

S B

186

Alaska State Legislature

Senator Drue Pearce, Chair
Senator Virginia Collins, Vice Chair
Senator Dick Eliason
Senator Rick Halford
Senator Jay Kerttula



SENATE LABOR AND COMMERCE COMMITTEE

WHILE IN JUNEAU
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3844

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ANCHORAGE, ALASKA 99504
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TO: ALL SENATORS
FROM: Senator Pearce *DP*
DATE: March 8, 1991
RE: Cosponsorship - Felony convictions and charitable gaming activities.

Public perception of gaming activity in the state has significant impact on its success or failure. Ironically, current law allows an individual who was convicted of a felony to be a licensee, permittee or employee of a permittee or a licensee, to sponsor and conduct charitable gaming five years after conviction for such a crime. Yet, individuals convicted of a crime involving theft or dishonesty or a violation of a municipal, state or federal gambling law are prohibited from involvement with charitable gaming for life.

The public, and I agree, view this as an inconsistency in law and as potentially damaging to allow convicted felons to participate in charitable gaming. Senator Zharoff recognized this inconsistency when he introduced Senate Bill 4, "An Act establishing the Alaska Gaming Commission." Section 1 (c)(1) of that legislation prohibits convicted felons from serving on the Alaska Gaming Commission.

The attached draft legislation prohibits felons from being involved as a licensee, permittee or employee in charitable gaming activity.

I encourage you to cosponsor this important legislation.

This legislation will be read across March 11th.

DP:rrm

March 22, 1991

Drue -

Re: SB 186

In testimony the other day the question was asked whether an employer can ask an employee/applicant whether they have been convicted as a felony as a condition of employment.

I spoke with John Giguine. He said that in the gaming industry, such a question is appropriate.

Red

*Elzsoy
Let Collins
Hartford know.*



TELECOPY COVER SHEET

SENATOR DRUE PEARCE'S OFFICE

VOICE (907) 465-4993 FAX (907) 463-5352

To: JIM FISK Fax: 486-7099

Attn: _____ Phone: _____

Transmitted by: ROD MOURANT Date: 3/18/91

Re: SB 186

Comments: PER YOUR REQUEST, HERE IS

COPY OF SEN. PEARCE'S LEGISLATION.

ALSO, I MADE ARRANGEMENTS FOR

KODIAK TO BE ON-LINE FOR THE

TELECONFERENCE.

Number of Pages: 2 Including Cover Sheet.



March 16, 1991

Drue -

Re: SB 186

I got a call from Desiree Humphrey who works for the Times in Anchorage. She was investigating your motivation for introducing the felony bill.

She asked if it was connected to some audit taking place involving a convicted felon. I told her that I know of no connection with any investigation and read to her the memo you had sent out requesting co-sponsors. I faxed it to her also. She also asked my opinion on why SB4 was introduced by Senator Zharoff. I gave her Tom Panamaroff's name and number and told her to call him.

Tom

J

It's tied to
simulcast.
I believe we
slb particularly
careful.

WORK ORDER REQUEST FORM

W.O. [17] LS-0906

KEYWORDS: GAMBLING ASSIGNED: Gaguine

REQUEST FOR: New Bill TAKEN BY: Gaguine

SUBJECT: Gaming Permit Suspension/Revocation

REQUESTED FOR: SEN PEARCE BY: Rod Mourant PHONE: 465-4993

DELIVER TO: Sen. Pearce, Attn: Rod Mourant, Cap 101

INSTRUCTIONS: Five year limit lifted from AS 05.15.060(6), .122(c), and .140(c), and any other felony references.

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED []
AUTHORIZED TO CONFER WITH _____

RETURN _____
_____ TO REQUESTOR

APPROVED: X DIRECTOR, LEGAL SERVICES

REVIEWED _____

IN 03/01/91 DUE _____

TYPED: Draft _____ Date _____

Final _____ Date _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS to TYPING/PROOFING

Request for DRAFT

7-LS0906A
Gaguine
3/6/91

SENATE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR PEARCE

**Introduced:
Referred:**

A BILL

FOR AN ACT ENTITLED

1 "An Act preventing persons with felony convictions older than five years from being
2 involved in charitable gaming activities."

