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Original sponsors: Kelly, Fischer,
and Kerttula

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 1 (State Affairs) am H
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 AND INTENT. (a) The purpose of this Act is to
15 establish an 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 train-
19 ing facilities; and

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

22 (b) It is the intent of the legislature in creating the Alaska Ama-
23 teur Sports Authority, to provide an equal opportunity by expending an
24 equal amount of money for both sexes in amateur sports, in a manner that is
25 commensurate with the interests of both sexes. It is also the intent of
26 the legislature that in promoting and developing amateur sports, amateur
27 sports training facilities, and amateur sports events, that equal amounts
28 of money shall be expended by the authority to provide comparable facil-
29 ities for both sexes.

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

2 CHAPTER 40. ALASKA AMATEUR SPORTS AUTHORITY.

3 ARTICLE 1. CREATION AND ORGANIZATION.

4 Sec. 05.40.010. ALASKA AMATEUR SPORTS AUTHORITY. The Alaska
5 Amateur Sports Authority is established. The authority is a public
6 corporation of the state. The corporation is an instrumentality of
7 the state in the Department of Commerce and Economic Development but
8 has a legal existence independent of and separate from the state.

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

19 (b) The directors appointed by the governor serve at the plea-
20 sure of the governor. All directors serve for three-year terms. Each
21 director shall hold office for the term of the director's appointment
22 and until a successor is appointed and qualified. A director is
23 qualified for reappointment. A vacancy in a directorship occurring
24 other than by expiration of term shall be filled in the same manner as
25 the original appointment but only for the unexpired term.

26 (c) The directors must be residents of the state and shall
27 comply with the requirements of AS 39.50 (Conflict of Interest). Each
28 director, before entering upon the director's duties, shall subscribe
29 to an oath to perform the duties of office faithfully, impartially,

1 and justly to the best of the director's ability. A record of the
2 oath shall be filed with the Office of the Governor. A director may
3 not have a financial interest in, or receive a financial benefit from
4 a sports facility project of the authority.

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

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

13 (b) Six directors of the authority constitute a quorum. Action
14 may be taken and motions and resolutions adopted by the authority at a
15 meeting by the affirmative vote of at least six directors. A vacancy
16 in the board of directors of the authority does not impair the right
17 of a quorum to exercise all the powers and perform all the duties of
18 the authority.

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

21 Sec. 05.40.040. STAFF AND PROFESSIONAL SERVICES CONTRACTS. The
22 authority shall employ an executive director who serves at the plea-
23 sure of the authority as its chief administrative officer. The execu-
24 tive director may, with the approval of the authority, select and
25 employ additional staff as necessary. Employees of the authority are
26 in the exempt service under AS 39.25.110. In addition to its staff of
27 regular employees, the authority may contract for the services of
28 consultants and professional, technical, and financial advisors the
29 authority considers necessary for the purpose of developing

1 information, conducting hearings, studies, investigations, or other
2 proceedings, or otherwise exercising its powers.

3 ARTICLE 2. POWERS AND DUTIES.

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

- 6 (1) sue and be sued;
- 7 (2) adopt and alter an official seal;
- 8 (3) adopt and enforce bylaws and regulations for the con-
9 duct of its business and for the use of its services and facilities;
- 10 (4) maintain offices in the state;
- 11 (5) subject to appropriation by the legislature, acquire,
12 hold, use, and dispose of its income, revenue, funds, and money;
- 13 (6) acquire, hold, use, lease, rent, construct, and dispose
14 of real and personal property for its purposes;
- 15 (7) operate, maintain, improve, and extend a system of
16 amateur sports facilities that the authority determines to be neces-
17 sary or desirable to promote or develop amateur sports in the state;
- 18 (8) establish other nonprofit corporations or charitable
19 organizations to promote and develop amateur sports;
- 20 (9) do all acts and things necessary to carry out the
21 powers expressly granted in this chapter.

