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CS FOR SENATE BILL NO. 85(FIN) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 4/8/93

Offered: 4/6/93

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act deleting a requirement that certain members of the board of directors
2 of the Alaska Tourism Marketing Council be substantially involved in a visitor
3 or recreation industry business; relating to the selection of a presiding officer for
4 the Alaska Tourism Marketing Council; requiring that the council's tourism
5 marketing program include promotion of the state as a destination and promotion
6 of all forms of travel to the state, including travel by air, highway, and water;
7 extending the termination date of the Alaska Tourism Marketing Council;
8 requiring the council to consider methods to fund tourism marketing using both
9 public and private assets and to consider methods to provide for the financial
10 self-sufficiency of the council; and providing for an effective date."

11 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

12 * Section 1. AS 44.33.705(c) is amended to read:

1 (c) If the commissioner contracts with a qualified trade association under (b)
2 of this section, the governing body of the council is a board of directors consisting of
3 21 members and subject to the following provisions:

4 (1) a board member shall

5 (A) be [SUBSTANTIALLY] involved in a visitor or recreation
6 industry business;

7 (B) have training in a field such as marketing;

8 (C) be an officer or a senior staff member of a local
9 government or nonprofit enterprise established to promote the visitor industry;
10 or

11 (D) have business or government experience that would
12 materially enhance the member's ability to contribute to the planning,
13 execution, or evaluation of a visitor industry promotional marketing campaign;

14 (2) the contract shall provide that the trade association may select up
15 to 10 board members; the governor may remove a member of the board selected under
16 this paragraph on the delivery by the governor to the board of a written statement
17 explaining the reasons for the removal;

18 (3) the director is a member of the board; the governor shall appoint 10
19 other board members; each board member appointed by the governor serves at the
20 pleasure of the governor; in making appointments to the board under this paragraph,
21 the governor shall ensure that the board, including members selected under (2) of this
22 subsection, is broadly representative of the different regions of the state and the
23 various sectors of the visitor industry;

24 (4) eleven members of the board constitute a quorum for the transaction
25 of business and the exercise of the powers and duties of the board, and any action by
26 the board requires 11 affirmative votes;

27 (5) the governor shall appoint a member of the board to serve
28 [DIRECTOR SERVES] as presiding officer of the board; the board shall elect other
29 necessary officers from among its members annually;

30 (6) a board member may not participate or vote by proxy;

31 (7) the board shall meet at least four times a year at the call of the

1 presiding officer or upon the written request of seven members of the board;

2 (8) the members of the board appointed by the governor serve
3 staggered three-year terms, subject to continuation of the contract, and may be
4 reappointed;

5 (9) a person appointed to fill a vacancy on the board holds office for
6 the balance of the term of the person's predecessor;

7 (10) board members receive no salary for serving in that position, but
8 are entitled to per diem and travel expenses under AS 39.20.180, except that they are
9 entitled to per diem and travel expenses for travel only for the percentage of total
10 travel that occurs within the state; the contract must provide that the trade association
11 will reimburse the council for per diem and travel expenses paid to those board
12 members appointed by the trade association; reimbursed under this paragraph does not
13 qualify as a part of the association's required contribution under (b) of this section;

14 (11) notwithstanding AS 39.52, a board member who is a member of
15 the qualified trade association that has contracted with the department under (b) of this
16 section may vote or take action on a matter that might benefit the trade association or
17 members of the trade association, including the issuance of contracts or the granting
18 of rights to the trade association, but shall disclose the person's membership in the
19 trade association before the vote or action; this paragraph may not be interpreted to
20 allow a board member or an immediate family member of a board member to receive,
21 apply for, be a party to, have a personal or financial interest in, or attempt to acquire
22 a grant or contract made by the council; in this paragraph, "immediate family member"
23 has the meaning given in AS 39.52.960.

24 * Sec. 2. AS 44.33.720(a) is amended to read:

25 (a) The council shall

26 (1) conduct a tourism marketing program designed to accomplish the
27 purposes of AS 44.33.700 - 44.33.735; the marketing program must include
28 promotion of the state as a destination and promotion of all forms of travel to the
29 state, including travel by air, highway, and water;

30 (2) prepare and implement plans for the promotion of Alaska tourism,
31 including necessary research;

1 (3) submit an annual report to the governor and the legislature
2 describing the activities of the council;

3 (4) make available to all interested persons, including tourism
4 businesses, a quarterly report of the council's actions and activities;

5 (5) annually submit a proposed operating budget to the director, to be
6 used by the Department of Commerce and Economic Development to prepare and
7 submit the operating budget of the council under AS 44.33.725;

8 (6) provide advice, on the request of the director of tourism, on the
9 programs of the division; [AND]

10 (7) submit a report to the legislature, by the 10th day of each regular
11 session, describing how the contractual money was spent in the first half of the year
12 and explaining the plan for expenditures during the second half of the year;

13 (8) consider methods to fund tourism marketing using both public
14 and private assets; and

15 (9) consider methods of providing for the financial self-sufficiency
16 of the council.

17 * Sec. 3. AS 44.66.010(a)(15) is amended to read:

18 (15) Alaska Tourism Marketing Council (AS 44.33.700) -
19 December 30, 1994 [JUNE 30, 1993];

20 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).