

**HOUSE BILL NO. 289**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HARRIS, Smalley

Introduced: 1/14/00

Referred: House Special Committee on Military and Veterans' Affairs, Transportation, Finance

**A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to transportation of members of the Alaska National Guard, the  
2 Alaska Naval Militia, and the Alaska State Defense Force by the Alaska marine  
3 highway system and the Alaska Railroad; and relating to the Alaska State Defense  
4 Force."

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

6 \* **Section 1.** AS 02.15.090(a) is amended to read:

7 (a) In operating an airport or air navigation facility owned or controlled by the  
8 state, the department may enter into contracts, leases, and other arrangements covering  
9 periods not exceeding 55 years with a person, municipality, or the United States,  
10 granting the privilege of using or improving an airport or air navigation facility or a  
11 portion of it or space in it for commercial, governmental, or other public purposes,  
12 including private plane tie down, [; or conferring the privilege of supplying goods,  
13 commodities, services, or facilities at an airport or air navigation facility. The  
14 department may establish the terms and conditions and fix the charges, rentals, and

1 fees for the privileges or services that are reasonable and uniform for the same class  
 2 of privilege or service. Charges, rentals, or fees authorized by this subsection may be  
 3 fixed for the international airports by order of the commissioner or by negotiated or  
 4 competitively offered contract. Notwithstanding AS 37.10.050(a), the fixing of  
 5 charges, rentals, or fees as permitted under this subsection is not subject to the  
 6 adoption of regulation provisions of AS 44.62 (Administrative Procedure Act). The  
 7 terms, conditions, charges, rentals, and fees shall be established with due regard to the  
 8 property and improvements used and the expense of operation to the state. However,  
 9 use of state land and buildings by the Alaska Wing, Civil Air Patrol and its squadrons  
 10 shall be permitted without rental charges. If the department permits space in state-  
 11 owned or state-controlled airports to be used as lounges for members of the United  
 12 States armed forces, the Alaska National Guard, the Alaska Naval Militia, or the  
 13 Alaska State **Defense Force**, [MILITIA] and if the lounges are operated by persons  
 14 exempt from taxation under 26 U.S.C. 501(c)(3) (Internal Revenue Code), rent may  
 15 not be charged for the use of the space. The department shall provide for public  
 16 notice and an opportunity to comment before a charge, rental, or fee is fixed by order  
 17 of the commissioner as permitted under this subsection. The public may not be  
 18 deprived of its rightful, equal, and uniform use of the airport, air navigation facility,  
 19 or a portion of them.

20 \* **Sec. 2.** AS 19.65 is amended by adding a new section to article 1 to read:

21                   **Sec. 19.65.035. Transportation of members of the Alaska organized militia.**  
 22 To the extent that space is available, the commissioner of transportation and public  
 23 facilities shall provide free transportation on vessels of the Alaska marine highway  
 24 system for a member of the Alaska National Guard, the Alaska Naval Militia, or the  
 25 Alaska State Defense Force who is en route to or from drill, training, or other official  
 26 militia activities.

27 \* **Sec. 3.** AS 26.05.010(b) is amended to read:

28                   (b) The militia is divided into two classes:  
 29                   (1) the organized militia, consisting of the Alaska National Guard, the  
 30 Alaska Naval Militia, and the Alaska State **Defense Force**; [MILITIA,] and  
 31                   (2) the unorganized militia, consisting of all qualified persons available

1 for service but not serving in the organized militia.

2 \* **Sec. 4.** AS 26.05.030(d) is amended to read:

3 (d) The Alaska State **Defense Force** [MILITIA] consists of units authorized  
4 by the governor, and manned by volunteer personnel qualifying under state law and  
5 regulation. All **Alaska** State **Defense Force** [MILITIA] personnel shall be

6 (1) appointed, commissioned, or warranted, and assigned by the  
7 governor or the adjutant general as the governor's designee;

8 (2) subject to serve on state active duty at the call and by order of the  
9 governor.

10 \* **Sec. 5.** AS 42.40 is amended by adding a new section to read:

11 **Sec. 42.40.915. Transportation of members of the Alaska organized militia.**

12 To the extent that space is available, the corporation shall provide free transportation  
13 on the Alaska Railroad for a member of the Alaska National Guard, the Alaska Naval  
14 Militia, or the Alaska State Defense Force who is en route to or from drill, training,  
15 or other official militia activities.