

LEGISLATIVE FINANCE-HOUSE/SENATE FINANCE COMM. FILES 8879

SB 543 cont.; SB 546 700 291

ANALYSIS

Section 1 of this bill would give AIDEA the authority to issue up to \$50 million in bonds for the acquisition, design and construction of a multi-bay aircraft maintenance facility located at Anchorage International Airport to be owned by the authority.

Preliminary cost estimates range from \$25 million to \$50 million, with the final cost depending on the number of users and their requirements.

o Development Schedule

The project development sequence is as follows:

- Phase I - obtain airline consensus and commitments
- Phase II - design development and permitting
- Phase III - construction

It is expected that Phases I and II would be completed in 1990 and Phase III in 1991.

Section 2 of this bill would exempt AIDEA from the competitive bidding requirements of the state procurement code (AS 36.30) for contracts related to airport construction. The exemption would give the project the same status under the procurement code as other airport projects undertaken by the Department of Transportation and Public Facilities (see AS 36.30.850(b)(8)).

This would allow the delegation to users the responsibility for the design and construction facilities that are intended for a special airport use. This approach recognizes that the state and primary users are partners in the project and that the facility should be designed with the special needs of the user in mind. The state also benefits by extracting indemnification from the user for any liability related to the performance under the delegation.

No separate legislative appropriation is required for AIDEA to issue the revenue bonds; therefore, the fiscal note is zero.

Original sponsor(s): Rules/Governor

1 IN THE SENATE BY THE LABOR & COMMERCE COMMITTEE
2 CS FOR SENATE BILL NO. 543 (L&C)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the Alaska Industrial Development
7 and Export Authority to issue bonds for an aircraft
8 maintenance facility located at the Anchorage Inter-
9 national Airport; relating to the accounts of the
10 authority and the financing of development projects
11 by the authority; granting the authority an exemption
12 from the State Procurement Code for contracts relat-
13 ing to airports; and providing for an effective
14 date."

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

16 * Section 1. The Alaska Industrial Development and Export Authority may
17 issue bonds to finance the acquisition, design, and construction of a
18 multi-bay aircraft maintenance facility located at Anchorage International
19 Airport, to be owned by the authority. The principal amount of the bonds
20 may not exceed \$50,000,000. This section grants the legislative approval
21 required by AS 44.88.090 and 44.88.172(c).

22 * Sec. 2. AS 36.30.850(b)(8) is amended to read:

23 (8) acquisitions or disposals of property or other con-
24 tracts relating to airports under AS 02.15.070, 02.15.090, [AND]
25 02.15.091, and AS 44.88;

26 * Sec. 3. AS 44.88.060 is amended to read:

27 Sec. 44.88.060. ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AU-
28 THORITY REVOLVING FUND. The Alaska Industrial Development and Export
29 Authority revolving fund is established in the authority. The

1 revolving fund consists of appropriations made to the revolving fund
2 by the legislature, money or other assets transferred to the revolving
3 fund by the authority, and unrestricted payments on loans made or
4 purchased by the authority. Unless otherwise expressly stated, the
5 accounts created in this chapter are accounts in the revolving fund.
6 The authority may create additional accounts either in the revolving
7 fund or outside the revolving fund. Subject to agreements made with
8 the holders of the authority's bonds or with other persons, the
9 authority may transfer amounts in an account in the revolving fund to
10 another account in the revolving fund. Amounts deposited in the
11 revolving fund may be pledged to the payment of bonds of the authority
12 or expended for the purposes of the authority under this chapter. The
13 authority has the powers and responsibilities established in AS 37.-
14 10.071 with respect to the investment of amounts held in the revolving
15 fund.

16 * Sec. 4. AS 44.88.155(c) is amended to read:

17 (c) Money and other assets of the enterprise development account
18 may be used to secure bonds of the authority issued to finance the
19 purchase of loans for projects [AND SHALL BE HELD AND INVESTED BY THE
20 AUTHORITY IN ACCORDANCE WITH AS 37.10.071] or shall be used to pur-
21 chase loans for projects.

22 * Sec. 5. AS 44.88.172(b) is repealed.

23 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

STEVE COWPER
GOVERNOR



543

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 4, 1990

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the development of an aircraft maintenance facility at the Anchorage International Airport. This bill provides the authorization necessary for the Alaska Industrial Development and Export Authority (AIDEA) to issue bonds to finance the acquisition, design, and construction of a multi-bay aircraft maintenance facility. The facility will be owned by AIDEA.

