

CS FOR HOUSE BILL NO. 362(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/9/98

Referred: Rules

Sponsor(s): HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the use of space for military lounges in state-owned or state-
2 controlled airports."

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

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

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

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