

HOUSE BILL NO. 294

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KREISS-TOMKINS

Introduced: 2/3/16
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to herring spawn classics."**

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

3 *** Section 1.** AS 05.15.060(a) is amended to read:

4 (a) The department shall adopt regulations under AS 44.62 (Administrative
5 Procedure Act) necessary to carry out this chapter covering, but not limited to,

6 (1) the issuance, renewal, and revocation of permits, licenses, and
7 vendor registrations;

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

13 (3) the immediate revocation of permits, licenses, and vendor
14 registrations authorized under this chapter if this chapter or regulations adopted under
15 it are violated;

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

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

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

8 (7) the number of activities that may be held, operated, or conducted
9 under a permit during a specified period; however, the department may not allow more
10 than 14 bingo sessions a month and 35 bingo games a session to be conducted under a
11 permit; the holders of a multiple-beneficiary permit under AS 05.15.100(d) may hold,
12 operate, or conduct the number of sessions and games a month equal to the number
13 allowed an individual permittee **for each** [PER] month multiplied by the number of
14 holders of the multiple-beneficiary permit;

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

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

22 (10) restrictions on the participation by employees of the Department
23 of Fish and Game in salmon classics, king salmon classics, **herring spawn classics,**
24 and big bull moose derbies, and by employees of Douglas Island Pink and Chum in
25 king salmon classics;

26 (11) other matters the department considers necessary to carry out this
27 chapter or protect the best interest of the public.

28 * **Sec. 2.** AS 05.15.100(a) is amended to read:

29 (a) The department may issue a permit to a municipality or qualified
30 organization. The permit gives the municipality or qualified organization the privilege
31 of conducting bingo, raffles and lotteries, pull-tab games, ice classics, race classics,

1 rain classics, goose classics, mercury classics, deep freeze classics, canned salmon
2 classics, salmon classics, king salmon classics, dog mushers' contests, snow classics,
3 snow machine classics, fish derbies, animal classics, crane classics, cabbage classics,
4 Calcutta pools, big bull moose derbies, herring spawn classics, and contests of skill.

5 * **Sec. 3.** AS 05.15.115(c) is amended to read:

6 (c) A permittee may not contract with more than one operator at a time to
7 conduct the same type of activity. For the purposes of this subsection, bingo games,
8 raffles, lotteries, pull-tab games, ice classics, race classics, rain classics, goose
9 classics, mercury classics, deep freeze classics, canned salmon classics, salmon
10 classics, king salmon classics, dog mushers' contests, snow classics, snow machine
11 classics, fish derbies, animal classics, crane classics, cabbage classics, big bull moose
12 derbies, herring spawn classics, and contests of skill are each a different type of
13 activity.

14 * **Sec. 4.** AS 05.15.150 is amended by adding a new subsection to read:

15 (c) Notwithstanding (a) of this section, a permittee operating a herring spawn
16 classic may only use the net proceeds of the herring spawn classic to award prizes to
17 contestants or participants, for social services, and for educational purposes, including
18 scholarships.

19 * **Sec. 5.** AS 05.15.180(b) is amended to read:

20 (b) With the exception of raffles, lotteries, bingo games, pull-tab games, race
21 classics, rain classics, goose classics, mercury classics, deep freeze classics, dog
22 mushers' contests, snow classics, snow machine classics, canned salmon classics,
23 salmon classics, animal classics, crane classics, cabbage classics, Calcutta pools, big
24 bull moose derbies, herring spawn classics, and king salmon classics, a permit may
25 not be issued for an activity under this chapter unless it existed in the state in
26 substantially the same form and was conducted in substantially the same manner
27 before January 1, 1959. A permit may not be issued for a snow machine classic under
28 this chapter unless it has been in existence for at least five years before the permit is
29 issued. A permit may not be issued for an animal classic under this chapter unless it
30 was in existence before November 1, 2002.

31 * **Sec. 6.** AS 05.15.690 is amended by adding a new paragraph to read:

1 (50) "herring spawn classic" means a game of chance in which prizes
2 are awarded for the closest guess of the postseason preliminary estimate of nautical
3 miles of shoreline receiving spawn of pacific herring, as determined by the
4 Department of Fish and Game from aerial surveys between March and May, and is
5 limited to the herring spawn classic operated and administered by the Sitka Tribe of
6 Alaska.