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Original sponsors: Kelly, Fischer,
and Kerttula

1 IN THE SENATE BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 1 (Rules) am

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; authorizing
8 the issuance of bonds by the Alaska Municipal Bond
9 Bank Authority to construct a sports facility proj-
10 ect, if authorized by the qualified voters of the
11 municipality in which the sports facility project is
12 located; and providing for an effective date."

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

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

16 (1) the promotion and development of amateur sports in the
17 state;

18 (2) the planning, managing, and constructing of amateur sports
19 training facilities; and

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

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

23 CHAPTER 40. ALASKA AMATEUR SPORTS AUTHORITY.

24 ARTICLE 1. CREATION AND ORGANIZATION.

25 Sec. 05.40.010. ALASKA AMATEUR SPORTS AUTHORITY. The Alaska
26 Amateur Sports Authority is established. The authority is a public
27 corporation of the state. The corporation is an instrumentality of
28 the state in the Department of Commerce and Economic Development but
29 has a legal existence independent of and separate from the state.

1 Sec. 05.40.020. DIRECTORS. (a) The authority is governed by a
2 board of 11 directors. The directors shall be the governor or a desig-
3 nee of the governor, the commissioner of commerce and economic devel-
4 opment, a member of the state senate appointed by the senate presi-
5 dent, a member of the state house of representatives appointed by the
6 speaker of the house, and seven directors appointed by the governor as
7 follows: a representative of the Alaska Tourism Marketing Council, and
8 six public members with experience in promoting amateur sports, with
9 at least one public member appointed from each judicial district in
10 the state.

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

18 (c) The directors must be residents of the state and shall
19 comply with the requirements of AS 39.50 (Conflict of Interest). Each
20 director, before entering upon the director's duties, shall subscribe
21 to an oath to perform the duties of office faithfully, impartially,
22 and justly to the best of the director's ability. A record of the
23 oath shall be filed with the Office of the Governor. A director may
24 not have a financial interest in, or receive a financial benefit from
25 a sports facility project of the authority.

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

29 Sec. 05.40.030. OFFICERS, QUORUM, AND MEETINGS. (a) The

1 governor or a designee of the governor shall serve as chair. The
2 directors shall elect a secretary and a treasurer who need not be
3 directors, and the same person may be elected to serve both as secre-
4 tary and treasurer. The powers of the authority are vested in the
5 directors.

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

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

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

25 ARTICLE 2. POWERS AND DUTIES.

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

- 28 (1) sue and be sued;
29 (2) adopt and alter an official seal;

1 (3) adopt and enforce bylaws and regulations for the con-
2 duct of its business and for the use of its services and facilities;

3 (4) maintain offices in the state;

4 (5) subject to appropriation by the legislature, acquire,
5 hold, use, and dispose of its income, revenue, funds, and money;

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

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

11 (8) do all acts and things necessary to carry out the
12 powers expressly granted in this chapter.

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

14 (1) promote the development of training centers;

15 (2) promote physical fitness by promoting participation in
16 amateur sports;

17 (3) develop, foster, and coordinate physical fitness ser-
18 vices and programs;

19 (4) sponsor amateur sport workshops, clinics, and confer-
20 ences;

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

23 (6) stimulate and promote amateur sport research;

24 (7) collect, disseminate, and communicate amateur sport
25 information;

26 (8) promote amateur sport and physical fitness programs in
27 schools and local communities;

28 (9) develop programs to promote personal health and phys-
29 ical fitness by participation in amateur sports in cooperation with

- 1 medical, dental, sports medicine, and similar professional societies;
- 2 (10) promote the development of recreational amateur sport
3 opportunities and activities in the state, including the means of
4 facilitating acquisition, financing, construction, and rehabilitation
5 of sports facilities for the holding of amateur sporting events;
- 6 (11) promote national and international amateur sport compe-
7 titions and events;
- 8 (12) sanction or sponsor amateur sports competitions;
- 9 (13) take membership in regional or national amateur sports
10 associations or organizations; and
- 11 (14) promote participation by people with physical disabil-
12 ities and visual and hearing impairments in amateur sports.

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

19 ARTICLE 3. ACQUISITION OF PROPERTY.

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

1 Sec. 05.40.100. BOND PARTICIPATION. The authority may not
2 issue bonds, but may participate with the Alaska Municipal Bond Bank
3 Authority in a sports facility project financed with the proceeds of
4 bonds or derived from a transaction financed, guaranteed, or insured
5 with the proceeds of bonds issued under AS 44.85.

6 ARTICLE 4. GENERAL PROVISIONS.

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

11 Sec. 05.40.200. ANNUAL AUDIT. The authority shall have its
12 financial records audited annually by a certified public accountant.
13 The legislative auditor may prescribe the form and content of the
14 financial records of the authority and shall have access to those
15 records at any time.

16 Sec. 05.40.210. BUDGET AND APPROPRIATIONS. The authority shall
17 submit its annual budget to the legislature through the governor as
18 provided for state agencies by AS 37.07 (Executive Budget Act). The
19 authority shall expend money appropriated by the legislature as autho-
20 rized by the legislature.

21 Sec. 05.40.220. REGULATIONS. The authority may adopt regu-
22 lations to implement this chapter.

23 Sec. 05.40.900. DEFINITION. In this chapter "authority" means
24 the Alaska Amateur Sports Authority.

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

26 Sec. 05.35.150. ALASKA AMATEUR SPORTS FUND. There is estab-
27 lished as a separate fund in the Department of Commerce and Economic
28 Development the Alaska amateur sports fund. The fund consists of
29 private contributions and money appropriated to the fund from receipts

1 under AS 28.10.165, 28.10.421(d)(14), and 28.10.421(f). Money in the
2 fund may be appropriated for the promotion and development of amateur
3 sports.

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

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

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

16 (14) special request Winter Olympics commemorative plates
17\$70
18 plus the fee required for that vehicle under (b)(1) or (2) of this
19 section; the fee required by this paragraph shall be collected only on
20 the first issuance and on the replacement of special request plates;
21 the commissioner of administration shall separately account for the
22 fees received under this paragraph that the department deposits in the
23 general fund; the annual estimated balance in the account may be
24 appropriated by the legislature to the Alaska amateur sports fund
25 established under AS 05.35.150.

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

27 (f) In addition to the fees imposed under (b) and (d) of this
28 section, the following special annual registration fee is imposed upon
29 renewal of registration for a passenger vehicle, motor home, pick-up

1 truck, or a van with special request Winter Olympics commemorative
2 plates.....\$30;
3 the commissioner of administration shall separately account for the
4 fees received under this subsection that the department deposits in
5 the general fund; the annual estimated balance in the account may be
6 appropriated by the legislature to the Alaska amateur sports fund
7 established under AS 05.35.150.

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

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

10 * Sec. 8. AS 44.85.080 is amended by adding a new paragraph to read:

11 (21) issue bonds under AS 44.85.180 in order to finance a
12 sports facility project in participation with the Alaska Amateur
13 Sports Authority, if the sports facility project is located in a
14 municipality, the bonds are authorized by a majority of the qualified
15 voters in that municipality, and the municipality includes on the
16 ballot for the bond issue the estimated total cost of the project,
17 including estimated total interest, and the estimated annual operation
18 and maintenance costs for the first five years after completion of the
19 sports facility.

20 * Sec. 9. AS 05.40, AS 39.25.110(28), and AS 44.85.080(21) are re-
21 pealed.

22 * Sec. 10. Section 9 of this Act takes effect July 1, 1993.

23 * Sec. 11. Except for sec. 9, this Act takes effect immediately under
24 AS 01.10.070(c).