

CS FOR SENATE BILL NO. 82 (JUDICIARY) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Amended: 4/26/91
Offered: 4/19/91
Referred: Rules

Sponsor(s): SENATOR DUNCAN

A BILL

FOR AN ACT ENTITLED

1 "An Act prohibiting the use of broadcasting to conduct certain charitable gaming activity;
2 prohibiting the use of broadcasting to promote charitable gaming activity involving pull-
3 tabs; repealing chapter 33, SLA 1990; and providing for an effective date."

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

5 * Section 1. INTENT. It is the intent of the legislature that the policy of the state toward the use
6 of broadcasting to promote charitable gaming should be generally consistent with federal law as
7 expressed in 18 U.S.C. 1304 and 1307.

8 * Sec. 2. FINDINGS. The legislature finds that there are numerous and significant differences
9 between pull-tab games and the other forms of charitable gaming activity authorized by AS 05.15.
10 These differences have substantial effects on the members of the public who participate in charitable
11 gaming activity. The federal government has recognized these differences and accordingly taxes pull-tab
12 gaming differently from the way in which it taxes many other forms of gaming. The differences
13 between pull-tab gaming and the other forms of gaming authorized by AS 05.15 include

14 (1) the more rapid rate at which a person can play pull-tabs, thus resulting in the

1 likelihood of more rapid expenditure of the person's money and greater risk of loss to the person;

2 (2) the much lower overhead and investment necessary for a permittee or operator under
3 AS 05.15 to conduct pull-tab gaming, compared with other forms of gaming permitted by that chapter;
4 and

5 (3) the fact that pull-tab gaming can be fraudulently manipulated much more easily than
6 other forms of gaming authorized by AS 05.15, because

7 (A) a person selling tickets from a particular pull-tab game can track the winning
8 tickets sold from that series, and can arrange to have the remaining tickets in a game purchased
9 on the person's own behalf if the person knows that there are a disproportionate number of
10 winning tickets still unsold; and

11 (B) a permittee or operator purchasing several pull-tab series manufactured by the
12 same manufacturer can ascertain where the winning tickets are located as those tickets tend to
13 be seeded in the same place in each series.

14 * Sec. 3. AS 05.15.180 is amending by adding a new subsection to read:

15 (h) A person may not use broadcasting to conduct charitable gaming activity under this
16 chapter, or to promote charitable gaming activity under this chapter that involves pull-tabs, except
17 that a person may use broadcasting to conduct fish derbies, and the department may authorize
18 a noncommercial broadcasting station or network of noncommercial broadcasting stations to
19 broadcast, for not more than 12 hours in a calendar year, the conducting of an activity under this
20 chapter on the station or network under a permit held by the station or network. In this
21 subsection,

22 (1) "broadcasting" means communication by a facility licensed by or subject to
23 the regulatory authority of the Federal Communications Commission; and

24 (2) "noncommercial broadcasting station" means a radio or television station that
25 is licensed by the Federal Communications Commission to a governmental entity or to an entity
26 that is exempt from federal taxation under 26 U.S.C. 501(c)(3) (Internal Revenue Code).

27 * Sec. 4. Chapter 33, SLA 1990 is repealed.

28 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).