

HB

366

SENATE COMMITTEE REPORT

DATE: 04/28/04

FURTHER: Finance

DATE TURNED IN TO OFFICE: 5/2/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 366(FIN)

HB 366 ANIMAL CLASSICS CHARITABLE GAMING

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

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- Same Title
- New Title

House Bill:

- Same Title
- Technical Title Change
- New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DOR	1/28/04			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John Carlsberg</i>	✓			
<i>Robert J. ...</i>	✓			
<i>Richard ...</i>	✓			
CHAIR <i>[Signature]</i>				

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 366
(H) Publish Date: 2/5/04

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 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 animal classic charitable gaming"

SPONSOR STATEMENT

Two years ago, the 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 and the Soldotna Progress Days VFW Chicken Sh*t Contest.

House Bill 366, an act relating to animal classic 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. This bill allows games that have traditionally been in operation. HB 366 is only to protect these traditional games of chance which is strongly supported by many Alaskans and the charity organizations that rely on the funds raised by these events.

These two events have become an integral part of their communities. I greatly appreciate your consideration and hopefully your support to allow these events to continue to aide the charities in their communities.

DISTRICT 16

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



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**

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES



26 January 2004

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

Dear Representative Stoltz:

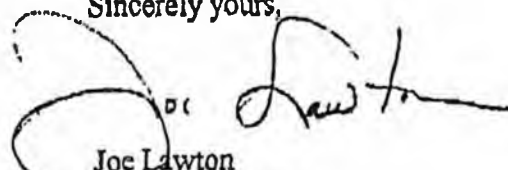
This letter is in support of your efforts to retain the ability of local charitable organizations to continue their efforts at our annual State Fair.

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

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Subject: Palmer Elks Lodge Rat Race and House Bill 366

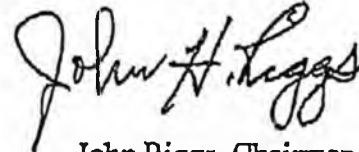
If there is anything else that the Lodge can do to support your efforts, please advise us at your earliest convenience. Once again, on behalf of the lodge members and our scholarship recipients we sincerely thank you for your efforts to save the Rat Race.

Sincerely,



Scott Pillars, Exalted Ruler
Palmer Elks Lodge No. 1842

Sincerely,



John Riggs, Chairman
Board of Trustees

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

Wasilla, Alaska 99654
Fax: 745-3960

General Affidavit under Oath

I, Maurice R. Pelletier ("Declarant"), am a resident of
Palmer, County of Mat-Su Borough, State of
Alaska, and do hereby certify, swear or affirm, and
declare that I am competent to give the following declaration based on my personal
knowledge, unless otherwise stated, and that the following facts and things are true and
correct to the best of my knowledge (*insert facts*):

This affidavit is to certify
That I worked the Palmer Elks Lodge #
1842 rat race in 1956 and many years
after at the Alaska Fair held in Palmer.

WITNESS my signature this 14th day of Feb. 2004 (year and month).

Maurice R Pelletier
Signature of Declarant

Witness:
Marilyn Grasser