

HOUSE BILL NO. 44

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MARTIN, Rokeberg, Porter, Bunde, Green

Introduced: 1/16/95

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act providing that a political use is not an authorized use of charitable
2 gaming proceeds; prohibiting the contribution of charitable gaming proceeds to
3 candidates for certain public offices, their campaign organizations, or to political
4 groups; providing that a political group is not a qualified organization for
5 purposes of charitable gaming; relating to what is a qualified organization for the
6 purpose of charitable gaming permitting; and providing for an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** AS 05.15.150(a) is amended to read:

9 (a) The authority to conduct the activity authorized by this chapter is
10 contingent upon the dedication of the net proceeds of the charitable gaming activity
11 to the awarding of prizes to contestants or participants and to [POLITICAL,]
12 educational, civic, public, charitable, patriotic, or religious uses in the state.

13 "**Educational** [POLITICAL, EDUCATIONAL] , civic, public, charitable, patriotic, or

1 religious uses" means uses benefiting persons either by bringing them under the
2 influence of education or religion or relieving them from disease, suffering, or
3 constraint, or by assisting them in establishing themselves in life, or by providing for
4 the promotion of the welfare and well-being of the membership of the organization
5 within their own community, [OR THROUGH AIDING CANDIDATES FOR PUBLIC
6 OFFICE OR GROUPS THAT SUPPORT CANDIDATES FOR PUBLIC OFFICE,] or
7 by erecting or maintaining public buildings or works, or lessening the burden on
8 government, but does not include

9 (1) the direct or indirect

10 (A) payment of any portion of the net proceeds of a bingo or
11 pull-tab game to a lobbyist registered under AS 24.45;

12 (B) contribution of any portion of the net proceeds of a
13 charitable gaming activity to a candidate for a public office of the state or
14 a political subdivision of the state, to the candidate's campaign
15 organization, to a political party as defined under AS 15.60, or to an
16 organization or club organized under or formally affiliated with a political
17 party; or

18 (2) the erection, acquisition, improvement, maintenance, or repair of
19 real, personal, or mixed property unless it is used exclusively for one or more of the
20 permitted uses.

21 * Sec. 2. AS 05.15.690(34) is amended to read:

22 (34) "qualified organization" means a bona fide civic or service
23 organization or a bona fide religious, charitable, fraternal, veterans, labor,
24 [POLITICAL,] or educational organization, police or fire department and company,
25 dog mushers' association, outboard motor association, or fishing derby or nonprofit
26 trade association in the state, that

27 (A) operates without profits to its members;

28 (B) [AND THAT] has been in existence continually for a period
29 of three years immediately before applying for a license; **and**

30 (C) is described in 26 U.S.C. 501(c)(3) (Internal Revenue
31 Code) and exempt from taxation under 26 U.S.C. 501(a) (Internal Revenue

1 Code [THE ORGANIZATION MAY BE A FIRM, CORPORATION,
2 COMPANY, ASSOCIATION, OR PARTNERSHIP];

3 * **Sec. 3.** AS 05.15.690(32) is repealed.

4 * **Sec. 4.** This Act takes effect January 1, 1996.