

1 \$50;

2 (4) **misdemeanor for which a sentence of incarceration may not be**
3 **imposed, a** violation or an infraction under state law, or [A MISDEMEANOR OR] a
4 violation of a municipal ordinance **imposing a penalty authorized by**
5 **AS 29.25.070(a)** if a sentence of incarceration may not be imposed for the
6 [MISDEMEANOR OR] ordinance violation, shall be assessed a surcharge of \$10 if the
7 fine or bail forfeiture amount for the offense is \$30 or more.

8 * **Sec. 2.** AS 29.25.074(a) is amended to read:

9 (a) A municipality may not enforce **a penalty for violation of** an ordinance
10 for which a **surcharge is required to be imposed under AS 12.55.039** [FINE OF \$30
11 OR MORE OR IMPRISONMENT IS PRESCRIBED AS A PENALTY] unless the
12 municipality authorizes the imposition of and provides for the collection of the
13 surcharge [REQUIRED TO BE IMPOSED UNDER AS 12.55.039]. The surcharge
14 shall be deposited into the general fund of the state and accounted for under
15 AS 37.05.142. Subject to appropriation, the legislature may reimburse a municipality
16 that collects a surcharge required to be imposed under AS 12.55.039 for the cost to the
17 municipality in collecting the surcharge and transmitting the surcharge to the state.
18 The reimbursement may not exceed 10 percent of the surcharge collected and
19 transmitted to the state.



Source
HB 289

LAWS OF ALASKA

2000

Chapter No.
25

AN ACT

Relating to transportation of members of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Defense Force by the Alaska marine highway system and the Alaska Railroad; and relating to the Alaska State Defense Force.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: May 4, 2000
Actual Effective Date: August 2, 2000

AN ACT

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

4

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

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