



HOUSE BILL No. 5085

October 12, 1993, Introduced by Reps. Joe Young, Jr., Varga, Scott, Harrison, Points, Leland and Murphy and referred to the Committee on State Affairs.

A bill to amend the title and sections 2 and 8 of Act No. 382 of the Public Acts of 1972, entitled as amended "Traxler-McCauley-Law-Bowman bingo act," as amended by Act No. 229 of the Public Acts of 1981, being sections 432.102 and 432.108 of the Michigan Compiled Laws; and to add section 3a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 2 and 8 of Act No. 382 of
2 the Public Acts of 1972, as amended by Act No. 229 of the Public
3 Acts of 1981, being sections 432.102 and 432.108 of the Michigan
4 Compiled Laws, are amended and section 3a is added to read as
5 follows:

TITLE

1

2

3 An act to license and regulate the conducting of bingo and
4 certain other forms of gambling; to provide for the conducting of
5 charity games; TO CREATE A BINGO COMMISSION; to impose certain
6 duties and authority upon certain state departments, agencies,
7 and officers; to provide a tax exemption; and to provide
8 penalties.

8

9 Sec. 2. (1) "Bingo" means that specific kind of game of
10 chance commonly known as bingo in which prizes are awarded on the
11 basis of designated numbers or symbols on a card conforming to
12 numbers or symbols selected at random.

12

13 (2) "BINGO COMMISSION" OR "COMMISSION" MEANS THE BINGO COM-
14 MISSION CREATED IN SECTION 3A.

14

15 (3) ~~(2)~~ "Bureau" means the bureau of state lottery as cre-
16 ated by THE MCCAULEY-TRAXLER-LAW-BOWMAN-MCNEELY LOTTERY ACT, Act
17 No. 239 of the Public Acts of 1972, as amended, being sections
18 432.1 to 432.47 of the Michigan Compiled Laws.

18

19 (4) ~~(3)~~ "Charity game" means the random resale of a series
20 of charity game tickets by a qualified organization ~~which~~ THAT
21 has purchased the charity game tickets from the bureau or a
22 licensed supplier in conjunction with a licensed bingo game or a
23 licensed millionaire party.

23

24 (5) ~~(4)~~ "Charity game ticket" means a ticket ~~which~~ THAT
25 is approved and acquired by the bureau and is distributed and
26 sold by the bureau or a licensed supplier to a qualified organi-
27 zation for random resale in conjunction with a licensed bingo
28 game or a licensed millionaire party whereby upon removal of a

1 portion of the ticket to discover whether the ticket is a winning
2 ticket the purchaser may be awarded a prize. These tickets are
3 commonly referred to as "break open tickets".

4 (6) ~~-(5)-~~ "Commissioner" means the commissioner of state
5 lottery as defined by section 3 of Act No. 239 of the Public Acts
6 of 1972, BEING SECTION 432.3 OF THE MICHIGAN COMPILED LAWS.

7 (7) ~~-(6)-~~ "Equipment" means the receptacle and numbered
8 objects drawn from it, the master board upon which ~~such~~ THE
9 objects are placed as drawn, the cards or sheets bearing numbers
10 or other designations to be covered and the objects used to cover
11 them, and the boards or signs, however operated, used to announce
12 or display the numbers or designations as they are drawn.

13 Equipment includes devices and materials customarily used in the
14 operation of a gambling casino on those occasions when a license
15 for the operation of a millionaire party is issued.

16 (8) ~~-(7)-~~ "Location" means a single building, hall, enclo-
17 sure, or outdoor area used for the purpose of playing bingo, or
18 conducting a millionaire party pursuant to a license issued under
19 this act.

20 (9) "MILLIONAIRE PARTY" MEANS AN EVENT AT WHICH WAGERS ARE
21 PLACED UPON GAMES OF CHANCE CUSTOMARILY ASSOCIATED WITH A GAMBL-
22 ING CASINO THROUGH THE USE OF IMITATION MONEY THAT HAS A NOMINAL
23 VALUE THAT IS GREATER THAN THE VALUE OF THE CURRENCY FOR WHICH IT
24 WAS EXCHANGED OR IS EXCHANGEABLE.

25 (10) ~~-(8)-~~ "Special occasion" means a single gathering or
26 session at which a series of successive bingo games or other

1 gambling events authorized by this act are played pursuant to a
2 special license issued under section 7.

3 ~~(9) "Millionaire party" means an event at which wagers are~~
4 ~~placed upon games of chance customarily associated with a gamb~~
5 ~~ing casino through the use of imitation money which has a nominal~~
6 ~~value that is greater than the value of the currency for which it~~
7 ~~was exchanged or is exchangeable.~~

8 SEC. 3A. (1) A BINGO COMMISSION IS CREATED AS AN AUTONOMOUS
9 BODY WITHIN THE DEPARTMENT OF TREASURY. THE COMMISSION SHALL
10 CONSIST OF THE FOLLOWING 7 MEMBERS APPOINTED NOT LATER THAN
11 DECEMBER 31, 1993 BY THE GOVERNOR:

12 (A) 1 EQUIPMENT SUPPLIER.

13 (B) 1 EQUIPMENT MANUFACTURER.

