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1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 1 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL
6 For an Act entitled: "An Act relating to the Alaska Amateur Sports Author-
7 ity and the Alaska amateur sports fund; the powers of
8 the Alaska Industrial Development and Export Author-
9 ity; and providing for an effective date."

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

11 * Section 1. PURPOSE. The purpose of this Act is to establish an
12 authority for

13 (1) the promotion and development of amateur sports in the
14 state;

15 (2) the planning, managing, and constructing of amateur sports
16 training facilities; and

17 (3) developing and promoting amateur sports events that will
18 generate income in the state.

19 * Sec. 2. AS 05 is amended by adding a new chapter to read:

20 CHAPTER 40. ALASKA AMATEUR SPORTS AUTHORITY.

21 ARTICLE 1. CREATION AND ORGANIZATION.

22 Sec. 05.40.010. ALASKA AMATEUR SPORTS AUTHORITY. The Alaska
23 Amateur Sports Authority is established. The authority is a public
24 corporation of the state. The corporation is an instrumentality of
25 the state in the Department of Commerce and Economic Development but
26 has a legal existence independent of and separate from the state and
27 has continuing succession until its existence is terminated by law.

28 Sec. 05.40.020. DIRECTORS. (a) The authority is governed by a
29 board of 11 directors. The directors shall be the governor or a

1 designee of the governor, the commissioner of commerce and economic
2 development, a member of the state senate appointed by the senate
3 president, a member of the state house of representatives appointed by
4 the speaker of the house, and seven directors appointed by the gover-
5 nor as follows: a representative of the Alaska Tourism Marketing
6 Council, and six public members with experience in promoting amateur
7 sports, with at least one public member appointed from each judicial
8 district in the state.

9 (b) The directors appointed by the governor serve at the plea-
10 sure of the governor. All directors serve for three-year terms. Each
11 director shall hold office for the term of the director's appointment
12 and until a successor is appointed and qualified. A director is
13 qualified for reappointment. A vacancy in a directorship occurring
14 other than by expiration of term shall be filled in the same manner as
15 the original appointment but only for the unexpired term.

16 (c) The directors must be residents of the state and shall
17 comply with the requirements of AS 39.50 (Conflict of Interest). Each
18 director, before entering upon the director's duties, shall subscribe
19 to an oath to perform the duties of office faithfully, impartially,
20 and justly to the best of the director's ability. A record of the
21 oath shall be filed with the Office of the Governor.

22 (d) The directors of the authority serve without compensation,
23 but are entitled to travel and per diem expenses authorized by law for
24 state boards and commissions under AS 39.20.180.

25 Sec. 05.40.030. OFFICERS, QUORUM, AND MEETINGS. (a) The gover-
26 nor or a designee of the governor shall serve as chair. The directors
27 shall elect a secretary and a treasurer who need not be directors, and
28 the same person may be elected to serve both as secretary and treasur-
29 er. The powers of the authority are vested in the directors.

1 (b) Six directors of the authority constitute a quorum. Action
2 may be taken and motions and resolutions adopted by the authority at a
3 meeting by the affirmative vote of at least six directors. A vacancy
4 in the board of directors of the authority does not impair the right
5 of a quorum to exercise all the powers and perform all the duties of
6 the authority.

7 (c) The board of directors shall meet at least quarterly and may
8 meet at other times determined by the authority.

9 Sec. 05.40.040. STAFF AND PROFESSIONAL SERVICES CONTRACTS. The
10 authority shall employ an executive director who serves at the plea-
11 sure of the authority as its chief administrative officer. The execu-
12 tive director may, with the approval of the authority, select and
13 employ additional staff as necessary. Employees of the authority are
14 in the exempt service under AS 39.25.110. In addition to its staff of
15 regular employees, the authority may contract for the services of
16 consultants and professional, technical, and financial advisors the
17 authority considers necessary for the purpose of developing informa-
18 tion, conducting hearings, studies, investigations, or other proceed-
19 ings, or otherwise exercising its powers.

