

Veto overridden

ORDINANCE NO. 2041

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AN ORDINANCE relating to gambling; prohibiting certain activities; levying a tax; providing penalties; repealing Ordinances 1758, 1245, Resolution 11858, and K.C.C. 12.54 and 12.56.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1966, Section 1, is hereby amended to read as follows:

In accordance with Chapter 218, Laws of Washington, 1973 First Extraordinary Session, as amended, there is hereby levied upon all persons, associations and organizations who have been duly licensed to conduct or operate any bingo games, raffles and amusement games, a tax rate of ten percent of the gross revenue received therefrom less the amount paid for or as prizes; and for the conduct or operation of any punch boards or pull tabs, a tax rate of five percent of the gross receipts from such punchboards or pull tabs.

SECTION 2. The administration and collection of the tax imposed by this ordinance shall be by the Department of Executive Administration, Comptroller Division, and pursuant to rules and regulations as may be adopted by the Washington State Gambling Commission.

SECTION 3. The tax imposed by this ordinance shall be due and payable in quarterly installments, and remittance therefor shall accompany each return and be made on or before the fifteenth day of the month next succeeding the quarterly period in which the tax accrued.

For each payment due, if such payment is not made by the due date thereof, there shall be added a penalty as follows:

- a. First to seventeen days delinquency, ten percent with a minimum penalty of two dollars.
- b. Eighteen to forty days delinquency, fifteen percent with a minimum penalty of four dollars.

1 c. Forty-one or more days delinquency shall be deemed to
2 be a violation of this section.

3 SECTION 4. Any person who shall fail or refuse to pay the
4 tax herein before required, or who shall wilfully disobey any
5 rule or regulation promulgated by the Comptroller hereunder,
6 shall be guilty of a misdemeanor and upon conviction shall be
7 punished by imprisonment in the County Jail for not more than
8 ninety days or by a fine of not more than two hundred fifty dollars
9 or both. Any such fine shall be in addition to the tax required.
10 Officers, directors and managers of any organization conducting
11 gambling activities shall be jointly and severally liable for the
12 payment of said tax and for the payment of any fine imposed
13 hereunder.

14 SECTION 5. Incorporated areas within King County which adopt
15 an ordinance levying the tax on gambling activities are hereby
16 entitled to all tax revenue from such gambling activities played
17 or conducted within such incorporated areas. The incorporated
18 area shall also be responsible for the administration and enforce-
19 ment of the taxing provisions of such ordinance within their
20 jurisdiction.

21 SECTION 6. The Comptroller or his authorized representative
22 shall:

23 a. Adopt, publish and enforce such rules and regulations
24 not inconsistent with this ordinance as are necessary to enable
25 the collection of the tax imposed by this ordinance in the
26 unincorporated areas of King County.

27 b. Prescribe and issue the appropriate forms for determin-
28 ation and declaration of the amount of tax to be paid.

29 c. Have the power to enter into contracts with municipali-
30 ties for the collection of the tax imposed on gambling activities
31 conducted within such municipalities.

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SECTION 7. The Director of the Department of Public Safety shall have the power to enter into contracts with municipalities for the enforcement of state laws, state rules and regulations and city ordinances related to gambling activities.

SECTION 8. It shall be the responsibility of all officers, directors and managers of any organization conducting gambling activities to provide access to such financial records as the Comptroller, Director of Public Safety, his authorized representative or law enforcement representatives of local municipalities may require in order to determine compliance with this ordinance.

SECTION ((10)) 9. Ordinance 1966, Section 10, is hereby amended to read as follows:

((Ordinance-No:-1245-and-K:C:C:-12:54-are-hereby repealed:)) Ordinance 1245, 1758, Resolution 11858, K.C.C. 12.54 and 12.56 are hereby repealed.

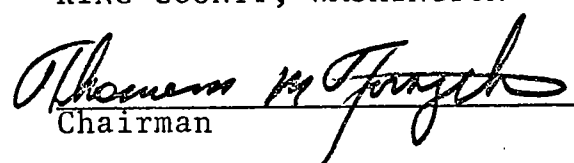
SECTION ((11)) 10. Should any section, paragraph, sentence, clause or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

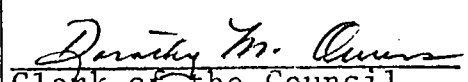
INTRODUCED AND READ for the first time this 13th day of May, 1974.

PASSED this 17th day of June, 1974.