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

- 23 (1) promote the development of training centers;
- 24 (2) promote physical fitness by promoting participation in
25 amateur sports;
- 26 (3) develop, foster, and coordinate physical fitness ser-
27 vices and programs;
- 28 (4) sponsor amateur sport workshops, clinics, and confer-
29 ences;

- 1 (5) provide recognition for outstanding developments,
2 achievements, and contributions to amateur sports;
3 (6) stimulate and promote amateur sport research;
4 (7) collect, disseminate, and communicate amateur sport
5 information;
6 (8) promote amateur sport and physical fitness programs in
7 schools and local communities;
8 (9) develop programs to promote personal health and phys-
9 ical fitness by participation in amateur sports in cooperation with
10 medical, dental, sports medicine, and similar professional societies;
11 (10) promote the development of recreational amateur sport
12 opportunities and activities in the state, including the means of
13 facilitating acquisition, financing, construction, and rehabilitation
14 of sports facilities for the holding of amateur sporting events;
15 (11) promote national and international amateur sport compe-
16 titions and events;
17 (12) sanction or sponsor amateur sports competitions;
18 (13) take membership in regional or national amateur sports
19 associations or organizations; and
20 (14) promote participation by people with physical disabil-
21 ities and visual and hearing impairments in amateur sports.

22 Sec. 05.40.070. COMPREHENSIVE LONG-RANGE PLAN. The authority
23 shall prepare a comprehensive long-range plan for the development and
24 improvement of amateur sports facilities and shall revise and update
25 the plan at least every five years. The comprehensive long-range plan
26 and revisions and updates of the plan are subject to legislative
27 review.

28 ARTICLE 3. ACQUISITION OF PROPERTY.

29 Sec. 05.40.080. ACQUISITION OF LAND AND EASEMENTS. The

1 authority, as part of the cost of constructing, maintaining, or im-
2 proving amateur sports facilities, may acquire by purchase, gift,
3 transfer, or exchange land in fee simple or easements that it consid-
4 ers necessary and reasonable for either temporary or permanent public
5 use. By the same means, the authority may obtain material, including
6 clay, gravel, sand, or rock, or the land necessary to obtain the
7 material, including access to it. The authority may acquire the land
8 or materials notwithstanding the fact that title to it is vested in
9 the state or a department, agency, commission, or institution of the
10 state.

11 Sec. 05.40.100. BOND PARTICIPATION. The authority may not
12 issue bonds, but may participate with the Alaska Municipal Bond Bank
13 Authority in a sports facility project financed with the proceeds of
14 bonds or derived from a transaction financed, guaranteed, or insured
15 with the proceeds of bonds issued under AS 44.85.

16 ARTICLE 4. GENERAL PROVISIONS.

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

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

26 Sec. 05.40.210. BUDGET AND APPROPRIATIONS. The authority shall
27 submit its annual budget to the legislature through the governor as
28 provided for state agencies by AS 37.07 (Executive Budget Act). The
29 authority shall expend money appropriated by the legislature as

1 authorized by the legislature.

2 Sec. 05.40.220. REGULATIONS. The authority may adopt regu-
3 lations to implement this chapter.

4 Sec. 05.40.900. DEFINITION. In this chapter "authority" means
5 the Alaska Amateur Sports Authority.

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

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

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

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

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

26 (14) special request Winter Olympics commemorative plates
27\$70
28 plus the fee required for that vehicle under (b)(1) or (2) of this
29 section; the fee required by this paragraph shall be collected only on

1 the first issuance and on the replacement of special request plates;
2 the commissioner of administration shall separately account for the
3 fees received under this paragraph that the department deposits in the
4 general fund; the annual estimated balance in the account may be
5 appropriated by the legislature to the Alaska amateur sports fund
6 established under AS 05.35.150.

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

8 (f) In addition to the fees imposed under (b) and (d) of this
9 section, the following special annual registration fee is imposed upon
10 renewal of registration for a passenger vehicle, motor home, pick-up
11 truck, or a van with special request Winter Olympics commemorative
12 plates.....\$30;

13 the commissioner of administration shall separately account for the
14 fees received under this subsection that the department deposits in
15 the general fund; the annual estimated balance in the account may be
16 appropriated by the legislature to the Alaska amateur sports fund
17 established under AS 05.35.150.

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

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

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

21 (21) issue bonds under AS 44.85.180 in order to finance a
22 sports facility project in participation with the Alaska Amateur
23 Sports Authority, if the sports facility project is located in a
24 municipality, the bonds are authorized by a majority of the qualified
25 voters in that municipality, and the municipality includes on the
26 ballot for the bond issue the estimated total cost of the project,
27 including estimated total interest, and the estimated annual operation
28 and maintenance costs for the first five years after completion of the
29 sports facility.

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

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

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