20 ARTICLE 2. POWERS AND DUTIES.

21 Sec. 05.40.050. POWERS OF AUTHORITY. In addition to other
22 powers granted in this chapter, the authority may

- 23 (1) sue and be sued;
- 24 (2) adopt and alter an official seal;
- 25 (3) adopt and enforce bylaws and regulations for the con-
26 duct of its business and for the use of its services and facilities;
- 27 (4) maintain offices in the state;
- 28 (5) subject to appropriation by the legislature, acquire,
29 hold, use, and dispose of its income, revenue, funds, and money;

1 (6) acquire, hold, use, lease, rent, construct, and dispose
2 of real and personal property for its purposes;

3 (7) operate, maintain, improve, and extend a system of
4 amateur sports facilities that the authority determines to be neces-
5 sary or desirable to promote or develop amateur sports in the state;

6 (8) establish other nonprofit corporations or charitable
7 organizations to promote and develop amateur sports;

8 (9) do all acts and things necessary, convenient, or desir-
9 able to carry out the powers expressly granted or necessarily implied
10 in this chapter.

11 Sec. 05.40.060. DUTIES OF AUTHORITY. The authority shall

12 (1) promote the development of training centers;

13 (2) promote physical fitness by promoting participation in
14 amateur sports;

15 (3) develop, foster, and coordinate physical fitness ser-
16 vices and programs;

17 (4) sponsor amateur sport workshops, clinics, and confer-
18 ences;

19 (5) provide recognition for outstanding developments,
20 achievements, and contributions to amateur sports;

21 (6) stimulate and promote amateur sport research;

22 (7) collect, disseminate, and communicate amateur sport
23 information;

24 (8) promote amateur sport and physical fitness programs in
25 schools and local communities;

26 (9) develop programs to promote personal health and phys-
27 ical fitness by participation in amateur sports in cooperation with
28 medical, dental, sports medicine, and similar professional societies;

29 (10) promote the development of recreational amateur sport

1 opportunities and activities in the state, including the means of
2 facilitating acquisition, financing, construction, and rehabilitation
3 of sports facilities for the holding of amateur sporting events;

4 (11) promote national and international amateur sport compe-
5 titions and events;

6 (12) sanction or sponsor amateur sports competitions;

7 (13) take membership in regional or national amateur sports
8 associations or organizations; and

9 (14) promote participation by people with physical disabil-
10 ities and visual and hearing impairments in amateur sports.

11 Sec. 05.40.070. COMPREHENSIVE LONG-RANGE PLAN. The authority
12 shall prepare a comprehensive long-range plan for the development and
13 improvement of amateur sports facilities and shall revise and update
14 the plan at least every five years. The comprehensive long-range plan
15 and revisions and updates of the plan are subject to legislative
16 review.

17 ARTICLE 3. ACQUISITION OF PROPERTY.

18 Sec. 05.40.080. ACQUISITION OF LAND AND EASEMENTS. The authori-
19 ty, as part of the cost of constructing, maintaining, or improving
20 amateur sports facilities, may acquire by purchase, gift, or exchange
21 land in fee simple or easements that it considers necessary and rea-
22 sonable for either temporary or permanent public use. By the same
23 means, the authority may obtain material, including clay, gravel,
24 sand, or rock, or the land necessary to obtain the material, including
25 access to it. The authority may acquire the land or materials not-
26 withstanding the fact that title to it is vested in the state or a
27 department, agency, commission, or institution of the state.

28 Sec. 05.40.090. AUTHORITY MAY PURCHASE PROPERTY FOR THE PURPOSE
29 OF EXCHANGE. When a majority of the directors of the authority

1 declares that it is in the best public interest of the state, the au-
2 thority may acquire by purchase, gift, or exchange privately or pub-
3 licly owned land or an interest in land for the purpose of exchanging
4 the land for privately or publicly owned land that the authority is
5 authorized by law to acquire.

6 Sec. 05.40.100. BOND PARTICIPATION. (a) The authority
7 may not issue bonds, but may participate with the Alaska Industrial
8 Development and Export Authority in a sports facility project financed
9 with the proceeds of bonds or derived from a transaction financed,
10 guaranteed, or insured with the proceeds of bonds issued under AS 44.-
11 88.

