

Introduced: 4/19/76
Referred: Commerce and
Finance

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 HOUSE BILL NO. 915

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act regulating theatrical promoters; and providing
7 for an effective date."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 92. THEATRICAL PROMOTERS.

11 Sec. 08.92.010. REGISTRATION REQUIRED. No person may engage in
12 the business of promoting theatrical productions in this state without
13 first obtaining and holding a current and valid theatrical promoter's
14 certificate of registration issued by the department. To remain valid,
15 a certificate of registration must be renewed no later than January 15,
16 of each year.

17 Sec. 08.92.020. FEES. (a) An applicant for a theatrical pro-
18 moter's certificate of registration shall pay an original registration
19 fee of \$75.

20 (b) The fee for the annual renewal for each calendar year of a
21 registration certificate is \$20.

22 Sec. 08.92.030. BOND REQUIRED. A theatrical promoter shall, at
23 the time of applying for a certificate of registration, file with the
24 department a surety bond in the amount of \$10,000. The bond shall be
25 conditioned upon the theatrical promoter's providing ticket refunds for
26 a theatrical production cancelled due to any cause within 10 days after
27 the scheduled date of the cancelled theatrical production. The bond
28 shall permit action upon it by the state on behalf of a ticket holder
29 or by a ticket holder directly.

1 Sec. 08.92.040. DENIAL, REVOCATION, AND SUSPENSION OF REGISTRA-
2 TION. (a) The department may refuse to issue, or may suspend or revoke,
3 a certificate of registration for failure to comply with a provision
4 of this chapter or of a regulation adopted under it. If a bonding
5 company cancels the bond of a theatrical promoter, the theatrical pro-
6 moter's certificate of registration shall be revoked. A theatrical
7 promoter whose certificate has been revoked may again obtain registra-
8 tion by complying with the requirements of this chapter.

9 (b) Proceedings under this chapter are governed by the Admini-
10 strative Procedure Act (AS 44.62).

11 (c) If the department determines that a person is acting as a
12 theatrical promoter in violation of this chapter, the department may,
13 without prior hearing, order the person to stop the violation. Upon
14 receipt of the order, the person affected has the right to be heard and
15 to present proof to the department that the violation has not occurred.
16 In the department's discretion or upon application made by the recipient
17 of the order, the department shall schedule a hearing at the earliest
18 possible time. After the hearing the department may affirm, modify or
19 set aside the order.

20 Sec. 08.92.050. INJUNCTION. The attorney general, at the request
21 of the department, may institute an action in the superior court to
22 enjoin a violation of this chapter.

23 Sec. 08.92.060. VIOLATION OF SEC. 10 OF THIS CHAPTER A MISDE-
24 MEANOR. A person who violates sec. 10 of this chapter is guilty of a
25 misdemeanor, and upon conviction is punishable by a fine of not more
26 than \$5,000, or by imprisonment for not more than one year, or by both.

27 Sec. 08.92.070. EXEMPTION. This chapter does not apply to thea-
28 trical productions promoted, organized or produced by a nonprofit
29 corporation, society or group.

1 Sec. 08.92.080. REGULATIONS. The department may adopt regulations
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3 necessary to administer and enforce this chapter.

4 Sec. 08.92.090. DEFINITIONS. In this chapter

5 (1) "department" means the Department of Commerce and Eco-
6 nomic Development;

7 (2) "theatrical promoter" means a person who contracts for
8 and arranges a theatrical production for purposes of profit whether
9 engaged full-time or part-time in the business of buying or hiring the
10 theatrical production;

11 (3) "theatrical production" means a live, staged performance,
12 including but not limited to concerts featuring any number of perfor-
13 mers, or any type of musical or dramatic entertainment, or specialty
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16 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
17 10.070(c).

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21 10.070(c)

Original Sponsor: Commerce Committee

Offered: 4/30/76
Referred: Finance

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BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 915

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4 NINTH LEGISLATURE - SECOND SESSION

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"An Act regulating the theatrical promoters; and providing for an effective date."

COMMITTEE REPORT

xi

(9)

4/30/76

HOUSE

Mr. Speaker:

Date _____

The Committee on FINANCE has had HB 915

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Chairman

"An Act regulating the theatrical promoters; and providing for an effective date."

COMMITTEE REPORT

4/19/76

HOUSE

FINANCE

Mr. Speaker:

Date 4-29-76

The Committee on COMMERCE has had HB 915

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR HB 915 AND THAT *it be reported out without rec.* (Same title)

CS FOR _____ DO PASS

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>Lisa Ruddy</u>	<u>do pass</u>	_____
<u>P. Bradley</u>	<u>" "</u>	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

<u>Jim Wallis</u>	recommends:	<u>No Rec</u>
<u>Rhode</u>	recommends:	<u>" "</u>
<u>Freeman</u>	recommends:	<u>" "</u>
<u>Robt</u>	recommends:	<u>" "</u>
<u>Joe McKeown</u>	recommends:	<u>" "</u>
<u>R. Kelley</u>	recommends:	<u>" "</u>

P. Bradley Chairman

Original Sponsor: Commerce Committee

Offered: 4/30/76
Referred: Finance

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COMMITTEE COPY

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2546
Bennett

Introduced: 4/19/76
Referred: Commerce and
Finance

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ALASKA STATE LEGISLATURE

NINETY Legislature SECOND Session

HOUSE BILL NO. 215

By COMMERCE COMMITTEE

"An Act regulating theatrical promoters; and providing for an effective date."

Theatrical promoters/regulating

Introduced in the House ... 4/19..., 19.76

HISTORY IN THE HOUSE

19 76	Read first time and referred to Committee on												
Apr 19	Commerce and Finance												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Nays	Nays												
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	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
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	<table border="0"> <tr><td>Reconsideration</td><td></td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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	Reported correctly engrossed												
	Signed by President												
	Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
	Chapter No.

The Legislature of the State of Alaska
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill Identification: CS HB 915
 Title: An Act regulating theatrical promoters & providing for an effective
 Requested by: Representative Lisa Rudd Date: 5-6-76 date.
 Return Date Requested: 4-29-76
 Agency: Commerce Program: Licensing Professions

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Regulating & Licensing of Professions
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		3.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		3.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		3.0				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	0/	/	/	/	/
MAN MONTHS (P./T.)	/	0/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Exact data is not available to determine number of probable registrants. Planning assumption is there will be fewer than fifty per year-fiscal impact on licensing aspect is assumed to be negligible. Promulgation and adoption of regulations first year, \$3000. Assumes implementation FY 77. No projections are made for possible future cost of enforcement.

IV. ATTACHMENTS

V. DATE: May 6, 1976

PREPARED BY: Sharon Andrew, Director

REVIEWED BY: _____

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

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Sharon Andrew

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