HOUSE BILL REPORT

## ESB 5745

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*As Reported By House Committee on:  
Commerce & Labor*

**Title:** An act relating to special amusement game licenses.

**Brief Description:** Clarifying licensing requirements for special amusement games.

**Sponsor(s):** Senators Moore, Matson, West, McMullen, von Reichbauer, Murray, Stratton, Anderson and Bauer.

**Brief History:**

Reported by House Committee on:  
Commerce & Labor, April 2, 1991, DPA.

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**HOUSE COMMITTEE ON  
COMMERCE & LABOR**

**Majority Report:** *Do pass as amended.* Signed by 11 members: Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

**Staff:** Jim Kelley (786-7166).

**Background:** The Gambling Commission licenses and regulates amusement games within the state. "Amusement game" is defined as a game played for entertainment in which: the contestant actively participates; the outcome depends in a material degree upon the skill of the contestant; only merchandise prizes are awarded; the outcome is not in the control of the operator; and the game is administered in the presence of participants. These games include Fishpond, Hoop Toss, Football and Basketball Toss, and Skeet Ball.

"Amusement games" may only be conducted at locations specifically authorized by the Gambling Commission. Authorized locations include: agricultural fairs; civic centers of a county, city or town; world's fairs; annual civic festivals; annual shopping center expositions, limited to 17 days; and amusement parks.

Under the commission's existing guidelines, shopping mall amusement centers are not permitted to conduct amusement games on a continual basis throughout the year.

**Summary of Amended Bill:** The Gambling Commission's existing regulations regarding the authorized locations of amusement games are codified. Authorized locations include: agricultural fairs; civic centers of a county, city, or town; world's fairs; annual civic festivals; annual shopping center expositions, limited to 17 days; and amusement parks.

Certain additional locations are authorized to conduct amusement games, including regional shopping centers, liquor licensed premises, movie theaters, bowling alleys, miniature golf facilities, amusement centers, and certain restaurants.

A "regional shopping center" is defined as a center developed and operated for retail sales consisting of more than 600,000 square feet. An "amusement center" is a permanent location whose primary source of income is from the operation of 10 or more amusement games. The restaurants authorized to conduct amusement games are those offering certain other types of family entertainment.

Amusement games may only be conducted in a location conforming with local zoning, fire and health regulations, and with the written permission of the organization owning the premises or sponsoring the event in which the games are operated.

The new locations in which amusement games may be conducted are required to meet certain criteria. They must provide adult supervision during all hours of operation, prohibit school age minors from entry during school hours, maintain full time security and maintenance personnel, and limit hours of operation to prohibit minors from playing the games after 10:00 p.m.

**Amended Bill Compared to Engrossed Bill:** The amended bill authorizes the conduct of amusement games at the following additional locations: liquor licensed premises; movie theaters; bowling alleys; miniature golf facilities; amusement centers; and certain restaurants that provide other types of family entertainment.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill is carefully drafted to ensure that it is consistent with the Gambling Commission's philosophy of strict regulation. We are the only state that prohibits private business from operating this kind of amusement game. Amusement games provide wholesome family

entertainment. The businesses that the bill authorizes to conduct these games can provide the needed security.

**Testimony Against:** The original bill is too exclusive.

**Witnesses:** Senator Ray Moore, Prime Sponsor; Denny Eliason, Sabey Corporation (in favor); Robert Reeder, Nickles and Dimes, Inc. (in favor); Richard Poston, Arrow Amusement (in favor as amended); Sam Thompson and Don Tarabochia, Chuck E. Cheese (in favor as amended); Duane Nelson, Washington State Bowling Properties (in favor as amended); Ray Galonte, Music-Vend Distribution Co. (in favor); Al Marsh, Washington Amusement and Music Operators Association (in favor); Ed Pearson, Seattle Miniature Golf, Inc., Funplex (in favor); Anthony Walker, Entertainment Zones, Inc. (in favor); and Sean Layman, Amusement Services (in favor). Providing information: Frank Miller, Washington State Gambling Commission.