

**CS FOR SENATE BILL NO. 76(L&C)****IN THE LEGISLATURE OF THE STATE OF ALASKA****EIGHTEENTH LEGISLATURE - FIRST SESSION****BY THE SENATE LABOR AND COMMERCE COMMITTEE****Offered: 3/5/93**  
**Referred: JUDICIARY****Sponsor(s): SENATOR PEARCE****A BILL****FOR AN ACT ENTITLED**

1 "An Act preventing persons with certain convictions from being involved in  
2 charitable gaming activities as a permittee, licensee, person responsible for an  
3 activity, or employee in a managerial or supervisory capacity; providing exceptions  
4 for certain persons whose convictions are at least 10 years old; and relating to  
5 'political uses' and 'political organizations' as those terms are used in the  
6 charitable gaming statutes."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 \* Section 1. AS 05.15 is amended by adding a new section to read:

9           **Sec. 05.15.105. PERSONS PROHIBITED FROM INVOLVEMENT;**  
10           **EXCEPTIONS. (a) If a person has been convicted of a violation of a law of this state**  
11           **that is, or a law or ordinance of another jurisdiction that would be if it had been**  
12           **committed in this state, a felony, or a violation of a law or ordinance of this state or**  
13           **another jurisdiction that is a crime involving theft or dishonesty or a violation of**

1 **gambling laws**

2 (1) the department may not issue a license to the person;

3 (2) the department may not issue a license to an applicant who employs  
4 the person in a managerial or supervisory capacity;

5 (3) the department may not issue a permit for an activity if the person  
6 is responsible for the operation of the activity;

7 (4) the person may not be employed in a managerial or supervisory  
8 capacity by a licensee;

9 (5) the person may not participate in charitable gaming as a permittee  
10 or licensee.

11 (b) Notwithstanding (a) of this section, the department shall adopt regulations  
12 allowing a person who is not otherwise disqualified under (a) of this section but who  
13 has been convicted of a violation of a law

14 (1) of this state that is, or a law or ordinance of another jurisdiction  
15 that would be if it was committed in this state, a class B felony, a class C felony, or  
16 an unclassified felony described outside of AS 11, and that is not a crime of  
17 dishonesty, theft, or a violation of gambling laws, to be eligible to participate in  
18 charitable gaming, gaming as a permittee or licensee, or as an employee of a permittee  
19 or licensee employed in a managerial or supervisory capacity, or as a person  
20 responsible for the operation of the activity permitted by the department, if at least 10  
21 years have elapsed since the person's conviction;

22 (2) or ordinance of this state or another jurisdiction that is a crime  
23 involving theft or dishonesty or a violation of gambling laws to be eligible to  
24 participate in charitable gaming as a permittee or licensee, or as an employee of a  
25 permittee or licensee employed in a managerial or supervisory capacity, or as a person  
26 responsible for the operation of an activity permitted by the department, if

27 (A) at least 10 years have elapsed since the person's conviction;

28 (B) the department determines the person is of good character,  
29 honesty, and integrity; and

30 (C) the department determines the person's involvement in  
31 charitable gaming is not against the public interest.

1 \* Sec. 2. AS 05.15.140(b) is amended to read:

2 (b) In an application for a permit, a municipality or qualified organization shall  
3 disclose the name and address of each person responsible for the operation of the  
4 activity and whether any person named

5 (1) has been convicted of [~~IN PRISON FOR, OR ON PAROLE FOR~~]  
6 a violation of a law of this state that is, or a law or ordinance of another state that  
7 would be if committed in this state, an unclassified felony described in AS 11, a  
8 Class A felony, extortion, or a violation of a law or ordinance of this state or  
9 another jurisdiction that is [WITHIN THE PRECEDING FIVE YEARS, OR  
10 CONVICTED OF] a crime involving theft or dishonesty or [OF] a violation of [A  
11 MUNICIPAL, STATE, OR FEDERAL] gambling laws [LAW]; or

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

14 \* Sec. 3. AS 05.15.150(a) is amended to read:

15 (a) The authority to conduct the activity authorized by this chapter is  
16 contingent upon the dedication of the net proceeds of the raffles or contests to the  
17 awarding of prizes to contestants or participants and to political, educational, civic,  
18 public, charitable, patriotic or religious uses in the state. "Political, educational, civic,  
19 public, charitable, patriotic, or religious uses" means uses benefiting persons either by  
20 bringing them under the influence of education or religion or relieving them from  
21 disease, suffering, or constraint, or by assisting them in establishing themselves in life,  
22 or by providing for the promotion of the welfare and well-being of the membership of  
23 the organization within their own community, or through aiding a political  
24 organization [CANDIDATES FOR PUBLIC OFFICE OR GROUPS THAT SUPPORT  
25 CANDIDATES FOR PUBLIC OFFICE], or by erecting or maintaining public  
26 buildings or works, or lessening the burden on government, but does not include

27 (1) the direct contribution of proceeds of a bingo or pull-tab game  
28 to a candidate for a public office of the state or a political subdivision of the state  
29 or to that candidate's campaign organization; or

30 (2) the erection, acquisition, improvement, maintenance, or repair of  
31 real, personal, or mixed property unless it is used exclusively for one or more of the

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was stated.

\* Sec. 4. AS 05.15.210(27) is amended to read:

(27) "political organization" means a political party as defined in AS 15.00.010 or an organization or club organized under or formally affiliated with a political party [AS DEFINED IN AS 15.00.010];

\* Sec. 5. AS 05.15.210 is amended by adding a new paragraph to read:

(36) "managerial or supervisory capacity" means that the employee

(A) is responsible for gaming receipts;

(B) has the authority to hire employees or to dismiss or otherwise discipline them;

(C) prepares financial reports required under this chapter;

(D) is responsible for keeping the accounts for activities under this chapter;

(E) is responsible for conducting activities under this chapter, including the arranging for locations at which those activities will occur; or

(F) is a fund raiser or a consultant.

\* Sec. 6. AS 05.15.060(6), 05.15.122(c), 05.15.122(d), and 05.15.140(c) are repealed.