The maintenance facility would include an enclosed hangar and associated support shops, and an aircraft parking apron for outdoor maintenance and equipment staging. An aircraft maintenance facility in Alaska would create jobs and income for state residents. The facility could strengthen the state's role as an international air crossroads at a time when overflights are reducing some of the state's international passenger flights. The facility would help to attract new international air carriers and solidify the presence of existing airlines by providing one of the basic support services that the international airlines need. The facility could also make maintenance activities more convenient for interstate and intrastate airlines by locating a maintenance base at the same airport through which many of the aircraft are routed.

While no major airlines have committed to lease the facility, both Alaska Airlines and Federal Express have officially notified AIDEA of their interest. This bill will give AIDEA the ability to move quickly to finance the facility once negotiations for leases with potential users are successfully concluded. Out of respect for a coordinate branch of state government, I am seeking the authorization required by AS 44.88.172(c) to issue bonds to finance the maintenance facility; I have been advised by the attorney general that I am not required to obtain this

approval because sec. 172(c) is of doubtful constitutional validity.

The bill also contains an exemption from the state procurement code (AS 36.30). This exemption would give airport projects owned by AIDEA the same treatment under the state procurement code afforded to the Department of Transportation and Public Facilities (DOT/PF). Under AS 36.30.850(b)(8), contracts relating to airports are exempt from the code. Airport projects are specialized facilities that must be tailored to industry standards. DOT/PF has learned that the primary users of airport facilities are eager to take responsibility for facilities that they will ultimately be required to use under the terms of a long-term financing lease. Such a transfer of responsibility not only assures a satisfied customer, it also shifts the responsibility from the state to the user for liability stemming from the implementation of the project.

The Alaska International Airport System will be submitting a separate budget amendment that will authorize the expenditure of up to \$8,000,000 in airport revenue for site development for the maintenance facility.

I urge you to pass this bill.

Sincerely,

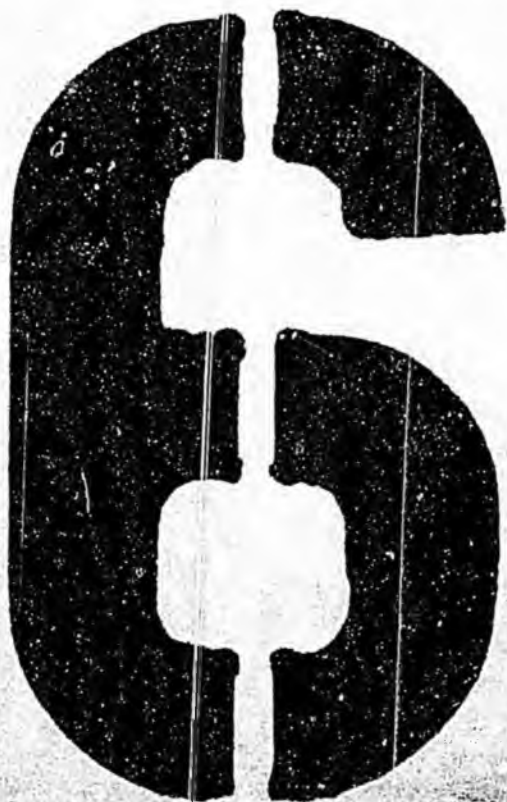
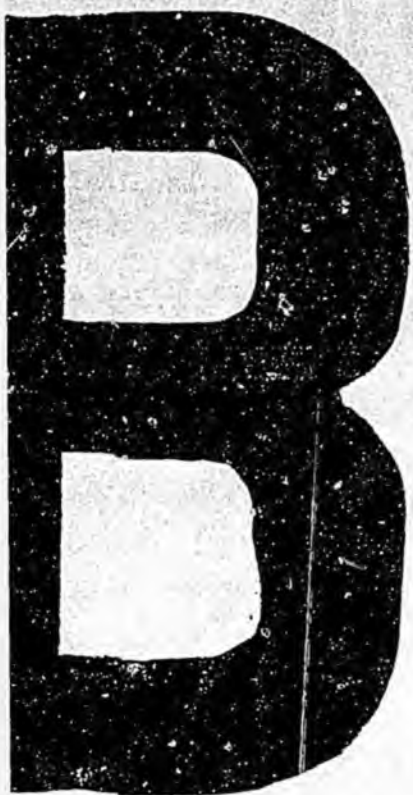
A handwritten signature in black ink, appearing to read "Steve Cowper", written over the typed name and title.

