

H B

640

COMMITTEE REPORT

2/9

HOUSE

Ruler

FURTHER:

(7)

1/22/82

Date: Feb 8, 82

Mr. Speaker:

The Committee on JUDICIARY has had HB 640

"An Act relating to games of chance and contests of skill; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 640 (Judiciary) same title new title
- and recommends delete word with fiscal note attached
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING DO PASS

[Signature]

ROD E. PELL Do Pass

[Signature]

MEMBERS HAVING OTHER RECOMMENDATIONS:

Buchholz No Rec

[Signature] No Rec

Demora Barnes No Rec

Demora Barnes
CHAIRMAN

COMMITTEE REPORT

HOUSE

1/22/82

(5)

FURTHER: JUDICIARY

1/11/82

Date: 1-19-82

Mr. Speaker:

The Committee on LABOR & COMMERCE has had HB 640

"An Act relating to games of chance and contests of skill; and providing for an effective date."

under consideration and ~~(a majority of the committee) (the committee)~~ reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 640 (LAC) same title
 new title
- and recommends it do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING

DO PASS

Bruce Rogers Rogers

Terry Gardiner Gardiner

Chris Randolph Randolph

Terry Martin

MEMBERS HAVING

OTHER RECOMMENDATIONS:

Bill Brown (No Rec)

Rep Terry Martin
CHAIRMAN

HB 640 AMENDED TITLE & SPONSOR SUMMARY

17:39 2/10/82 PAGE 1 OF 2

AN ACT RELATING TO GAMES OF CHANCE AND CONTESTS OF SKILL;
AND PROVIDING FOR AN EFFECTIVE DATE

PRIME SPONSOR: RANDOLPH.

CO-SPONSORS: MOSS, O'CONNELL.

CURRENT STATUS: 1/22/82 IN (H) JUDICIARY

HB 640 HOUSE ACTION

17:39 2/10/82 PAGE 2 OF 2

DATE SEQ PAGE

LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
01/11/82	01	0009	FIRST READING -- COMMITTEE REPORTS
01/22/82	02	0113	L&C -- CS04, NR01 JUDICIARY RULES

*** ** ** *** ** **

Games of Chance and Skill

1. ok on 5-day Judiciary notification didn't make it into the weekly schedule, but it was posted on the board
2. votes
3. amendments:
4. attendance _____
5. fiscal note 0
6. who wants: Randolph, Mess, O'Connell
Governor has said will veto-want support amending any gambling laws
8. Carrier: Farrell 50

NOT RECD. BY CLERK

Official Business



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State Capitol
Juneau, Alaska 99811

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Members

- Rep. Barnes, Chairman
- Rep. Anderson, Vice-Chairman
- Rep. Phillips
- Rep. O'Connell
- Rep. Freeman
- Rep. Meekins
- Rep. Buchholdt

POUCH 7
JUNEAU, ALASKA 99811

House of Representatives

Committee on Judiciary MEMORANDUM

P.O. Box 3382
Anchorage, AK 99510
(907) 274-1432
(907) 274-1441
POUCH V
JUNEAU, ALASKA 99811

TO: CHIEF CLERK OF THE HOUSE

FROM: REPRESENTATIVE RAMONA BARNES,
CHAIRMAN, HOUSE JUDICIARY

DATE: JANUARY 21, 1982

TIME: 1:15 p.m.

PLACE: Room 124, Capitol Building

RE: COMMITTEE SCHEDULE

RLB Fri - testimony
Mon - mark-up 347

Monday, January 25, 1982 - Testimony & Mark-up:

- HB632 - An Act providing for waiver of jurisdiction under AS 47.10 over a minor if there is probable cause for believing that the minor committed a violent crime and the minor is over 16 years of age or that the minor committed murder regardless of the minor's age.
- HB633 - An Act prohibiting personal recognizance release when the offense charged is a violent crime.
- HR12 - Limiting Session Length
- HB438 - Chemical Blood Tests, Driving while Intoxicated

Tuesday, January 26, 1982 - Mark-up:

- HR22 - Proposing amendments to the Constitution of the State of Alaska relating to the attorney general.
- HB578 - An Act relating to release after conviction of a criminal offense.

