

SCR

40

SENATE COMMITTEE REPORT

FURTHER

2/10/88  
Mr. President:

DATE TURNED INTO OFFICE 2/18/88

Finance Committee considered SCR 40

revision of Title 2 of the Alaska Statutes  
and recommended

[ ] replace with \_\_\_\_\_ CS \_\_\_\_\_ ) [ ] same title  
[ ] or adopt \_\_\_\_\_ CS SCR 40 (Trsp) [ ] new title

[ ] attached amendment(s) and

[ ] do pass

[ ] do not pass

[ ] no recommendation

[ ] individual recommendations

[ ] further referral to \_\_\_\_\_

[ ] letter of intent adopted \_\_\_\_\_

Committee [ ] attached or [ ] adopted fiscal note(s)  
[ ] new [ ] updated or [ ] previous  
[ ] zero [ ] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]  
[Signature]  
[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chairman signature and recommendation

[ ] Committee Backup attached

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: CS SCR 40 (Trsp)  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: February 18, 1988  
Title: Revision of Title 2 of  
Alaska Statutes  
Sponsor: Senator Halford  
Requestor: Senate Finance Committee

Agency Affected: All  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

It is expected that the costs incurred by the Code Revision Commission in the rewrite of Title 2 be incorporated into the Legislature's FY 89 operating budget.

Prepared by: *Rick Halford* Phone: 465-4958  
Division: Senator Rick Halford, Co-chairman Date: February 18, 1988  
Senate Finance Committee

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Agency: \_\_\_\_\_

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

Original sponsor: Halford

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE  
2 CS FOR SENATE CONCURRENT RESOLUTION NO. 40 (Transportation)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION  
5 Relating to the revision of Title 2 of  
6 the Alaska Statutes.  
7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
8 WHEREAS many of the provisions in Title 2 of the Alaska Statutes are  
9 very old and may well be outdated, particularly those in AS 02.10; AS 02.-  
10 15; AS 02.30; and AS 02.35; and  
11 WHEREAS the field of aeronautics is heavily regulated by the federal  
12 government and those regulations are constantly changing; and  
13 WHEREAS federal regulation may have preempted or duplicated many state  
14 laws on the subject of aeronautics; and  
15 WHEREAS Title 2 needs to be reorganized into a more useful form;  
16 BE IT RESOLVED that the Alaska State Legislature requests the Code  
17 Revision Commission to review Title 2 and prepare a revision of that title  
18 for introduction during the Sixteenth Legislative Session; and be it  
19 FURTHER RESOLVED that the Legal Services Division of the Legislative  
20 Affairs Agency is directed to provide any drafting services requested by  
21 the Code Revision Commission in connection with the revision of Title 2.

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: CSSCR 40 ( Trsp )  
PUBLISH DATE: 2-10-88

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Relating to the revision of Title  
2 of the Alaska Statutes  
Sponsor: \_\_\_\_\_  
Requestor: \_\_\_\_\_

Agency Affected: Legislative Affairs Agency  
BRU: Legislative Council  
Components: Legal Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL	-0-	2.5	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	11.5	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	14.0	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	14.0	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) \$2,500 travel is needed to hold public hearings on the proposed revision. It is estimated that at least three public hearings will need to be held. \$11,500 will be used to contract with a person knowledgeable in both state and federal aviation law to work with legal services division in preparing the revision.

Prepared by: Tamara Brandt Cook, Executive Secretary, Phone: 465-3867  
Division: Code Revision Commission, Legal Services Div. Date: 2/09/88

Approved by: Executive Director: Warren W. Endicott Date: 2/09/88  
Agency: Legislative Affairs Agency

Distribution (by preparer) :  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Relating to the revision of Title 2  
of the Alaska Statutes  
Sponsor: Senator Halford  
Requestor: Senate Transportation

Agency Affected: Legislative Affairs Agency  
BRU: Legislative Council  
Components: Legal Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Zero fiscal impact. Revising Title 2 could be absorbed in the legal services budget as an interim project.

Prepared by: Pamela A. Stoops, Manager

*Pamela A. Stoops*

Phone: 465-3850

Division: Administrative Services

Date: 1/5/88

Approved by Executive Director Warren Endicott

*WWE*

Date: 1/5/88

Agency: Legislative Affairs Agency

Distribution (by preparer):

- Legislative Finance ✓
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

RECEIVED  
FEB 9 1988

REF 40

0/9/88 & Transp  
No GFC referral

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

Bill Version: SCR 40  
Publish Date: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Relating to revision of Title 2 of  
Alaska Statutes  
Sponsor: Halford  
Requestor: JONES

Agency Affected: DOT&PF  
BRU: Plans, Programs & Budget  
Components: Statewide Aviation

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		4.0	0	0	0	0
TRAVEL		2.5				
CONTRACTUAL		7.5	0	0	0	0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		14.0	0	0	0	0

CAPITAL		0	0	0	0	0
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		14.0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL		14.0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

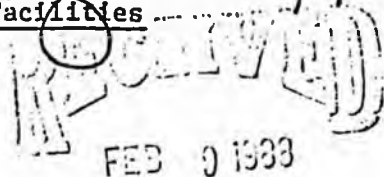
ANALYSIS: Title 2 is out of date and rewrite is appropriate, however, there may be other items such as airport certification and federal construction grants of a higher priority for the use of staff.

See attached for analysis.