Steve Cowper
Governor

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SENATE FINANCE COMMITTEE REPORT

DATE: 5/1/90

FURTHER:

DATE TURNED INTO OFFICE: _____

The Finance Committee considered

SB 546

"An Act establishing the Department of Natural Resources as the platting authority in certain areas of the state; and providing for an effective date."

and recommended:

- replace with _____ CS _____ same title
 or adopt _____ CS _____ new title
 attached amendment(s) technical title change (HB only)
 _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

Bill died in Committee.

ATTACHES NEW FISCAL NOTE(S):

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

SIGNING DO PASS:

APPROVES PREVIOUS:

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

OTHER RECOMMENDATIONS:

1. _____

2. _____

Co-Chairs: Signatures and Recommendations

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

Finance

DATE: 4/11/90

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: _____

Resources Committee considered SB 546

Dept. of Natural Resources as the platting authority in certain areas of the state; efd.

and report it back as follows

and recommended:

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FIN

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) DNR

zero fiscal note(s) _____

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

① *[Signature]*

② *[Signature]*

③ *Unless Sturgis No Rec*

④ *[Signature] No Rec*

⑤ *Kyle, Halford NO REC*

① *[Signature]*

Chair: Signature and Recommendation

BY THE RESOURCES COMMITTEE

1 IN THE SENATE

2 SENATE BILL NO. 546

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Department of Natural Re-
7 sources as the platting authority in certain areas of
8 the state; and providing for an effective date."

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

10 * Section 1. AS 29.03.030 is amended to read:

11 Sec. 29.03.030. PLATTING AUTHORITY. The [SUBJECT TO AS 40.15.-
12 075, THE] Department of Natural Resources is the platting authority
13 for the state except within a municipality that has the power of land
14 use regulation [IN THE UNORGANIZED BOROUGH IN THE AREA OUTSIDE ALL
15 CITIES].

16 * Sec. 2. AS 40.15.010 is amended to read:

17 Sec. 40.15.010. APPROVAL, FILING, AND RECORDING OF SUBDIVISIONS.
18 Before the lots or tracts of any subdivision or dedication may be sold
19 or offered for sale, the subdivision or dedication shall be submitted
20 for approval to the authority having jurisdiction, as prescribed in
21 this chapter. The regular approval of the authority shall be shown on
22 [IT] or attached to the subdivision or dedication [IT] and the subdi-
23 vision or dedication shall be filed and recorded in the office of the
24 recorder. The recorder may not accept a subdivision or dedication for
25 filing and recording unless it shows this approval. [IF NO PLATTING
26 AUTHORITY EXISTS AS PROVIDED IN AS 40.15.070 AND 40.15.075, LAND MAY
27 BE SOLD WITHOUT APPROVAL.]

28 * Sec. 3. AS 40.15.070 is amended to read:

29 Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be
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1 subdivided or dedicated is situated within a municipality that has the
2 power of land use regulation [FIRST OR SECOND CLASS BOROUGH], the
3 proposed subdivision or dedication shall be submitted to the municipal
4 [BOROUGH] planning commission for approval. [IF THE LAND IS SITUATED
5 WITHIN A CITY IN THE UNORGANIZED BOROUGH OR THE THIRD CLASS BOROUGH,
6 THE PROPOSED SUBDIVISION OR DEDICATION SHALL BE SUBMITTED TO THE CITY
7 PLANNING COMMISSION FOR APPROVAL. THE BOROUGH PLANNING COMMISSION IS
8 THE PLATTING AUTHORITY FOR THE FIRST OR SECOND CLASS BOROUGH, THE CITY
9 PLANNING COMMISSION IS THE PLATTING AUTHORITY FOR THE CITY, AND THE
10 DEPARTMENT OF NATURAL RESOURCES IS THE PLATTING AUTHORITY IN THE
11 REMAINING AREAS OF THE STATE AND THIRD CLASS BOROUGH FOR THE CHANGE OR
12 VACATION OF EXISTING PLATS OR A PORTION OF SUCH PLATS, AS PROVIDED IN
13 AS 40.15.075.] If a municipality that has the power of land use
14 regulation [THE BOROUGH OR THE CITY] does not have a planning commis-
15 sion, the [BOROUGH ASSEMBLY OR THE CITY] governing body [, RESPECTIVE-
16 LY,] is the platting authority and the proposed subdivision or dedica-
17 tion shall be submitted to it. A subdivision may not be filed and
18 recorded until it is approved by the platting authority.

