



LAWS OF ALASKA

2007

Source
CSHB 217(JUD)

Chapter No.

AN ACT

Relating to required onboard disclosures about promotions, tours, flightseeing operations, other shoreside activities, shoreside vendors, and visitors bureaus; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to required onboard disclosures about promotions, tours, flightseeing operations,
2 other shoreside activities, shoreside vendors, and visitors bureaus; and providing for an
3 effective date.

4 _____
5 * **Section 1.** AS 45.50.474(a) is amended to read:

6 (a) A person may not conduct a promotion on board a cruise ship that
7 mentions or features a business in a state port that has paid something of value for the
8 purpose of having the business mentioned, featured, or otherwise promoted, unless the
9 person conducting the promotion clearly and fully discloses [ORALLY AND] in all
10 written materials used in the promotion that the featured businesses have paid to be
11 included in the promotion. **If the value paid by the business is more than 10**
12 **percent of any single sale, the disclosure must also state that more than a 10**
13 **percent commission is being retained by the person making the promotion and**
14 **that other alternatives may be available at a port of call; and the disclosure must**

1 provide the address, Internet website address, and telephone number of any
2 existing visitors bureaus at each future port of call [ALL SUCH WRITTEN
3 NOTICE OF DISCLOSURE SHALL BE IN A TYPE NOT LESS THAN 14-POINT
4 TYPEFACE AND IN A CONTRASTING COLOR CALCULATED TO DRAW
5 ATTENTION TO THE DISCLOSURE].

6 * **Sec. 2.** AS 45.50.474(b) is amended to read:

7 (b) A person or other entity aboard a cruise ship conducting or making a sale
8 of tours, flightseeing operations, or other shoreside activities to be delivered by a
9 vendor or other entity at a future port of call shall disclose, [BOTH ORALLY AND]
10 in writing at the point of sale,

11 (1) that the onboard sale is a retail-wholesale relationship between
12 the cruise ship and the shoreside vendor that results in a percentage of the sale
13 being retained by the cruise ship;

14 (2) that other alternatives at different prices and with different
15 features may be available at a port of call;

16 (3) the address, Internet website address, and telephone number of
17 the existing visitors bureaus at each future port of call; and

18 (4) if the amount of commission or percentage of the total sale retained
19 or returned to the person or entity making or attempting to make the sale exceeds 20
20 percent of the total cost of the [. THE PERSON OR ENTITY ABOARD A CRUISE
21 SHIP MAKING OR ATTEMPTING TO MAKE A SALE OF] services or goods
22 provided by a shoreside vendor, that more than 20 percent of the total sale price is
23 being retained as a commission by the person or entity making the sale [SHALL
24 DISCLOSE THE ADDRESS AND TELEPHONE NUMBER OF THE SHORESIDE
25 VENDOR IF ASKED BY A CONSUMER. ALL SUCH WRITTEN NOTICE OF
26 DISCLOSURE SHALL BE IN A TYPE NOT LESS THAN 14-POINT TYPEFACE
27 AND IN A CONTRASTING COLOR CALCULATED TO DRAW ATTENTION TO
28 THE DISCLOSURE].

29 * **Sec. 3.** AS 45.50.474(c) is amended to read:

30 (c) Each violation of this section constitutes an unfair trade practice under
31 AS 45.50.471 [, AND SHALL RESULT IN A PENALTY OF NOT MORE THAN

1 \$100 FOR EACH VIOLATION].

2 * **Sec. 4.** AS 45.50.474 is amended by adding a new subsection to read:

3 (e) A written notice of disclosure under (a) or (b) of this section must be in a
4 type that is not less than 14-point typeface and in a contrasting color calculated to
5 draw attention to the disclosure.

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