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

4 * Section 1. AS 05.15.060 is amended to read:

5 Sec. 05.15.060. REGULATIONS. The department shall adopt regulations under the
6 Administrative Procedure Act (AS 44.62) necessary to carry out this chapter covering, but not
7 limited to,

8 (1) the issuance, renewal, and revocation of permits and licenses;

9 (2) a method of ascertaining net proceeds, the determination of items of expense
10 that may be incurred or paid, and the limitation of the amount of the items of expense to prevent
11 the proceeds from the activity permitted from being diverted to noncharitable, noneducational,
12 nonreligious, or profit-making organizations, individuals, or groups;

13 (3) the immediate revocation of pennits and licenses authorized under this chapter
14 if this chapter or regulations adopted under it are violated;

1 (4) the requiring of detailed, sworn, financial reports of operations from permittees
2 and licensees including detailed statements of receipts and payments;

3 (5) the investigation of permittees, licensees, and their employees, including the
4 fingerprinting of those permittees, licensees, and employees whom the commissioner considers
5 it advisable to fingerprint;

6 (6) exclusion from participation as a permittee, licensee, or employee of a
7 permittee or licensee, of a person convicted of [, IN PRISON FOR, OR ON PAROLE FOR] a
8 felony, [WITHIN THE PRECEDING FIVE YEARS, OR CONVICTED OF] a crime involving
9 theft or dishonesty, or [OF] a violation of a municipal, state, or federal gambling law;

10 (7) the method and manner of conducting authorized activities and awarding of
11 prizes or awards [,] and the equipment that may be used;

12 (8) the number of activities that may be held, operated, or conducted under a
13 permit during a specified period; however, the department may not allow more than 14 bingo
14 sessions a month and 35 bingo games a session to be conducted under a permit;

15 (9) a method of accounting for receipts and disbursements by operators, including
16 the keeping of records and requirements for the deposit of all receipts in a bank;

17 (10) the disposition of funds in possession of a permittee or a person,
18 municipality, or qualified organization that possesses an operator's license at the time a permit
19 or a license is surrendered, revoked, or invalidated;

20 (11) restrictions on the participation by employees of the Department of Fish and
21 Game in salmon classics;

22 (12) other matters the commissioner considers necessary to carry out this chapter
23 or protect the best interest of the public.

24 * Sec. 2. AS 05.15.122(c) is amended to read:

25 (c) The department may not issue an operator's license to an applicant if the applicant
26 or a person employed by the applicant, in a managerial or supervisory capacity, has been
27 convicted of [, IN PRISON FOR, OR ON PAROLE FOR] a felony, [WITHIN THE
28 PRECEDING FIVE YEARS, OR CONVICTED OF] a crime involving theft or dishonesty, or
29 [OF] a violation of a municipal, state, or federal gambling law.

30 * Sec. 3. AS 05.15.122(d) is amended to read:

31 (d) A licensee may not employ a person in a managerial or supervisory capacity if the

1 person has been convicted of [, IN PRISON FOR, OR ON PAROLE FOR] a felony, [WITHIN
2 THE PRECEDING FIVE YEARS, OR CONVICTED OF] a crime involving theft or dishonesty,
3 or [OF] a violation of a municipal, state, or federal gambling law.

4 * Sec. 4. AS 05.15.140(b) is amended to read:

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

8 (1) has been convicted of [, IN PRISON FOR, OR ON PAROLE FOR] a felony,
9 [WITHIN THE PRECEDING FIVE YEARS, OR CONVICTED OF] a crime involving theft or
10 dishonesty, or [OF] a violation of a municipal, state, or federal gambling law; or

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

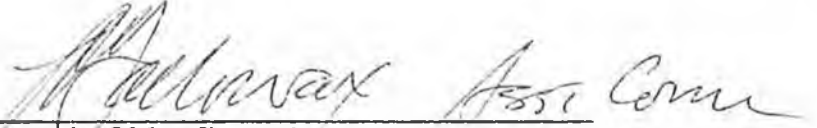
13 * Sec. 5. AS 05.15.140(c) is amended to read:

14 (c) The commissioner may not issue a permit for an activity operated by a person who
15 has been convicted of [, IN PRISON FOR, OR ON PAROLE FOR] a felony, [WITHIN THE
16 PRECEDING FIVE YEARS, OR CONVICTED OF] a crime involving theft or dishonesty, or [OF] a
17 violation of a municipal, state, or federal gambling law.

SB 186: "An Act preventing persons with felony convictions older than five years from being involved in charitable gaming."

The Department of Commerce and Economic Development feels that, more than any other proposed legislation, this issue needs to be addressed. The department fully supports passage of Senate Bill 186.

Should this bill not pass into law this session, the department will support any other comprehensive legislation that addresses this issue.



Glenn A. Olds, Commissioner

Date: 3/18/91