19 * Sec. 4. AS 40.15.070 is amended by adding a new subsection to read:

20 (b) The Department of Natural Resources is the platting authori-
21 ty in the areas of the state not described in (a) of this section.

22 * Sec. 5. AS 40.15 is amended by adding new sections to read:

23 **ARTICLE 4. PLATTING IN AREAS OUTSIDE CERTAIN MUNICIPALITIES.**

24 **Sec. 40.15.300. EXAMINATION OF PLATS BEFORE RECORDING.** (a) The
25 commissioner shall exercise the platting authority for the state
26 except within a municipality that has the power of land use regula-
27 tion.

28 (b) The commissioner shall review each plat under AS 40.15.300 -
29 40.15.400 before the plat is recorded under AS 40.17. The approval by

1 the commissioner shall be endorsed on the plat and the plat may not be
2 recorded under AS 40.17 without the approval endorsed on the plat.

3 (c) The commissioner shall use an abbreviated plat review proce-
4 dure for a plat that complies with AS 29.40.090.

5 (d) Within 30 days after a plat is filed, the commissioner shall
6 approve the plat or return it to the applicant for modification or
7 correction. Unless the applicant for plat approval consents to an
8 extension of time, the plat is approved and a certificate of approval
9 shall be issued by the commissioner if the commissioner fails to act
10 within 30 days. The commissioner shall state in writing reasons for
11 disapproval of a plat.

12 Sec. 40.15.310. REQUIREMENTS FOR PLAT APPROVAL. (a) Each plat
13 must show on its face a certificate of ownership, with the names and
14 addresses of each owner listed. Each owner of record shall sign the
15 certificate and the signatures shall be acknowledged.

16 (b) The surveyor preparing the plat shall sign and affix the
17 seal of the surveyor.

18 Sec. 40.15.320. MONUMENTS. (a) In a subdivision with five or
19 fewer lots, the existence of each monument at a controlling exterior
20 corner of the subdivision shall be established by the surveyor. If a
21 monument of record does not lie on the parcel or tract boundary, the
22 plat shall reflect a boundary survey and tie to a monument of record.

23 (b) In a subdivision of more than five lots, each lot corner
24 shall be monumented.

25 Sec. 40.15.330. PLAT STANDARDS. The commissioner shall estab-
26 lish plat standards by regulation.

27 Sec. 40.15.340. ENGINEERING STANDARDS. The commissioner may not
28 establish engineering standards for subdivisions.

29 Sec. 40.15.350. CERTIFIED COPY OF PLAT AS EVIDENCE. A copy of a

1 plat certified by the recorder of the recording district in which it
2 is filed or recorded as a true and complete copy of the original filed
3 or recorded in the recording office for the district is admissible in
4 evidence in all courts in the state with the same effect as the origi-
5 nal.

6 Sec. 40.15.360. APPLICABILITY. The provisions of AS 40.15.300 -
7 40.15.400 do not apply to subdivision maps prepared

8 (1) for the purpose of transferring a leasehold interest
9 and for the issuance of licenses and permits; or

10 (2) for surveyed sections where the aliquot parts described
11 are 40 acres or larger.

12 Sec. 40.15.370. REGULATIONS. The commissioner may adopt regu-
13 lations to implement, clarify, or make specific the provisions of
14 AS 40.15.300 - 40.15.400.

15 Sec. 40.15.400. DEFINITIONS. In AS 40.15.300 - 40.15.400,

16 (1) "commissioner" means the commissioner of natural re-
17 sources;

18 (2) "monument" means a fixed physical object marking a
19 point on the surface of the earth used to commence or control a survey
20 or to establish a lot corner;

21 (3) "plat" means a map or delineated representation of a
22 tract or parcel of land showing the subdivision of land into lots,
23 blocks, streets, or other divisions;

24 (4) "subdivision" means the division of a tract or parcel
25 of land into two or more lots or by creation of public access;

26 (5) "surveyor" means an individual licensed to practice
27 land surveying in the state under AS 08.48.