Wednesday, January 27, 1982 - Mark-up:

- HB578 - Above
- HB576 - ~~Videotaping of Courtroom testimony. (minors)~~

Thursday, January 28, 1982 - Mark-up:

- HB632 - Above
- HB633 - Above
- HB438 - Above

Friday, January 29, 1982 - Testimony:

- HB206 - An Act relating to the termination of rental agreements of mobile home park dwellers and tenants.
- HB47 - An Act establishing mandatory imprisonment and fines as penalties for violation of hunting laws prohibiting waste of moose and caribou.
- HB640 - Relating to games of chance & contests of skill.

Walker 3 testimony
Fry
Moerson

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CHAIRMAN, HOUSE JUDICIARY

DATE: JANUARY 21, 1982

RE: COMMITTEE SCHEDULE

MONDAY	JANUARY 25, 1982	TESTIMONY - HB632, HB633
TUESDAY	JANUARY 26, 1982	MARK-UP - HJR22, HB578
WEDNESDAY	JANUARY 27, 1982	MARK-UP - HB578, HB566
THURSDAY	JANUARY 28, 1982	MARK-UP - HB632, HB633
FRIDAY	JANUARY 29, 1982	TESTIMONY - HB206, HB47

RB/DS/rv

*These were turned in
to the Clerk's office*



Members

Rep. Barnes, Chairman
 Rep. Anderson, Vice-Chairman
 Rep. Phillips
 Rep. O'Connell
 Rep. Freeman
 Rep. McKinley
 Rep. Buckholdt

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II. FISCAL DETAIL

Agency Affected Department of Revenue
 Program Category Affected Revenue Collection and Management
 BRU, Program, Or Subprogram(s) Affected Public Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars) NONE

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars) NONE

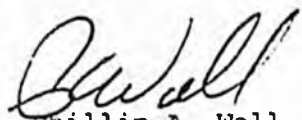
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)


See attached memo from E. Jones to R.D. Stevenson dated January 29, 1982.

IV. DATE 2/2/82 PREPARED BY  Phillip A. Wall
 AGENCY Department of Revenue
 Original: Legislative Finance PHONE 465-2301
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

FILE NO:

TELEPHONE NO:

SUBJECT: CSHB 640 (Jud)


FROM: Ervin Jones
Office Audit Manager
Audit Division

Although my comments of January 18, 1982 appear to still be appropriate, it should be pointed out that to legalize pull-tabs, all that must be done is to change the statutory definition of raffles and lotteries to include pull-tabs. This legislation goes far beyond that goal, and leaves the door wide open for the introduction of all the many games available from purveyors of such items.

If the legislation is amended to provide only for the legalization of pull-tabs, no additional staff would be required. However, if any and all games of chance are to be allowed, we will need to amend our fiscal note to provide additional staffing, both in Public Services and in Enforcement.

LJ:jg

Alaska State Legislature

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- HB640 - Relating to games of chance & contests of skill.

★

HOUSE JUDICIARY COMMITTEE

January 29, 1982

1:15 p.m.

PRESENT:

Chairman Barnes brought the meeting to order at 1:15.

HB206:

Representative Abood: 60 cases were lost last year because of one word. The word is reasonable. A tenant brings 2 junkers on to his property in a mobile home court, tears them apart and then leaves them sitting. The landlord tells him to move them, so he takes him to court and the landlord loses because of the word reasonable. The court decides what is reasonable. It's reasonable to have these cars there, etc. It will give the landlord the option to throw the person out instead of going to court.

(Log Time 1182)

Anderson: How come this only applies to mobile homes. I think it is wrong to single these people out. If this is such a big problem, then why don't the landlords write something into the agreement that will take care of this problem. They probably have a standard agreement.

Abood: It is not the law, and that is the problem. You can put anything in the agreement and no matter what it says, they can take it to court and have it thrown out because of the word reasonable.

Chairman Barnes: I believe the reason you are amending this is because this statute is up to expire and you are just amending this statute.

(Log Time 1220)

Ira Walker - Mayflower Turple Park, Mobile Homeowners Association, President.: I rent mobile home space and own a trailer court. The difference between mobile home parks and apartments is that the space is the only thing rented. People usually own the trailers whereas they rent apartments. Our contracts are made up by the laws of the court. I can only urge you to give this bill serious consideration. I will enable us to clean up our courts.

