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State Loans, Transportation and
Finance

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1 IN THE HOUSE

2 HOUSE BILL NO. 670

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the international airports in
7 Anchorage and Fairbanks and establishing the Alaska
8 International Airport Authority."

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

10 * Section 1. PURPOSE. The purpose of this Act is to establish an
11 authority for the operation, management, planning, and construction of
12 facilities for the state owned and operated international airports in
13 Anchorage and Fairbanks. The authority shall be the exclusive state agency
14 responsible for the operation, management, planning, and construction of
15 facilities for the international airports in Anchorage and Fairbanks.

16 * Sec. 2. AS 02 is amended by adding a new chapter to read:

17 CHAPTER 38. ALASKA INTERNATIONAL AIRPORT AUTHORITY.

18 ARTICLE 1. CREATION AND ORGANIZATION.

19 Sec. 02.38.010. ALASKA INTERNATIONAL AIRPORT AUTHORITY. The
20 Alaska International Airport Authority is established. The authority
21 is a public corporation of the state. The corporation is an instru-
22 mentality of the state in the Department of Transportation and Public
23 Facilities but has a legal existence independent of and separate from
24 the state and has continuing succession until its existence is ter-
25 minated by law.

26 Sec. 02.38.020. DIRECTORS. (a) The authority consists of seven
27 directors appointed by the governor. The appointment of each director
28 is subject to confirmation by the legislature.

29 (b) The directors serve at the pleasure of the governor for

1 four-year terms. Each director shall hold office for the term of the
2 director's appointment and until a successor is appointed and qual-
3 ified. A director is qualified for reappointment. A vacancy in a
4 directorship occurring other than by expiration of term shall be
5 filled in the same manner as the original appointment but only for the
6 unexpired term.

7 (c) The directors must be residents of the state and qualified
8 voters and shall comply with the requirements of AS 39.50 (conflict of
9 interest).

10 (d) The directors of the authority serve without compensation,
11 but are entitled to travel and per diem expenses as provided in
12 AS 39.20.180.

13 Sec. 02.38.030. OFFICERS AND QUORUM. The directors shall elect
14 one of their number as chairman. The directors shall elect a secre-
15 tary and a treasurer who need not be directors, and the same person
16 may be elected to serve both as secretary and treasurer. The powers
17 of the authority are vested in the directors, and four voting direc-
18 tors of the authority constitute a quorum. Action may be taken and
19 motions and resolutions adopted by the authority at any meeting by the
20 affirmative vote of at least four directors. A vacancy in the direc-
21 torship of the authority does not impair the right of a quorum to
22 exercise all the powers and perform all the duties of the authority.

23 Sec. 02.38.040. STAFF. The authority shall employ an executive
24 director who serves at the pleasure of the authority as its chief
25 administrative officer. The executive director may with the approval
26 of the authority select and employ additional staff as necessary. The
27 authority may contract for and engage the services of consultants, and
28 professional, technical and financial advisors the authority considers
29 necessary for the purpose of developing information, conducting

1 hearings, studies, investigations or other proceedings, or otherwise
2 exercising its powers.

3 ARTICLE 2. POWERS AND DUTIES.

4 Sec. 02.38.050. POWERS OF AUTHORITY. In addition to other
5 powers granted in this chapter, the authority may

6 (1) sue and be sued;

7 (2) adopt and alter an official seal;

8 (3) adopt and enforce regulations for the conduct of its
9 business and for the use of its services and facilities;

10 (4) maintain an office in the state;

11 (5) subject to appropriation by the legislature, acquire,
12 hold, use, and dispose of its money;

13 (6) acquire, hold, use, lease, rent, construct and dispose
14 of real and personal property for its purposes;

15 (7) operate, maintain, and improve airport facilities;

16 (8) do all acts necessary to carry out the powers expressly
17 granted or necessarily implied in this chapter.

18 Sec. 02.38.060. COMPREHENSIVE LONG-RANGE PLAN. The authority,
19 with the cooperation of the Department of Transportation and Public
20 Facilities, shall prepare a comprehensive long-range plan for the
21 development and improvement of the international airports and revise
22 and update the plan, at least every five years.

23 ARTICLE 3. ACQUISITION OF PROPERTY.

24 Sec. 02.38.070. ACQUISITION OF LAND AND EASEMENTS. The authori-
25 ty, as part of the cost of constructing, maintaining, or improving
26 international airport facilities, may acquire by purchase, gift, or
27 exchange land in fee simple or easements that it considers necessary
28 for present or future public use, either temporary or permanent. By
29 the same means, the authority may obtain material, including clay,

1 gravel, sand, or rock, or the land necessary to obtain the material.
2 The authority may acquire the land or materials notwithstanding the
3 fact that title to it is vested in the state or a department, agency,
4 commission, or institution of the state.