28 * Sec. 6. AS 40.15.075 is repealed.

29 * Sec. 7. AS 40.15.330 and 40.15.370, as enacted in sec. 5 of this Act,

1 take effect immediately under AS 01.10.070(c).

2 * Sec. 8. Except as provided in sec. 7 of this Act, this Act takes
3 effect September 1, 1990.
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STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION : SB 546
PUBLISH DATE : 5/1/90

FISCAL NOTE

REQUEST:

Revision Date: 27-Apr-90 Agency Affected: Natural Resources
Title: An Act establishing DNR as the BRU: Land & Water Mgmt
planning authority in certain areas of the State.
Sponsor: Senate Resources Components: Land & Water Mgmt
Requestor: Senate Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	73.6	76.4	78.7	81.0	83.3	85.6
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	2.0	2.0	2.0	2.0	2.0	2.0
SUPPLIES	1.5	1.5	1.5	1.5	1.5	1.5
EQUIPMENT	5.0	5.0				
LAND&STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	87.1	89.9	87.2	89.5	91.8	94.1
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

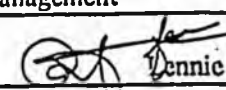
GENERAL FUND	87.1	89.9	87.2	89.5	91.8	94.1
FEDERAL FUNDS						
OTHER						
TOTAL	87.1	89.9	87.2	89.5	91.8	94.1

POSITIONS:

FULL-TIME	1.0	1.0	1.0	1.0	1.0	1.0
PART-TIME	1.0	1.0	1.0	1.0	1.0	1.0
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Jerome A. Pape Phone: 762-2424
Division: Land & Water Management Date: 27-Apr-90
Approved by Commissioner:  Dennie Gorsuch Date: 27-Apr-90
Agency: Department of Natural Resources

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

Page 2
SB 546

POSITIONS:		FY 91	FY 92
Cadastral Surveyor 1	1 PFT	59.2	61.0 -
Perform plat conformance reviews and serve as contact person for landowners and registered land surveyors			
Clerk Typist III	1 PPT	14.4	15.4
TOTAL		73.6	76.4

TRAVEL	5.0
CONTRACTUAL	2.0
COMMODITIES	1.5
EQUIPMENT	5.0

Position Title CLERK TYPIST III		No. of Positions 1	Range/Step 8A	Barg. Unit GGU
Time Status PPT	Staff Months 6	Location ANCHORAGE		Election District
Type of Expenditure		Amount		
1	2	3		
Salary				
Benefits				
Premium Pay				
Other				
Total Personal Services		14.4		
Travel				
Contractual				
Commodities	Supplies	0.5		
Equipment				
Other				
Total Cost		14.9		
Funding Source for Total Cost				
Federal Receipts	1002			
G. P. Match	1003			
General Fund	1004	14.9		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
Justification Position will support the statewide platting surveyor performing reviews and oversight work associated with statewide platting authority assigned to the Department of Natural Resources. Position will type, file, make transmittals, receive mail and handle public and surveyor inquiries on platting in areas that are under the DNR platting authority.				

**Request For
New Position**

Agency NATURAL RESOURCES
 BRU LAND & WATER MGMT
 Component _____

Page _____ of _____
 Revised Date _____

FY 90

Position Title CADASTRAL SURVEYOR I		No. of Positions 1	Range/Step 19C	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location ANCHORAGE		Election District
Justification				
Position performs work engendered by statewide platting authority statute.				
Position will review work of licensed professional land surveyors that are contracted to private land owners, and land surveyors subdividing lands for public agencies for compliance with the statewide platting authority statute.				
The statewide platting authority is a new program designed to fill a gap in the land record system and oversee platting of land subdivisions in areas lacking local platting authority.				
Type of Expenditure		Amount		
1	2	3		
Salary				
Benefits				
Premium Pay				
Other				
Total Personal Services		59.2		
Travel		5.0		
Contractual		2.0		
Commodities	Supplies	1.0		
Equipment	PC Workstation	5.0		
Other				
Total Cost		72.2		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	72.2		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency NATURAL RESOURCES
 BRU LAND & WATER MGMT.
 Component _____

Page _____ of _____
 Revised Date _____

FY 90