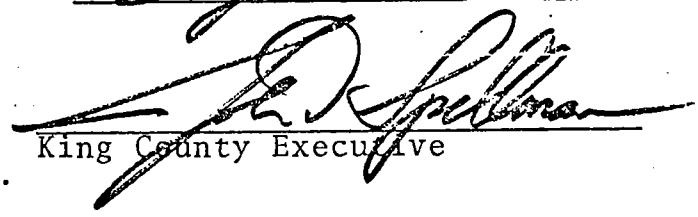
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

ATTEST:


Chairman

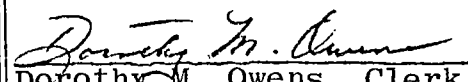

Clerk of the Council

VETOED
APPROVED this 26th day of June, 1974.


King County Executive

Veto overridden July 22, 1974.

ATTEST:


Dorothy M. Owens, Clerk of the Council



County Executive
King County Courthouse
Seattle, Washington 98104
(206) 344-4040

June 26, 1974

Honorable Members
King County Council
B U I L D I N G

Honorable Members;

Attached is Ordinance No. 2041, which I have vetoed. This ordinance is essentially identical to Ordinance No. 1966, passed on April 15th, the veto of which was not overridden.

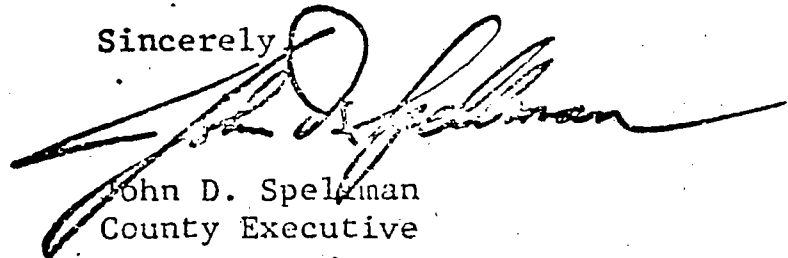
The reasons for this veto are the same as those stated in my April 19 veto message, a copy of which is attached.

In summary, the ordinance is vetoed because of the inclusion of punchboards and pulltabs, devices which are banned in all but a few states of the union and in the opinion of law enforcement officials are highly subject to fraud, attractive to criminal elements and difficult, if not impossible, to adequately regulate.

The allegation that this is merely a taxing ordinance of existing gambling ignores the fact that this same ordinance could prohibit fraud-prone gambling. Nor does the present ordinance provide one additional dollar to law enforcement. As pointed out in my December 14, 1973 message to the Council, funding of Public Safety's gambling unit was deleted by the Council from the 1974 budget, contrary to the department's request and this office's recommendation.

State law and regulations regarding gambling have been in effect and ready for this County's local option since December 1973. More than six months have now elapsed without exercising local option or taxation; less than 20 days of which have been used in Executive consideration. Hopefully this matter can be moved off dead center. Possibly an advisory ballot in September with gambling taxes effective until October would be a satisfactory temporary solution, and further consideration pursuant to that advisory ballot would present an opportunity for permanent action.

