

BY MESSRS. STRATTON,
GARRISON AND PARSONS

1 IN THE HOUSE

2 HOUSE BILL NO. 412

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use, control, sei-
7 zure and destruction of slot machines used
8 primarily for gambling; and providing
9 penalties."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 Section 1. OPERATING OR USING A SLOT MACHINE, PENALTIES.

12 Any person, firm or corporation who possesses, sets up, conducts,
13 maintains, operates, or is in control of the operation, either as
14 owner, proprietor, lessee, employee or agent, or plays or uses
15 any coin or token-in-the slot machine or other device of like
16 character primarily used for gambling, which operates as described
17 in this section and which may or may not indicate before the
18 deposit of a coin what it will vend or dispense, shall be
19 punished upon conviction by a fine of not more than \$1,000 or
20 imprisonment for not more than two years, or both:

21 (1) Upon deposit therein of a coin, slug, token or
22 other thing representative of value, the machine may vend or
23 dispense any merchandise, money, check, token, slug, free game
24 for which a monetary reimbursement is made, credit or other
25 representative of value or evidence of winning in varying quantities
26 or values, depending upon chance.

27 (2) In exchange for a deposit therein, there may be
28 received at occasional or uncertain intervals or in varying
29 quantities of value, from time to time, depending upon chance,

1 any money, check, slug, free game for which a monetary reimburse-
2 ment is made, token, credit or other representative of value or
3 evidence of winning which:

4 (a) may be exchanged or redeemed for anything of
5 value;

6 (b) may be deposited in such machine or device
7 for further operation or play with the chance of winning or
8 receiving additional merchandise, money, check, token, slug,
9 free game for which a monetary reimbursement is made, credit
10 or other representative value or evidence of winning.

11 Sec. 2. SEIZURE AND DESTRUCTION OF SLOT MACHINES. All
12 machines or devices mentioned in Section 1 of this Act are public
13 nuisances. Any peace officer shall summarily seize any such
14 machine or device, or operating part thereof, found in the
15 possession of any person violating Section 1, and hold it subject
16 to the order of the magistrate or superior court having juris-
17 diction. Whenever it appears to the court that the machine or
18 device so seized has been possessed, set up, conducted, maintained,
19 operated or controlled in violation of Section 1, the court
20 shall adjudge forfeiture thereof and shall order the peace officer
21 to destroy the machine or device and deliver any coins taken
22 therefrom to the clerk of the superior court, who shall deposit
23 the same in the general fund of the state. The seizure of the
24 machine or device or operating part thereof constitutes sufficient
25 notice to the owner or person in possession thereof. The peace
26 officer shall make return to the court showing that he has complied
27 with such order.

28 Sec. 3. POSSESSION AS EVIDENCE OF OPERATING. In all
29 prosecutions under Section 1 of this Act for conducting, maintain-

1 ing or operating any such machine or device, or of permitting it
2 to remain in any public place owned or controlled by the person
3 so prosecuted, convenient for use, is prima facie evidence
4 against such person or violation of Section 1 of this Act.
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