

# LEGAL SERVICES

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## MEMORANDUM

February 12, 2009

**SUBJECT:** Effect of HJR 3 on Cruise Ship Gaming  
(Work Order No. 26-LS0128\R)

**TO:** Representative Harry Crawford

**FROM:** Gerald P. Luckhaupt *GPL*  
Legislative Counsel

You have asked if HJR 3 would have any effect on gaming currently conducted aboard cruise ships in Alaska. It is my opinion that HJR 3 would not have an effect on gaming currently conducted aboard cruise ships. Cruise ship gaming is conducted pursuant to federal law and not state law.<sup>1</sup> The federal law was enacted in response to public statements made in the early 1990's by the administration of former Governor Wally Hickel questioning the authority of cruise ships to conduct gambling activities while in Alaska waters and asserting that the state would no longer allow those activities to occur. The legislature considered a bill to allow cruise ships to conduct gambling activities in Alaska and allowed a temporary exception for cruise ships for one season.<sup>2</sup>

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<sup>1</sup> See 15 U.S.C. § 1175(c)(2).

<sup>2</sup> Chapter 31, SLA 1995.