

Original sponsor: Nakak

Offered: 4/20/78
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 751 am S

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing an Iditarod Trail Race Sweepstakes
7 Classic; and providing for an effective date."

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

9 * Section 1. AS 05.15 is amended by adding new sections to read:

10 ARTICLE 4. IDITAROD TRAIL RACE SWEEPSTAKES CLASSIC.

11 Sec. 05.15.220. IDITAROD TRAIL RACE SWEEPSTAKES CLASSIC AUTHOR-
12 IZED. The Iditarod Trail Race Sweepstakes Classic Commission is
13 authorized to conduct an annual sweepstakes the net proceeds of which
14 are to be used exclusively for payment of expenses of the commission and
15 for purposes which the
16 commission determines will further the success of the Iditarod Trail
17 Race. Net proceeds of a given year may be retained for use in subse-
18 quent years, but if the unexpended and unobligated total assets from
19 sweepstakes proceeds exceed \$250,000, the amount over \$250,000 shall be
20 paid into the general treasury of the state. The provisions of secs.
21 10 - 210 of this chapter do not apply to this sweepstakes except that
22 for each year after the first calendar year of operation a fee of one per
23 cent of the net proceeds shall be paid annually to the Department of
24 Revenue on or before June 30 of each year.

25 Sec. 05.15.230. IDITAROD TRAIL RACE SWEEPSTAKES CLASSIC COMMISSION
26 ESTABLISHED. There is established within the Department of Revenue the
27 Iditarod Trail Race Sweepstakes Classic Commission. The commission
28 consists of five members appointed by the governor from a list of at
29 least 10 names submitted to him by the Iditarod Trail Race Committee.

1 One of the members shall be a resident of the City of Nome, one a
2 resident of the City of McGrath, one a resident of the Municipality of
3 Anchorage, one a resident of the Matanuska-Susitna borough, and one
4 member from the state at large. The commission shall annually elect a
5 chairman from among its members. Three members constitute a quorum for
6 the transaction of business and the exercise of the powers of the commis-
7 sion.

8 Sec. 05.15.240. TERM OF OFFICE. Members of the commission serve
9 at the pleasure of the governor for terms of five years and may be re-
10 appointed. Terms shall be staggered. Initial terms shall be one member
11 serving for one year, one member for two years, one member for three
12 years, one member for four years, and one member for five years as
13 designated by the governor.

14 Sec. 05.15.250. COMPENSATION AND EXPENSES. Members of the commis-
15 sion serve without compensation but are entitled to per diem and travel
16 expenses authorized by law for other boards and commissions.

17 Sec. 05.15.255. POWERS AND DUTIES. The commission shall operate
18 and administer the sweepstakes. It shall establish regulations govern-
19 ing the operation including but not limited to

- 20 (1) the type of sweepstakes to be conducted;
- 21 (2) the price of tickets in the sweepstakes;
- 22 (3) the numbers and sizes of the prizes on the winning tic-
23 kets;
- 24 (4) the manner of selecting the winning tickets;
- 25 (5) the manner of payment of prizes to the holders of winning
26 tickets;
- 27 (6) the frequency of the drawings or selections of winning
28 tickets;
- 29 (7) without limit as to number, the types of locations at

1 which tickets may be sold;

2 (8) the method to be used in selling tickets;

3 (9) regulations promulgated by the commission are subject
4 to the Administrative Procedure Act;

5 (10) set the period for ticket sales, except that sales may
6 not start before 90 days prior to the official start of the Iditarod
7 Trail Race;

8 (11) the compensation to licensed sellers of sweepstakes
9 tickets, but only where the commission finds that compensation is neces-
10 sary to assure adequate availability of sweepstakes tickets, and that
11 the public convenience will be served.

12 Sec. 05.15.260. SWEEPSTAKES SALES AGENT. The commission may
13 license persons as agents to sell sweepstakes tickets, but no license
14 may be issued to any person to engage in business exclusively as a
15 sweepstakes sales agent. No license may be issued to a person unless
16 the commission has provided by regulation that licenses may be issued to
17 persons engaged in the type or class of business or activity in which
18 the person is engaged. In addition, before issuing a license to any
19 person engaged in that type or class of business or activity, the
20 commission shall consider

21 (1) financial responsibility and security of the business or
22 activity;

23 (2) accessibility of the place of business or activity to the
24 public;

25 (3) sufficiency of existing licenses to serve public conven-
26 ience;

27 (4) whether the place of business or activity is predomi-
28 nantly frequented by minors;

29 (5) volume of expected sales.

1 Sec. 05.15.270. SUSPENSION AND REVOCATION OF LICENSES. The com-
2 mission may suspend or revoke, after notice and hearing, any license
3 issued under sec. 260 of this chapter. A license may be temporarily
4 suspended by the commission without prior notice, pending any prosecu-
5 tion, investigation or hearing. A license may be suspended or revoked
6 by the commission for one or more of the following reasons:

- 7 (1) failure to
8 (A) account for sweepstakes tickets received or for the
9 proceeds of the sale of sweepstakes tickets,
10 (B) file a bond and
11 (C) comply with instructions of the commission concern-
12 ing the licensed activity;
- 13 (2) conviction of any offense as defined by law;
- 14 (3) failure to
15 (A) file any return or report,
16 (B) keep records, or
17 (C) pay any tax required by this chapter;
- 18 (4) fraud, deceit, misrepresentation or conduct prejudicial
19 to public confidence in the Iditarod Trail Race Sweepstakes;
- 20 (5) number of sweepstakes tickets sold by the sweepstakes
21 sales agent is insufficient to meet administrative costs and public
22 convenience is adequately served by other licensees;
- 23 (6) a material change, since issuance of the license, with
24 respect to any matters required to be considered by the commission under
25 sec. 260 of this chapter.

26 Sec. 05.15.280. ANNUAL AUDIT. The commission shall have its
27 financial records audited annually by an independent outside auditor.
28 The legislative auditor may prescribe the form and content of the finan-
29 cial records of the commission and shall have access to these records at

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any time.

Sec. 05.15.290. ANNUAL REPORT. Before September 30 of each year the commission shall submit to the governor and the legislature a comprehensive report describing operations, income, and expenditures for the preceding 12-month period.

* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-070(c).