

BY THE SENATE SPECIAL COMMITTEE ON INTERNATIONAL TRADE AND TOURISM

1 IN THE SENATE

2

SENATE BILL NO. 419

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).