

CS FOR SENATE BILL NO. 370(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/8/94
Referred: Finance

Sponsor(s): SENATE TRANSPORTATION COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act providing an exemption from gambling laws for gambling conducted by
2 cruise ships for their ticketed passengers in the offshore water of the state
3 outside of ports; requiring certain disclosures in connection with promotions on
4 board cruise ships and making violation of that provision an unfair trade
5 practice; defining 'cruise ship'; and providing for exemption fees for certain cruise
6 ships before they can conduct gambling in the offshore water of the state."

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 ARTICLE 4. CRUISE SHIP EXEMPTION.

10 Sec. 05.15.250. EXEMPTION OF CRUISE SHIPS. (a) A cruise ship may
11 conduct gambling under AS 11.66.275 in the offshore water of the state if

12 (1) the operator of the cruise ship annually applies on a form provided
13 by the department;

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(2) the operator of the cruise ship agrees to comply with all state laws, including those relating to unfair trade practices; and

(3) the operator pays the annual exemption fee required under (b) of this section.

(b) The exemption fee for a cruise ship to conduct gambling under (a) of this section is for cruise ships with a capacity of

- (1) 500 or fewer passengers \$5,000;
- (2) more than 500 passengers but fewer than 1,000 passengers
 \$10,000;
- (3) 1,000 passengers or more \$15,000.

(c) Other provisions of this chapter do not apply to gambling on a cruise ship.

(d) In this section,

- (1) "cruise ship" has the meaning given in AS 11.66.275;
- (2) "offshore water of the state" has the meaning given in AS 11.66.275.

* Sec. 2. AS 11.66 is amended by adding a new section to read:

Sec. 11.66.275. CRUISE SHIP EXEMPTION. (a) The provisions of AS 11.66.200 - 11.66.280 do not apply to gambling conducted by a cruise ship for its ticketed passengers in the offshore water of the state if

- (1) the cruise ship is exempt under AS 05.15.250;
- (2) the cruise ship does not conduct gambling within three nautical miles of a state port visited by the cruise ship; and
- (3) the gambling is ancillary to the cruise and the cruise has as its main purpose scenic cruising and port visits at maritime communities in the state.

(b) In this section,

- (1) "cruise ship" means a ship that operates at least 120 days a year anywhere in the world, provides cruises of at least 72 hours in length for ticketed passengers, provides overnight accommodations and meals for those passengers, and is operated by an authorized cruise ship operator certified under the International Convention for the Safety of Life at Sea;
- (2) "offshore water of the state" means the marine water over which

1 the state has jurisdiction.

2 * Sec. 3. AS 45.50.471(b) is amended by adding a new paragraph to read:

3 (37) violating AS 45.50.474 (on board promotions).

4 * Sec. 4. AS 45.50 is amended by adding a new section to read:

5 Sec. 45.50.474. REQUIRED DISCLOSURES IN PROMOTIONS ON BOARD
6 CRUISE SHIPS. A person may not conduct a promotion on board a cruise ship that
7 mentions or features a business in a state port that has paid something of value for the
8 purpose of having the business mentioned or featured, unless the person conducting
9 the promotion clearly and fully discloses orally and in all written materials used in the
10 promotion that the featured businesses have paid to be included in the promotion. A
11 violation of this section constitutes an unfair trade practice under AS 45.50.471. In
12 this section, "cruise ship" has the meaning given in AS 11.66.275.