Sincerely,



John D. Spellman
County Executive

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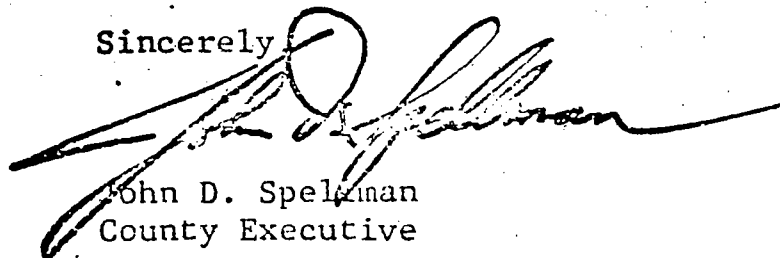
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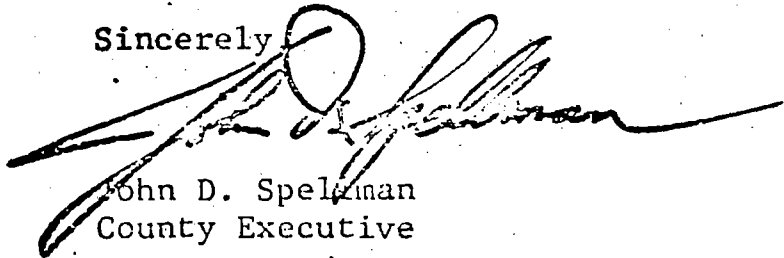
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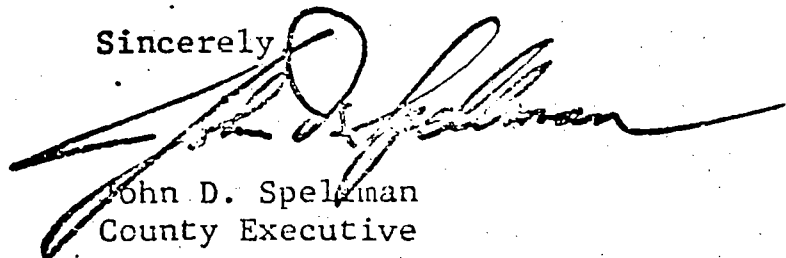
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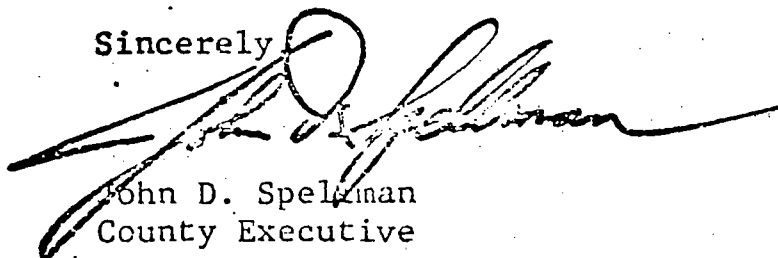
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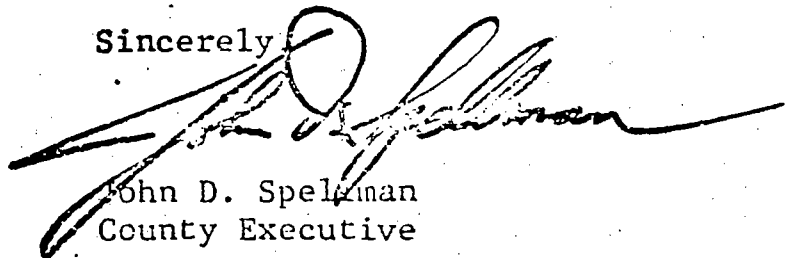
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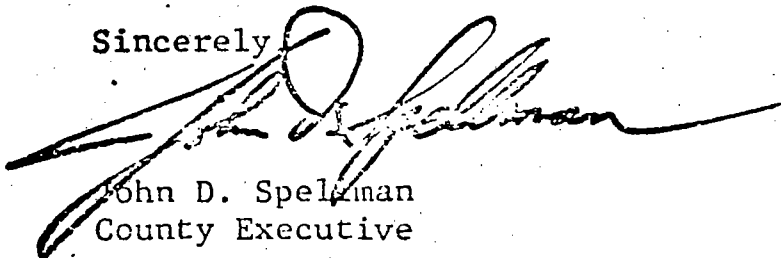
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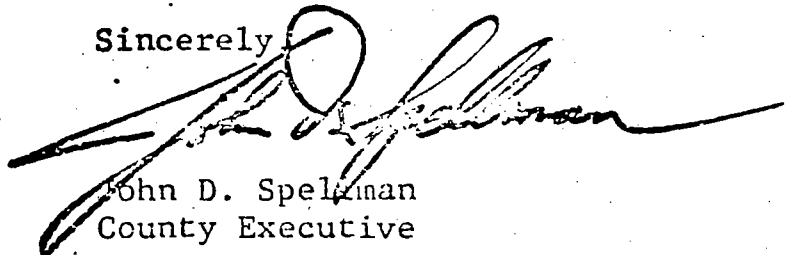
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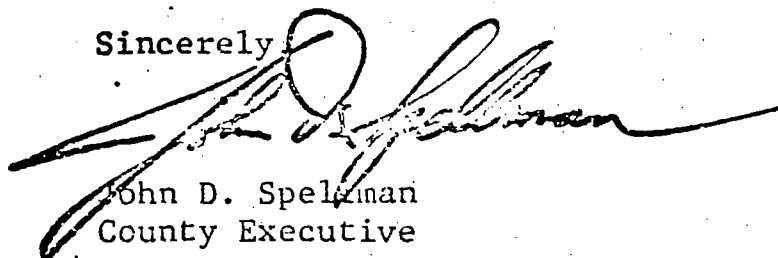
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