

Offered: 6/17/83
For Today's Calendar

Original sponsors: V.Fischer, Faiks,
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1 IN THE SENATE

BY THE FINANCE COMMITTEE

2

HOUSE CS FOR CS FOR SENATE BILL NO. 265 (Finance)

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 AS 05.15.160 is repealed and reenacted to read: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 instru-

1 ments or machines, or other objects or instruments used, designed, or
2 intended primarily for gaming or gambling or any other method or
3 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 games in which
4 a hamster or other animal is placed in an enclosure with several
5 numbered exit holes and the winner is determined by which hole the
6 hamster or other animal exits, or slot machines or other devices that
7 operate by insertion of a coin or other object that may entitle the
8 person operating the machine to receive a prize by strict dependence
9 on the element of chance.

10 * Sec. 9. AS 11.66.280(2) is amended by adding a new subparagraph to
11 read:

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