14 (C) 1 BINGO HALL OWNER.

15 (D) 1 GAME OPERATOR.

16 (E) 1 GAME PLAYER.

17 (F) 1 MEMBER OF THE GENERAL PUBLIC.

18 (G) 1 REPRESENTATIVE OF LAW ENFORCEMENT.

19 (2) A MEMBER OF THE COMMISSION WHO, DURING HIS OR HER TERM
20 OF OFFICE, NO LONGER REPRESENTS THE SECTOR THAT HE OR SHE WAS
21 APPOINTED TO REPRESENT SHALL CEASE TO BE A MEMBER OF THE
22 COMMISSION.

23 (3) THE MEMBERS OF THE COMMISSION APPOINTED BY THE GOVERNOR
24 UNDER SUBSECTION (1) SHALL BE APPOINTED FOR TERMS OF 3 YEARS,
25 EXCEPT THAT OF THE MEMBERS FIRST APPOINTED, 2 MEMBERS SHALL SERVE
26 FOR 1 YEAR, 2 MEMBERS SHALL SERVE FOR 2 YEARS, AND 3 MEMBERS
27 SHALL SERVE FOR 3 YEARS, AS DESIGNATED BY THE GOVERNOR. A

1 VACANCY CAUSED BY EXPIRATION OF A TERM SHALL BE FILLED IN THE
2 SAME MANNER AS THE ORIGINAL APPOINTMENT. A MEMBER APPOINTED TO
3 FILL A VACANCY CREATED OTHER THAN BY EXPIRATION OF A TERM SHALL
4 BE APPOINTED FOR THE BALANCE OF THE UNEXPIRED TERM OF THE MEMBER
5 TO BE SUCCEEDED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.
6 THE GOVERNOR MAY REMOVE A MEMBER FOR CAUSE WHICH SHALL BE
7 EXPLAINED IN WRITING TO THE COMMISSION.

8 (4) THE COMMISSION SHALL ANNUALLY ELECT 1 OF ITS MEMBERS TO
9 SERVE AS CHAIRPERSON AND 1 OF ITS MEMBERS TO SERVE AS
10 VICE-CHAIRPERSON.

11 (5) THE COMMISSION SHALL MEET AT LEAST ONCE EVERY 3 MONTHS
12 AT THE CALL OF THE CHAIRPERSON, AND THE BUSINESS OF THE COMMIS-
13 SION SHALL BE CONDUCTED AT A PUBLIC MEETING HELD IN COMPLIANCE
14 WITH THE OPEN MEETINGS ACT, ACT NO. 267 OF THE PUBLIC ACTS OF
15 1976, BEING SECTIONS 15.261 TO 15.275 OF THE MICHIGAN COMPILED
16 LAWS. PUBLIC NOTICE OF THE TIME, DATE, AND PLACE OF THE MEETING
17 SHALL BE GIVEN IN THE MANNER REQUIRED BY ACT NO. 267 OF THE
18 PUBLIC ACTS OF 1976. A QUORUM SHALL CONSIST OF 4 MEMBERS. A
19 WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR RETAINED
20 BY THE COMMISSION IN THE PERFORMANCE OF AN OFFICIAL FUNCTION
21 SHALL BE MADE AVAILABLE TO THE PUBLIC IN COMPLIANCE WITH THE
22 FREEDOM OF INFORMATION ACT, ACT NO. 442 OF THE PUBLIC ACTS OF
23 1976, BEING SECTIONS 15.231 TO 15.246 OF THE MICHIGAN COMPILED
24 LAWS. A MEMBER OF THE COMMISSION SHALL NOT RECEIVE ANY PER DIEM
25 COMPENSATION FOR SERVING ON THE COMMISSION OR ANY REIMBURSEMENT
26 FOR TRAVEL OR OTHER EXPENSES INCURRED IN THE PERFORMANCE OF HIS
27 OR HER OFFICIAL DUTIES.

1 (6) THE COMMISSION SHALL DO ALL OF THE FOLLOWING:

2 (A) RECOMMEND TO THE COMMISSIONER CHARITABLE GAMING POLICY.

3 (B) RECOMMEND TO THE COMMISSIONER RULES AND LEGISLATION
4 AFFECTING CHARITABLE GAMING.

5 (C) MAKE SUGGESTIONS TO THE COMMISSIONER FOR THE PROMOTION
6 OF CHARITABLE GAMING.

7 Sec. 8. All fees and revenue collected by the commissioner
8 or bureau under this act shall be paid into the state lottery
9 fund. All necessary expenses incurred by the bureau in the
10 administration and enforcement of this act and in the initiation,
11 implementation, and ongoing operation of charity games shall be
12 financed from the state lottery fund. The amount of these neces-
13 sary expenses shall not exceed the amount of revenues received
14 from the sale of charity game tickets and all fees collected
15 under this act, except that this limitation ~~shall~~ DOES not
16 apply before October 1, 1983. At the end of each fiscal year all
17 money, including interest, in the state lottery fund ~~which~~ THAT
18 is attributable to fees and revenue collected pursuant to this
19 act, but which has not been expended pursuant to this section,
20 shall be deposited in the state ~~general~~ SCHOOL AID fund.