

Offered: 5/6/83  
Referred: Finance

Original sponsor: Flood

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 360 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to permits issued for games of  
7 chance and contests of skill."

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

9 \* Section 1. AS 05.15.030 is amended by adding a new subsection to  
10 read:

11 (b) In addition to the requirements of (a) of this section, an  
12 applicant for a permit to conduct an activity under AS 05.15.100(b)  
13 shall notify the law enforcement agency having jurisdiction over the  
14 location of the proposed activity. The commissioner of revenue may  
15 not issue a permit for the proposed activity unless the application is  
16 accompanied by the written approval of the law enforcement agency  
17 having jurisdiction.

18 \* Sec. 2. AS 05.15.100 is amended by adding a new subsection to read:

19 (b) The commissioner of revenue also may issue a permit giving a  
20 municipality or qualified organization the privilege of conducting an  
21 activity involving the use of playing cards, dice, and numbers wheels.  
22 A municipality or qualified organization may apply for a permit for  
23 only one activity a year under this subsection. For the purpose of  
24 this subsection, "one activity" means a single event lasting no more  
25 than three consecutive days.

26 \* Sec. 3. AS 05.15.140 is amended by adding new subsections to read:

27 (b) In an application for a permit, a municipality or qualified  
28 organization shall disclose the name and address of each person re-  
29 sponsible for the operation of the activity and whether any person

1 named

2 (1) has ever been convicted of a felony or gambling misde-  
3 meanor; or

4 (2) has a prohibited financial interest, as defined in  
5 regulations adopted by the commissioner, in the operation of the  
6 activity.

7 (c) The commissioner of revenue may not issue a permit for an  
8 activity operated by a person who has been convicted of a felony or a  
9 gambling misdemeanor.

10 (d) Application forms for permits shall contain a notice that a  
11 false statement in the application is punishable by law.

12 \* Sec. 4. AS 05.15.160 is repealed and reenacted to read:

13 Sec. 05.15.160. AUTHORIZED EXPENSES. No item of expense may be  
14 incurred or paid in connection with the operation of an activity under  
15 a permit issued under this chapter except for bona fide expenses  
16 reasonably necessary for

17 (1) goods, wares, and merchandise necessary for the opera-  
18 tion of the activity;

19 (2) personal services rendered that are not directly or  
20 indirectly involved with the operation of the activity; or

21 (3) personal services involved with the operation of the  
22 activity provided the services are performed by an employee of the  
23 municipality, qualified organization, or a consultant hired by the  
24 municipality or qualified organization conducting the activity and the  
25 compensation is not related to the receipts from the activity.

26 \* Sec. 5. AS 05.15.180 is amended to read:

27 Sec. 05.15.180. LIMITATIONS ON AUTHORIZED ACTIVITY. (a) Except  
28 as provided in AS 05.15.100(b), this [THIS] chapter does not authorize  
29 the use of playing cards, dice, roulette wheels, coin-operated

1 instruments or machines, or other objects or instruments used,  
2 designed, or intended primarily for gaming or gambling or any other  
3 method or implement not expressly authorized by the commissioner.

4 (b) With the exception of raffles, lotteries, [AND] rain clas-  
5 sics, and other activities authorized under AS 05.15.100(b), no activ-  
6 ity may be licensed under this chapter unless it existed in the state  
7 in substantially the same form and was conducted in substantially the  
8 same manner before January 1, 1959.

9 \* Sec. 6. AS 05.15.180 is amended by adding a new subsection to read:

10 (c) The operation of activities licensed under AS 05.15.100(b)  
11 is limited as follows:

12 (1) no cash prizes may be awarded;

13 (2) only money substitutes such as chips or scrip may be  
14 used by a player in the activity;

15 (3) the money substitutes may be exchanged only for prizes  
16 other than money and may not be otherwise exchanged or sold; and

17 (4) additional limitations that may be established by the  
18 commissioner of revenue under adopted regulations.

19 \* Sec. 7. AS 05.15.200 is repealed and reenacted to read:

20 Sec. 05.15.200. PENALTIES. (a) A person who knowingly violates  
21 or aids or solicits a person to violate this chapter is guilty of a  
22 violation for the first offense and a class B misdemeanor for the  
23 second and each subsequent offense.

24 (b) A person who, with the intent to mislead a public servant in  
25 the performance of the public servant's duty, submits a false state-  
26 ment in an application for a permit under this chapter, is guilty of  
27 unsworn falsification.

28 \* Sec. 8. AS 05.15.210 is amended by adding a new paragraph to read:

29 (23) "numbers wheel" means any electronic, mechanical, or

1 other device with numbers or other figures that are selected randomly  
2 and used in a game of chance in which the outcome is determined by the  
3 number or figure selected by the device; not including slot machines  
4 or other devices that operate by insertion of a coin or other object  
5 that may entitle the person operating the machine to receive a prize  
6 by strict dependence on the element of chance.

7 \* Sec. 9. AS 11.66.280(2) is amended by adding a new subparagraph to  
8 read:

9 (C) an activity authorized by the commissioner of  
10 revenue under AS 05.15.010 - 05.15.210;