

HOUSE BILL NO. 358

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES PRUITT, Millett, Costello, Thompson, Johansen, Keller, Olson, Saddler

Introduced: 2/22/12

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to an advertising campaign in support of opening the Arctic National**
2 **Wildlife Refuge for development."**

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

4 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
5 to read:

6 ADVERTISING CAMPAIGN FOR OPENING THE ARCTIC NATIONAL
7 WILDLIFE REFUGE. (a) Subject to appropriations for the purpose, the Department of
8 Commerce, Community, and Economic Development shall contract with a single qualified
9 trade association for the purpose of planning and executing an advertising campaign
10 advocating the opening of the Arctic National Wildlife Refuge for the purpose of resource
11 development in the 10-02 area. The contract may be awarded only if the qualified trade
12 association provides matching funds equal to at least 50 percent of the cost of the advertising
13 campaign described in the contract. Before the contract is executed, the advertising campaign
14 plan must be approved by the department.

1 (b) The contract awarded under (a) of this section must include essential components
2 identified by the department.

3 (c) If, during the term of a contract awarded under (a) of this section, funds are
4 appropriated to the department for an advertising campaign advocating the opening of the
5 Arctic National Wildlife Refuge for the purpose of resource development that are in addition
6 to the funds already committed under the contract, the contract may be amended to include
7 the additional funds and any additional activities required by the appropriation. The
8 department may require the qualified trade association to provide matching funds in any
9 amount for the additional funds, or the department may impose no matching requirement for
10 the additional funds.

11 (d) Materials produced under a contract awarded under (a) of this section

12 (1) are the joint property of the qualified trade association and the department;

13 (2) may not be used by the state or the qualified trade organization except as
14 provided in the contract entered into under (a) of this section;

15 (3) are not public records under AS 40.25.100 - 40.25.220.

16 (e) A qualified trade association may not use money from a contract awarded under
17 (a) of this section

18 (1) to lobby a municipality or an agency of a municipality or to lobby the state
19 or an agency of the state, as those terms are defined in AS 44.99.030(b);

20 (2) to raise funds that will be used to lobby a municipality or an agency of a
21 municipality or to lobby the state or an agency of the state, as those terms are defined in
22 AS 44.99.030(b); or

23 (3) for administrative or overhead costs that directly support any effort to
24 lobby a municipality or an agency of a municipality or to lobby the state or an agency of the
25 state, as those terms are defined in AS 44.99.030(b).

26 (f) The provisions of AS 36.30 do not apply to the award of a contract under (a) of
27 this section. A qualified trade association may, under the performance of a contract awarded
28 under (a) of this section, award a subcontract only on a competitive basis after providing
29 adequate notice of the availability of the subcontract and considering all responses.

30 (g) In this section,

31 (1) "department" means the Department of Commerce, Community, and

1 Economic Development;

2 (2) "qualified trade association" means a private, nonprofit organization whose
3 primary purposes include the promotion of resource development in the state and that is
4 broadly representative of different segments of the resource industry in the state.

5 * **Sec. 2.** Section 1 of this Act is repealed July 1, 2015.