

HB

366

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 5, 2004

FURTHER REFERRALS:

Date of Committee Action: 4.23.04

The FINANCE Committee considered:

HR 366

HOUSE BILL NO. 366

RAT RACING CHARITABLE GAMING

"An Act relating to rat racing charitable gaming; and providing for an effective date."

Recommends it be replaced with HCS or CS for HB 366 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:

- ADM
- CEC
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- HSS
- LEG
- LAW
- LWF
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
REV	1			✓

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Hawker			X	
	Spitzer	X			
	Soule			—	
	Chenault	✓			
	Fata			✓	
Chair:					
Chair:	Meyer	X			

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 366
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title Rat Racing Charitable Gaming RDU Revenue Programs & Services
Component Tax Division

Sponsor Representative Stoltze
Requester House State Affairs Component No. 2476

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation formalizes in statute, a gaming activity that has been a long established practice in the Mat-Su valley.

This legislation will not result in additional revenues or costs to the department.

Prepared by: Larry Meyers and Jeffrey Prather
Division: Tax Division
Approved by: Steve Porter, Deputy Commissioner
Agency: Department of Revenue

Phone 907 269 6620
Date/Time 1/28/04 5:46 PM
Date 1/28/2004

Adopted
4.23.04

AMENDMENT \

OFFERED IN THE HOUSE

BY REPRESENTATIVE STOLTZE

To: CSHB 366(FIN), Draft Version "H"

Page 2, line 19
Delete "a"

Page 2, line 19 following "chicken" insert manure

Adopted
4.23.04

23-LS1373/H
Luckhaupt
3/2/04

CS FOR HOUSE BILL NO. 366()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES STOLTZE, Rokeberg, Gatto, Masek, Chenault

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to animal classic charitable gaming; and providing for an effective
2 date."

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

4 * Section 1. AS 05.15.100(a) is amended to read:

5 (a) The department may issue a permit to a municipality or qualified
6 organization. The permit gives the municipality or qualified organization the privilege
7 of conducting bingo, raffles and lotteries, pull-tab games, ice classics, race classics,
8 rain classics, goose classics, mercury classics, deep freeze classics, canned salmon
9 classics, salmon classics, king salmon classics, dog mushers' contests, snow machine
10 classics, fish derbies, animal classics, and contests of skill.

11 * Sec. 2. AS 05.15.115(c) is amended to read:

12 (c) A permittee may not contract with more than one operator at a time to
13 conduct the same type of activity. For the purposes of this subsection, bingo games,
14 raffles, lotteries, pull-tab games, ice classics, race classics, rain classics, goose

1 classics, mercury classics, deep freeze classics, canned salmon classics, salmon
2 classics, king salmon classics, dog mushers' contests, snow machine classics, fish
3 derbies, animal classics, and contests of skill are each a different type of activity.

4 * Sec. 3. AS 05.15.180(b) is amended to read:

5 (b) With the exception of raffles, lotteries, bingo games, pull-tab games, race
6 classics, rain classics, goose classics, mercury classics, deep freeze classics, dog
7 mushers' contests, snow machine classics, canned salmon classics, salmon classics,
8 animal classics, and king salmon classics, an activity may not be licensed under this
9 chapter unless it existed in the state in substantially the same form and was conducted
10 in substantially the same manner before January 1, 1959. A snow machine classic may
11 not be licensed under this chapter unless it has been in existence for at least five years
12 before the licensing. An animal classic may not be licensed under this chapter
13 unless it was in existence before November 1, 2002.

14 * Sec. 4. AS 05.15.690 is amended by adding a new paragraph to read:

15 (46) "animal classic" means a game of chance in which prizes are
16 awarded for the correct guess

17 (A) of which numbered or colored hole on a wheel a rat,
18 hamster, gerbil, or other rodent enters as the wheel is slowly rotated;

19 (B) concerning an activity involving a chicken and a numbered
20 or lettered grid.

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

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 366
 () Publish Date: _____

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Grants & Claims						
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CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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Prepared by: Larry Meyers and Jeffrey Prather Phone 907 269 6620
 Division Tax Division Date/Time 1/28/04 5:46 PM
 Approved by: Steve Porter, Deputy Commissioner Date 1/28/2004
 Agency Department of Revenue

ALASKA STATE LEGISLATURE

Chair:

House Finance Subcommittees for,
Department of Public Safety
Department of Law

Member:

House Finance Committee
Legislative Council



Session:

Alaska State Capitol
Juneau, AK 99801-1182
Phone: (907) 465-4958
Fax: (907) 465-4928

Interim:

PO Box 464
Chugiak, AK 99567

REPRESENTATIVE BILL STOLTZE

Representative_Bill_Stoltze@legis.state.ak.us

HOUSE BILL 366

"An Act relating to rat racing charitable gaming"

SPONSOR STATEMENT

Two years ago, Alaska's Attorney General issued a legal opinion stating certain traditional "games of chance" were illegal under current statute. This ruling included games like the Alaska State Fair Elks Rat Races. Folks gather around a wheel of colors, place their quarter bets, a gerbil is placed in the middle and whichever colored hole he disappears in to is declared the winner. This game of chance has been a part of the state fair for over five decades and its revenues go to support local charities.

House Bill 366, an act relating to rat racing charitable gaming, was introduced to allow these games and permit them to continue. It is a very narrow subject and does not expand charitable gaming in Alaska as a whole, as that is not my intent with this legislation. HB 366 is only to protect a traditional game of chance which is strongly supported by many Alaskans and charities and would be sorely missed at this year's fair.