Prepared by: Ron Lind Phone: 465-4070  
Division: Plans, Programs & Budget Date: 2/8/88

Approved by Commissioner: Mark S. Kelly Date: 2/8/88  
Agency: Department of Transportation and Public Facilities

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)



SCR 40

Continuation of Fiscal Note Analysis  
For Bill/Resolution No. SCR 40

Revision of Title 2 should be performed in a way which provides an opportunity for public comment on the proposed revisions. It is assumed that all costs for assistance provided by the Legal Services Division, Legislative Affairs Agency will be funded from that agency.

It is also assumed that the drafting services from the Legal Services Division include all legal research required for the project. The Department of Law will be used by the Department of Transportation and Public Facilities to review the draft and final product, as well as provide a separate legal opinion in case of disagreement. Assistance from the Department of Law is estimated at 10 days for \$7500.

Some of the DOT&PF staff that would be involved in this project are currently funded by federal or CIP receipts so there is a need for state funding for their time. In addition, there may be a need to hire short-term special assistance for this effort. The estimated total cost of these two items is 20 days at \$200 average per day, for \$4000.

Public Hearings of the proposed Title 2 rewrite should be held in at least Anchorage, Fairbanks, and Juneau. The estimated cost for travel is \$2500.

Personal Services (Staff and Special Assistance)	\$4,000.00
Travel (Public Hearings)	2,500.00
Contractual (Department of Law)	<u>7,500.00</u>
TOTAL	\$14,000.00

# Senator Rick Halford

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Senate District 1  
Chugiak, Eagle River, East Anchorage, Fort Richardson

Senate Finance Committee  
Co-Chairman

February 9, 1988

## MEMORANDUM

TO: Senate Finance Committee Members  
FROM: Senator Rick Halford, Co-Chairman  
Senate Finance Committee *R. Halford*  
SUBJECT: SCR 40, Relating to the Revision of Title 2

I was contacted by the Revisor of Statutes, David Dierdorff, who informed me that AS 02 (Aeronautics) was scheduled for routine replacement in 1988. It was his belief that many of the provisions in the title are very old and probably haven't kept up with changes in the field of aviation, avionics and federal regulation.

Legal Services felt that they did not have the technical expertise to do the job. They requested help with the task in the form of a resolution. Since the Code Revision Commission's primary duty is to revise statutes, the Transportation Committee CS assigns the task to them.

It is my understanding that \$14,000 will be requested in the Legislative Affairs Budget to cover the costs associated with the assignment.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 19, 1988

SUBJECT: AS 02 (Aeronautics)

TO: Senator Rick Halford  
Co-chair, Senate Finance Committee

FROM: David R. Dierdorff   
Revisor of Statutes

I recently completed routine editorial work on AS 02, which is scheduled for replacement in 1988. In going through the title, it became apparent that many of the provisions (particularly those in AS 02.10, AS 02.15, AS 02.30, and AS 02.35) are very old and that they probably haven't kept up with changes in the field of aviation, avionics, and federal regulation. It also appears that the title could stand some reorganization to make it more readable and useful.

I discussed this matter with Tam Cook, and she agreed with me that the technical nature of many of the provisions requires a level of expertise not available in our office for an adequate substantive review of the title. She suggested that I ask you to consider asking, by resolution or temporary law, the Department of Transportation and Public Facilities, to conduct a review of AS 02 during the upcoming interim, with the goal of bringing it up to date and reorganizing it as necessary. Our office would be happy to work with DOT/PF and draft any legislation that the review might recommend.

If you agree that this would be a worthwhile project, please let Tam or me know, and we will prepare an appropriate resolution or bill draft for your further consideration.

DRD:bb  
WKB1/072

1 IN THE SENATE

BY HALFORD

2

SENATE CONCURRENT RESOLUTION NO. 40

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

Relating to the revision of Title 2 of

6

the Alaska Statutes.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8

WHEREAS many of the provisions in Title 2 of the Alaska Statutes are  
9 very old and may well be outdated, particularly those in AS 02.10; AS 02.-  
10 15; AS 02.30; and AS 02.35; and

11

WHEREAS the field of aeronautics is heavily regulated by the federal  
12 government and those regulations are constantly changing; and

13

WHEREAS federal regulation may have preempted or duplicated many state  
14 laws on the subject of aeronautics; and

15

WHEREAS Title 2 needs to be reorganized into a more useful form; and

16

WHEREAS the legislative branch of government lacks the technical  
17 knowledge of the field to usefully undertake a revision of the laws relat-  
18 ing to aeronautics;

19

BE IT RESOLVED by the Alaska State Legislature that the Governor is  
20 respectfully requested to direct the Department of Transportation and  
21 Public Facilities to review Title 2 and prepare a revision of that title  
22 for introduction during the Sixteenth Legislative Session; and be it

23

FURTHER RESOLVED that the Legal Services Division of the Legislative  
24 Affairs Agency is directed to provide any drafting services requested by  
25 the Department of Transportation and Public Facilities in connection with  
26 the revision of Title 2.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 2-4 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

*Rules*

\*\*FISCAL NOTE(S) ATTACHED  \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/28/88 DATE TURNED INTO OFFICE \_\_\_\_\_

Mr. President:

Transportation Committee considered SCR 40

revision of Title 2 of the Alaska Statutes

and recommended:

replace with CS SCR 40 (TRSP)  same title  
 attached amendment(s) and  new title

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
 zero  fiscal impact

*FN*

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*Tim [Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[Signature]* (Do Pass)  
Chairman signature and recommendation

Committee Backup Attached