12 ARTICLE 4. GENERAL PROVISIONS.

13 Sec. 05.40.190. ANNUAL REPORT. By January 15 of each year, the
14 authority shall submit to the governor and the legislature a compre-
15 hensive report describing the operations, income, and expenditures for
16 the preceding fiscal year.

17 Sec. 05.40.200. ANNUAL AUDIT. The authority shall have its
18 financial records audited annually by a certified public accountant.
19 The legislative auditor may prescribe the form and content of the
20 financial records of the authority and shall have access to those
21 records at any time.

22 Sec. 05.40.210. BUDGET AND APPROPRIATIONS. The authority shall
23 submit its annual budget to the legislature through the governor as
24 provided for state agencies by AS 37.07 (Executive Budget Act). The
25 authority shall expend money appropriated by the legislature as autho-
26 rized by the legislature.

27 Sec. 05.40.220. REGULATIONS. The authority may adopt regu-
28 lations to implement this chapter.

29 Sec. 05.40.900. DEFINITIONS. In this chapter "authority" means

1 the Alaska Amateur Sports Authority.

2 * Sec. 3. AS 05.35.150 is amended to read:

3 Sec. 05.35.150. ALASKA AMATEUR SPORTS FUND. There is estab-
4 lished as a separate fund in the Department of Commerce and Economic
5 Development the Alaska amateur sports fund. The fund consists of
6 private contributions and money appropriated to the fund from receipts
7 under AS 28.10.165, 28.10.421(d)(14), and 28.10.421(f). Money in the
8 fund may be appropriated for the promotion and development of amateur
9 sports.

10 * Sec. 4. AS 28.10.165 is amended to read:

11 Sec. 28.10.165. SOUVENIR WINTER OLYMPICS PLATE. The department
12 may issue a souvenir Winter Olympics commemorative license plate. A
13 person may not attach a souvenir plate to a motor vehicle in the
14 manner described in AS 28.10.171 for attachment of registration
15 plates. The department shall charge a fee of \$30 for each plate
16 issued under this section. The commissioner of administration shall
17 separately account for fees received under this section that the
18 department deposits in the general fund. The legislature may appro-
19 priate the annual estimated balance in the account to the Alaska
20 amateur sports fund established under AS 05.35.150.

21 * Sec. 5. AS 28.10.421(d)(14) is amended to read:

22 (14) special request Winter Olympics commemorative plates
23\$70
24 plus the fee required for that vehicle under (b)(1) or (2) of this
25 section; the fee required by this paragraph shall be collected only on
26 the first issuance and on the replacement of special request plates;
27 the commissioner of administration shall separately account for the
28 fees received under this paragraph that the department deposits in the
29 general fund; the annual estimated balance in the account may be

1 appropriated by the legislature to the Alaska amateur sports fund
2 established under AS 05.35.150.

3 * Sec. 6. AS 28.10.421(f) is amended to read:

4 (f) In addition to the fees imposed under (b) and (d) of this
5 section, the following special annual registration fee is imposed upon
6 renewal of registration for a passenger vehicle, motor home, pick-up
7 truck, or a van with special request Winter Olympics commemorative
8 plates.....\$30;
9 the commissioner of administration shall separately account for the
10 fees received under this subsection that the department deposits in
11 the general fund; the annual estimated balance in the account may be
12 appropriated by the legislature to the Alaska amateur sports fund
13 established under AS 05.35.150.

14 * Sec. 7. AS 39.25.110 is amended by adding a new paragraph to read:

15 (28) employees of the Alaska Amateur Sports Authority.

16 * Sec. 8. AS 44.88.080 is amended by adding a new paragraph to read:

17 (25) to issue bonds under AS 44.80.090 in order to finance
18 a sports facility project in participation with the Alaska Amateur
19 Sports Authority.

20 * Sec. 9. This Act takes effect immediately under AS 01.10.070(c).