

CHAPTER 91

AN ACT

[H. B. 78]

To pay escheated funds to heirs of Alexander A. Strait.

Be it enacted by the Legislature of the Territory of Alaska:

Refund of
escheated estate.

Section 1. That the sum of \$128.46 is hereby appropriated out of the funds of the Territory of Alaska, not otherwise appropriated, to pay Olavi Munkki, attorney-in-fact representing the heirs of Alexander A. Strait, which said sum represents an amount erroneously escheated to the Territory of Alaska from the estate of said Alexander A. Strait.

Section 2. The Treasurer of the Territory of Alaska is hereby authorized to pay the amount herein specified upon a voucher approved by the Attorney General.

Approved March 31, 1947.

CHAPTER 92

AN ACT

[H. B. 87]

To provide for tax on coin-operated amusement and gaming devices; repealing Chapter 40, Session Laws of Alaska, 1946; and providing an effective date.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. Every person who desires to maintain for use, or who permits the use of, in any place or premises occupied by him, a coin-operated amusement device or a coin-operated gaming device as hereinafter defined, shall first pay a tax as follows:

Tax on coin
operated devices.

- (a) \$50.00 per year for each device defined in Section 2 (a).
- (b) \$200.00 per year for each device defined in Section 2 (b).

Section 2. As used in Section 1 hereof, the following terms shall mean:

- (a) "Coin-operated amusement device" denotes any amusement device or apparatus which operates by means of insertion of a coin token or other similar object, which does not involve an element of chance, excepting coin operated radios.

Amusement
device defined.

- (b) "Coin-operated gaming device" denotes any so-called slot machine, pin-ball, horse-race machine or any other apparatus or device which operates or may be operated by means of insertion of a coin, token or similar object and which, by embodying the element of chance, may deliver, or entitle the person playing or operating the machine to receive cash, premiums, merchandise, or tokens. The term does not include bona fide vending machines in which are not incorporated gaming or amusement features. For the purpose of this section, a vending machine operated by means of a one-cent coin, which, when

Gaming device
defined.

it dispenses a prize, never dispenses a prize of a retail value of, or entitles a person to receive a prize of a retail value of, more than five cents, and if the only prize dispensed is merchandise and not cash or tokens, shall be classified under Section 1 (a) hereof.

Section 3. Tax payments specified in Section 1 shall be made to the Tax Commissioner, who shall give appropriate receipts therefor. Such receipts must be kept for inspection in the manner required under such rules as the Tax Commissioner may prescribe.

Receipts issued
by Tax
Commissioner.

Section 4. Any person subject to the provisions of Section 1 hereof shall file quarterly returns on forms to be available at any office of the Tax Commissioner, showing the exact number of devices in operation on the date thereof and the location of each, and such other information as the Tax Commissioner may require.

Quarterly
returns.

Section 5. The operation of any device, except music machines, covered by this Act by any person under the age of eighteen years shall not be permitted by any operator or other person having such device in his charge. Excepting music machines, no machine shall be placed, used, located or operated within a radius of one hundred yards of any school building.

Restriction
on operation
and location.

Section 6. One-half of all revenues derived under this Act from the sale of stamps for amusement devices or pinball or slot machines in operation within a municipality duly incorporated under the laws of the Territory of Alaska shall, except to those municipalities that provide by ordinance for the payment of taxes and license fees by operation of machines covered under this Act, be paid over to said municipality. In the event said municipality shall levy any additional license fees on said machines, the said municipality shall lose all right to the refund of

Refund to
municipality.

that part of the license tax herein mentioned. Payment of said one-half of revenues realized shall be made semi-annually, commencing on July 1, 1948. All other revenues derived under this Act shall be paid into the general fund of the Territory of Alaska.

No refund when city levies tax.

Section 7. The Tax Commissioner shall have the power to issue all orders, rules and regulations necessary to carry out the provisions of this Act.

Authority of Tax Commissioner.

Section 8. This Act shall not be construed in any way to legalize gambling.

Section 9. If any section or part of this Act shall be declared unconstitutional or invalid, such adjudication shall not affect the validity or force of any other section or part thereof.

Saving clause.

Section 10. Chapter 40, Session Laws of Alaska, 1946, is hereby repealed.

Repeal.

Section 11. The effective date of this Act shall be January 1, 1948.

Approved March 31, 1947.

CHAPTER 93

AN ACT

[S. B. 79]

To require the licensing, inspection and regulation of hospitals as herein defined; creating a hospital advisory council and prescribing its powers; providing for regulations, enforcement procedures, penalties and appropriation.