The Elks Club Rat Races are an integral part of the Alaska State Fair and its history. I greatly appreciate the committee's consideration and hopefully your support to "let the rats run!"

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK



26 January 2004

Rep. Bill Stoltz
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Dear Representative Stoltz:

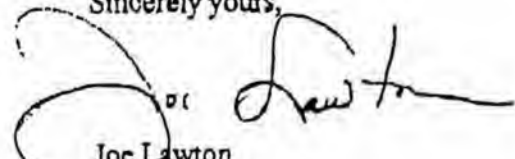
This letter is in support of your efforts to retain the ability of local charitable organizations to continue their efforts at our annual State Fair.

Our local Elks (B.P.O.E.) Club has run a "Rat Race" on our grounds at least fifty years by my memory, and perhaps considerably longer. It is one of several Games of Chance at our event that allows organizations to raise money for worthy causes. The operators of these attractions invariably donate their time to help their organization maximize the use of their gift.

The Rat Race is an innocuous attraction at the Fair. Several years ago, to better "theme" our layout, we relocated it closer to the bulk of the Fair's Games, and away from its isolated position on a main walkway. However, incidents and complaints about the Game are and always have been virtually absent. It is difficult to imagine any reason why it should not continue to be a part of the flavor of our Fair.

I applaud your efforts to guarantee the ability of the Elks Club to raise this money for charity, and may be called upon for additional information.

Sincerely yours,



Joe Lawton
General Manager

A FRATERNAL ORGANIZATION



Palmer Lodge No. 1842

BENEVOLENT AND PROTECTIVE ORDER OF ELKS

January 28, 2004

Alaska State Legislature
Alaska State Capitol
Juneau, Alaska 99801

Attention: Representative Bill Stoltze, Alaska State Legislature

Reference: Palmer Elks Lodge Rat Race and House Bill 366

Dear Representative Stoltze:

This letter is written to provide the legislature with information and strong support from the Palmer Elks Lodge for House Bill 366. We received your letter dated January 13, 2004, regarding the introduction of HB 366 and your efforts to document the long historical precedence of the Elks Rat Race at the Alaska State Fair. Thank you very much for your efforts and your support of this very important Elks' fund raising activity.

The Palmer Elks Lodge has over 760 members. In a ballot of the membership there is unanimous support for the Rat Race and its annual continuance at the Alaska State Fair. The lodge officers both past and present support the Rat Race unanimously. As you know all of the monies that are raised by the Rat Race are funneled into the Elks Scholarship Fund. The scholarships are awarded annually to worthy students pursuing further education. The high schools help us select worthy candidates. The Palmer Elks Lodge annually awards about \$20,000 in scholarships.

Please use this letter to convey to the legislature, the strong support and adamant need the Palmer Elks Lodge has for the passage of House Bill 366. We plan to have as many people available as time allows to provide testimony via the telephone conference hearing planned for Thursday, January 29, 2004.

2600 N. Barry's Resort Drive
Phone: 745-3950

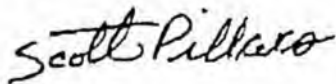
Wasilla, Alaska 99654
Fax: 745-3960

1/28/04 Page 2 of 2

Subject: Palmer Elks Lodge Rat Race and House Bill 366

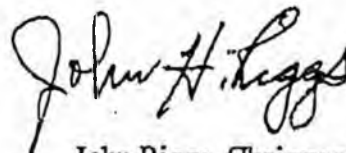
If there is anything else that the Lodge can do to support your efforts, please advise us at your earliest convenience. Once again, on behalf of the lodge members and our scholarship recipients we sincerely thank you for your efforts to save the Rat Race.

Sincerely,



Scott Pillars, Exalted Ruler
Palmer Elks Lodge No. 1842

Sincerely,



John Riggs, Chairman
Board of Trustees



VETERANS OF FOREIGN WARS OF THE U.S.
JERRY V. HORN MEMORIAL NO. 10046
134 North Birch Street
Soldotna, Alaska 99669
Phone (907) 262-2722
Fax (907) 262-2762

TO: SEN. TOM WAGGONER

RE: ANIMAL CLASSICS HOUSE BILL 366

DEAR SEN. WAGGONER,

THIS HOUSE BILL IS OF GREAT IMPORTANCE TO SOLDOTNA VFW POST #10046. WE HAVE HAD A CHICKEN SH*T CONTEST AT THE VFW IN SOLDOTNA SINCE 1990 AS PART OF SOLDOTNA PROGRESS DAYS CELEBRATION. WE HOLD AN "OPEN HOUSE" FOR THE COMMUNITY WHICH INCLUDES OUR COLOR GUARD PARTICIPATION IN THE COMMUNITY PARADE, BBQ (CHICKEN, OF COURSE), LIVE MUSIC AND THE CHICKEN SH*T CONTEST. WE PURCHASE SPECIAL T-SHIRTS (LOCAL BUSINESS) & SELL SPECIAL T-SHIRTS FOR THIS EVENT. WE HAVE THE LARGEST TURN-OUT OF THE YEAR FOR THIS EVENT.

THE MONEY GENERATED FROM THE CONTEST GOES TO OUR COMMUNITY CHARITY PROGRAMS. THIS INCLUDES LOCAL FOOD BANK, VETERAN SUPPORT PROGRAMS, SCHOLARSHIP PROGRAMS FOR LOCAL SCHOOLS, ETC.

WE AT VFW POST 10046 ENCOURAGE OUR REPS. TO HEAR HB 366 AND MOVE IT OUT OF COMMITTEE.

SINCERELY,

**CHUCK RHODES
COMMANDER
VFW POST 10046**