Anderson: If this should become law and a tenant has a junk pile, what would you do under these circumstances?

Walker: 1) I would contact the person personally.
2) Issue a letter with so many days to clean up.
3) Go to court, court will tell him to clean up.

The difference here is we don't go to court anymore because we already know what will happen. If this passed, I don't think there will be very many evictions because they know we will have the authority to evict so they will clean up.

Cook: The only thing it really does is take away from the District Judges the right to decide what is reasonable.

(Log Time 1315)

Anita Thompson - Turple Trailer Court

I have tried in a nice way and in a mean way to get people to clean up their junk. The last thing that happened: I asked someone to move the junk out of his yard. He had about 6 trucks torn apart in his yard. I gave him a time limit and when he didn't clean up I went over on the last day and he told me I couldn't take him to court because I wouldn't win anyways. When I said I would clean it up then, he pointed a 38 at me and told me not to touch his stuff. I can't evict him because as long as he pay at least \$5.00 a month on his rent its legal.

(Log Time 1358)

Paul Frye - Mayflower Trailer Court: Ira Walker already went through the chain of command so I just wanted to say that I am a witness and signed a complaint against these people in his court. If Section 3, reasonable wasn't in this bill, I wouldn't have to go through all this.

Buchholdt: I know there is an owners association. Do these get together and establish some sort of regulations?

Frye: It has been tried but it hasn't worked in my court.

Phillips: I would like to pass an amendment. Page 1, line 12, place a period after the word agreement.

Discussion on the amendment.

Anderson: If we should do this, the language after the period seems to include more than it seems. Is this excluding some wording that is needed?

Buchholdt: I would like to support Phillips amendment.

Anderson: I do support the amendment but I do think it will weaken the bill excluding the wording after the word agreement.

O'Connell: At first I agreed with Anderson, but now I think it is probably just a technicality.

Motion to move HB206 from committee. Bill passed around to sign.

(Tape Log 1450)

* HB640:

Rep. Randolph, Fairbanks

Randolph: An overview of this bill. An attempt to clarify the situation and allow these organizations to continue the use of these gambling games and limiting the price to \$1 or less.

Anderson: I don't know if I have the right bill in front of me, but it seems that this bill goes beyond pull tabs and legalizes all gambling and any games of chance. I don't know how this bill limits this.

Randolph: I don't think this bill does that at all.

(Tape Log 1520)

Commissioner Williams: These views are of the administration. We started getting complaints of charity gambling. Our regulations did not authorize pull tabs, etc.

Gave quotes from the Governor against gambling. Saying the Governor would not support legalizing or amending any gambling laws.

Chairman Barnes: Will you be offering to the committee an amended bill or will you be changing the language.

Commissioner: If the committee wouldn't mind, we could have new language by Monday.

Chairman Barnes: Just the language on the pull tabs.

Anderson: Questions on the -0- fiscal note. If you were to do a fiscal note on this bill right now, it would not be -0-. How would you describe it?

Commissioner: We believe we can conduct some sort of reasonable way of taking care of investigating problems but we wouldn't be able to search out problems.

Anderson: So your staff would be investigating tax portions only?

Commissioner: If there is some tax violation, etc. we would.

Chairman Barnes: Are there any other fiscal notes coming from any other organizations?

Commissioner: Not that I know of.

There is a real problem with Section 4 in this bill. We have a lot of people who have not had a chance to hold lotteries and others who are in violation. This is punishing those who can't do this.

(Tape Log 1670)

Phil Holdsworth, Alaska State Eiks Association.

I appeared at the original bill teleconference given all over the state people were in favor of this bill.

(Log Time 1711)

Red Swanson: I would like to see better language here to take the \$1 limit off because it could make a limit on the number of tickets you sell. Bingo is probably the top money maker. I don't feel that the pull tab is that much of an income but it does serve people who want to play that type of a game.

(Log Time 1754)

Randolph: Dozens of people have testified that without the pull tabs-Bingo combo, their revenue would go down greatly.

(Log Time 1764)

CSHB47:

Colonel Stickles, Division of Fish and Wildlife Protection.

I recommend that in the big game, the definition of walrus be deleted.

(Log Time 10)
Went over technicalities of the bill.

Adjourned, (Log Time 112) Ran out of time.