

BY THE HOUSE SPECIAL COMMITTEE ON TOURISM

1 IN THE HOUSE

2 HOUSE BILL NO. 442

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Tourism Marketing
7 Council; and providing for an effective date."

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

9 * Section 1. AS 44.33.705(c) is amended by adding a new paragraph to
10 read:

11 (11) notwithstanding AS 39.52, a board member who is a
12 member of the qualified trade association that has contracted with the
13 department under (b) of this section may vote or take action on a
14 matter that might benefit the trade association or members of the
15 trade association, including the issuance of contracts or the granting
16 of rights to the trade association.

17 * Sec. 2. AS 44.33.715(a) is amended to read:

18 (a) The board may

19 (1) adopt, alter, and use a corporate seal;

20 (2) prescribe, adopt, amend, and repeal bylaws relating to
21 the internal management and operations of the council [, INCLUDING THE
22 GRANTING OF DISTRIBUTION RIGHTS TO TOURISM MAILING LISTS];

23 (3) sue and be sued in the name of the council;

24 (4) enter into [ANY] agreements necessary to perform its
25 functions;

26 (5) cooperate with a public or private board, organization,
27 or agency engaged in work or activities similar to the work or act-
28 ivities of the council, including entering into contracts for joint
29 programs of tourism advertising and marketing;

- 1 (6) receive contributions of money;
- 2 (7) establish offices in the state and otherwise incur
- 3 expenses incidental to the performance of its duties;
- 4 (8) appear on behalf of the council before boards, commis-
- 5 sions, departments, or other agencies of municipal, state, or federal
- 6 government except as provided under (b) of this section;
- 7 (9) acquire, hold, lease, sell, or otherwise dispose of
- 8 property, but such property is limited to that which is necessary to
- 9 the administrative functioning of the council;
- 10 (10) appoint committees comprised of board and nonboard
- 11 members; the presiding officer of each committee shall be a board
- 12 member;
- 13 (11) prepare and implement plans for the promotion of
- 14 travel to and inside the state;
- 15 (12) sell, at fair market value, tourism advertising space
- 16 in publications and promotional materials developed by the council;
- 17 [AND]
- 18 (13) provide space to a qualified trade association in
- 19 publications and promotional materials developed by the council if the
- 20 trade association has contracted with the department under AS 44.33.-
- 21 705(b) and pays its pro rata share of the production costs for the
- 22 publication or promotional material; payment under this paragraph is
- 23 not part of the association's required contribution under AS 44.33.-
- 24 705(b); and
- 25 (14) grant exclusive rights to a qualified trade associa-
- 26 tion to sell tourism mailing lists developed by the council if the
- 27 trade association has contracted with the department under AS 44.33.-
- 28 705(b).

29 * Sec. 3. AS 44.33 is amended by adding a new section to read:

1 Sec. 44.33.723. INFORMATION AND DATA. Marketing information and
2 data generated by the council, including tourism mailing lists con-
3 taining consumer names, addresses, and demographic information, are
4 not public writings or records under AS 09.25.110 or 09.25.120.

5 * Sec. 4. AS 44.33 is amended by a new section to read:

6 Sec. 44.33.727. SATISFACTION OF REQUIRED CONTRIBUTION. Funds
7 obtained by the qualified trade association from the sale of space in
8 publications and promotional materials under AS 44.33.715(a)(13) and
9 from the sale of tourism mailing lists under AS 44.33.715(a)(14) may
10 be used as part of the association's required contribution under
11 AS 44.33.705(b).

12 * Sec. 5. This Act is retroactive to July 1, 1988.

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