5 Sec. 02.38.080. AUTHORITY TO PURCHASE PROPERTY FOR THE PURPOSE
6 OF EXCHANGE. When a majority of the directors of the authority de-
7 clares that it is in the best public interest of the state to do so,
8 the authority may acquire by purchase, gift, or exchange privately or
9 publicly owned land or an interest in it for the purpose of exchanging
10 it for privately or publicly owned land that the authority is author-
11 ized by law to acquire.

12 Sec. 02.38.090. VACATING OF LAND OR RIGHTS IN LAND. The author-
13 ity may vacate land, or part of it, or rights in land acquired for
14 international airport use by executing and filing a deed in the appro-
15 priate recording district. Upon vacating, title reverts to the per-
16 sons, heirs, successors, or assigns in whom it was vested at the time
17 of the taking. The authority may transfer land no longer considered
18 necessary for use to the Department of Natural Resources for disposal.
19 The proceeds of disposal by the Department of Natural Resources shall
20 be credited to the funds from which the purchase was originally made.

21 ARTICLE 4. INTERNATIONAL AIRPORT FACILITIES.

22 Sec. 02.38.100. ACQUISITION AND MAINTENANCE OF INTERNATIONAL
23 AIRPORT FACILITIES. The authority may construct and operate interna-
24 tional airport facilities. The authority shall repair and maintain
25 these facilities.

26 Sec. 02.38.110. REGULATIONS. The authority may adopt regula-
27 tions governing the use of international airport facilities by the
28 public that it considers necessary and in the public interest.

29 ARTICLE 5. GENERAL PROVISIONS.

1 Sec. 02.38.120. ANNUAL REPORT. By January 15 of each year, the
2 authority shall submit to the governor and the legislature a compre-
3 hensive report describing the operations, income, and expenditures for
4 the preceding fiscal year.

5 Sec. 02.38.130. ANNUAL AUDIT. The authority shall have its
6 financial records audited annually by a certified public accountant.

7 Sec. 02.38.140. BUDGET AND APPROPRIATIONS. The authority shall
8 submit its annual budget to the legislature through the governor as
9 provided for state agencies by the Executive Budget Act (AS 37.07).
10 It may expend money directly appropriated by the legislature only as
11 authorized by the legislature.

12 Sec. 02.38.199. DEFINITIONS. In this chapter, unless the con-
13 text requires otherwise,

14 (1) "authority" means the Alaska International Airport
15 Authority established by this chapter;

16 (2) "capital improvement" means a project for the construc-
17 tion, rehabilitation, rebuilding, enlarging, or improving of all or
18 any part of the international airport system, as determined by the
19 authority to be necessary or desirable for efficient operation of the
20 international airports and to best serve the public; and

21 (3) "international airport" means the international air-
22 ports owned and operated by the state and located at or near the
23 cities of Anchorage and Fairbanks.

24 Sec. 02.38.200. SHORT TITLE. This chapter may be cited as the
25 Alaska International Airport Authority Act.

26 * Sec. 3. AS 35.27 is amended by adding a new section to read:

27 Sec. 35.27.025. APPLICATION TO ALASKA INTERNATIONAL AIRPORT
28 AUTHORITY. The requirements of this chapter apply to the Alaska
29 International Airport Authority. Compliance with this chapter is the

1 sole responsibility of the authority with respect to the public build-
2 ings and facilities of the authority.

3 * Sec. 4. AS 35.27.030(2) is amended to read:

4 (2) "building" or "facility" means a permanent improvement
5 constructed by the department or authority; the term

6 (A) includes, but is not limited to,

7 (i) schools, office buildings, and court build-
8 ings;

9 (ii) other buildings which the commissioner deter-
10 mines are designed for substantial public use;

11 (iii) boats and vessels of the marine highway
12 system;

13 (iv) transportation facilities which accommodate
14 traveling passengers;

15 (B) excludes other transportation facilities; [.]

16 * Sec. 5. AS 35.27.030 is amended by adding a new paragraph to read:

17 (5) "authority" means the Alaska International Airport
18 Authority.

19 * Sec. 6. AS 39.50.200(b) is amended by adding a new paragraph to read:

20 (48) Alaska International Airport Authority (AS 02.38.010).