



Suite 300 South
1711 W. County Road B
Roseville, MN 55113
651-639-4000

Minnesota Gambling Control Board

TO: Governor Tim Pawlenty
Greg Hubinger, Director, Legislative Coordinating Commission
Michele Timmons, Revisor of Statutes
Senator Ann Rest, Chair, State & Local Government Operations & Oversight Committee
Senator Chris Gerlach, Ranking Minority Member, State & Local Government Operations & Oversight Committee
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Representative Kurt Zellers, Lead-GOP, Commerce and Labor Committee
Representative Phyllis Kahn, Chair, State Government Finance Committee
Representative Chris DeLaForest, Lead-GOP, State Government Finance Committee

DATE: June 27, 2007

FROM: Tom Barrett, Executive Director

RE: Annual Report on Obsolete, Unnecessary, or Duplicative Rules, as Required by Minnesota Statutes, Section 14.05, Subdivision 5

The Board's last rules changes became effective on March 19, 2007 and eliminated all obsolete rules. However, since that time legislation was passed that has created obsolete rules as noted in the attached report.

If you have any questions regarding this report, please contact:
Bernice Caruth, Rules Coordinator
Gambling Control Board
1711 West County Road B, Suite 300S
Roseville, MN 55113
Phone: 651-639-4030 Email: bernice.caruth@gcb.state.mn.us

Encl.

Minnesota Gambling Control Board
 Obsolete Rules Report – Amended August 6, 2007

The following rules are now obsolete based on legislative changes that occurred in 2007. The Board will delete the obsolete rules in its next rules process. At this time the Board has not authorized a new rules process, as it just completed an extensive two year rules process on March 19, 2007.

Current Rule	Current Rule Language	Change
7861.0210 Subp. 23	"Fraternal organization" means a nonprofit organization that is a branch, lodge, or chapter of a national or state organization and exists for the common business, fraternal, or other interests of its members. The term does not include college or high school fraternities and sororities.	Effective August 1, 2007, "fraternal organization" is defined in Minn. Stat. 349.12, Subd. 16a, making this rule duplicative and unnecessary.
7861.0270, Subp. 10, item A. Linked bingo	A. An organization must not conduct more than one linked bingo game at each bingo occasion.	Effective August 1, 2007, Minn. Stat. 349.17, Subd. 8(a) was amended to state, "A licensed organization may conduct or participate in not more than two linked bingo games per occasion, one of which may be a progressive game in which a portion of the prize is carried over from one occasion to another until won by a player achieving a bingo within a predetermined amount of bingo numbers called." The statutory change makes the rules obsolete and inaccurate.
7861.0270, Subp. 10, item B Linked bingo	B. Linked bingo prize pools must not be carried over from one bingo occasion to another.	Effective August 1, 2007, the definition of "linked bingo prize pool" was amended in Minn. Stat. 349.12, Subd. 25d to allow for progressive prizes. Minn. Stat. 349.17, Subd. 8 was also amended (as noted above) to allow for progressive linked bingo games. The statutory change makes the rule obsolete and inaccurate, because statute now allows for prize carryover (progressive).
7861.0290, Subp. 3, item B Tipboard game	...A tipboard ticket or group of banded tickets may not be sold for more than \$2.	Effective May 26, 2007, the maximum tipboard ticket price was increased to \$5, per Minn. Stat. 349.211, Subd. 2c.
7864.0230, Subp. 1, item F, subitem (2) Progressive pull-tab game	F. For a separate progressive jackpot flare, the minimum information printed on the front of the flare must include:(2) cost per play, which may not exceed \$2;	Effective May 26, 2007, the maximum pull-tab ticket price was increased to \$5, per Minn. Stat. 349.211, Subd. 2a.
7864.0230, Subp. 3, item C. Tipboard tickets	(1) the standards in subpart 1, item C. The cost per play must not exceed \$2.	The first phrase is not obsolete. However, "The cost per play must not exceed \$2" is obsolete effective May 26, 2007, as Minn. Stat. 349.211, Subd. 2c was amended to state "An organization may not sell any tipboard for more than \$5. "
7864.0230, Subp. 3, item D, subitem (7) Tipboard flare	D. The front of a tipboard flare must include: ...(7) cost per play, which may not exceed \$2;	Effective May 26, 2007, the maximum tipboard ticket price was increased to \$5, per Minn. Stat. 349.211, Subd. 2c.