

Original Sponsor(s): THE HOUSE SPECIAL COMMITTEE ON TOURISM

1 IN THE HOUSE BY THE HOUSE SPECIAL COMMITTEE ON TOURISM
2 CS FOR HOUSE BILL NO. 442 (Tourism)
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. FUND TRANSFER AND REQUIRED CONTRIBUTION. All of
7 the funds obtained by the qualified trade association from the sale of
8 space in publications and promotional materials under AS 44.33.-
9 715(a)(13) and from the sale of tourism mailing lists under AS 44.33.-
10 715(a)(14) shall be transferred to the council for deposit in the
11 general fund. The association shall receive credit towards the satis-
12 faction of its required contribution under AS 44.33.705(b) in the
13 amount of the funds turned over to the council under this section.

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

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