HOUSE BILL NO. 131

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MUÑOZ, Tuck

Introduced: 1/28/11
Referred: Transportation, Finance

A BILL

FOR AN ACT ENTITLED

"An Act establishing the Alaska Community and Public Transportation Advisory Board and relating to a long-range community and public transportation plan; and providing for an effective date."

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

*** Section 1.** AS 44.42 is amended by adding new sections to article 1 to read:

Sec. 44.42.085. Comprehensive long-range community and public transportation plan. (a) The commissioner, in consultation with the Alaska Community and Public Transportation Advisory Board, shall

(1) prepare a comprehensive long-range plan for the development and improvement of coordinated community and public transportation; and

(2) revise and update the plan at intervals determined by the commissioner.

(b) The department shall submit the comprehensive long-range plan and revisions and updates of the plan to the governor and the legislature.

Sec. 44.42.090. Alaska Community and Public Transportation Advisory Board. (a) The Alaska Community and Public Transportation Advisory Board is established in the Department of Transportation and Public Facilities.

(b) The board consists of 13 members. Each member shall be a resident of the state. The board is composed of the following members:

(1) the commissioner of transportation and public facilities or the commissioner's designee;

(2) the commissioner of the health and social services or the commissioner's designee;

(3) the commissioner of labor and workforce development or the commissioner's designee;

(4) the chair of the board of trustees of the Alaska Mental Health Trust Authority or the chair's designee;

(5) the state co-chair of the Denali Commission established under P.L. 105-277, 42 U.S.C. 3121 note, or the state co-chair's designee;

(6) three members with expertise in the transportation needs of senior citizens, persons with disabilities or special circumstances, individuals of low income, or transit-dependent individuals;

(7) one member who represents municipalities that operate modes of public transportation;

(8) one member who represents nonprofit organizations that operate modes of public transportation;

(9) one member who represents transportation providers that receive federal funding available to Indian tribes, including financing provided under 23 U.S.C. 204(j) and 49 U.S.C. 5311(c); and

(10) two members of the public at large.

(c) The members described in (b)(6) - (10) of this section shall be appointed by the governor, and the governor shall provide for appropriate geographic distribution of members to the extent possible.

(d) The members of the board listed in (b)(6) - (10) of this section serve staggered three-year terms. If a vacancy arises on the board, the governor shall, within

30 days after the vacancy arises, appoint a person to serve the balance of the unexpired term. A person appointed to fill the balance of an unexpired term shall serve on the board from the date of appointment until the expiration of the term.

(e) Board members serve at the pleasure of the governor. In addition, a majority of the membership of the board may petition the governor to remove a member listed in (b)(6) - (10) of this section if that member misses more than two meetings in a calendar year and has not been previously excused.

(f) The members of the board shall select a chair and a vice-chair from among the members of the board each year. The vice-chair presides over meetings in the absence of the chair. A majority of the members of the board constitutes a quorum. A vacancy in the board does not impair the right of a quorum to exercise all the powers and perform all the duties of the board.

(g) The board shall meet at least three times each year. Meetings may be called by the chair or by a majority of the members of the board. At least one meeting each year must be attended by the board members in person, but all other meetings may be conducted by teleconference. All meetings are open to the public unless an executive session is called based on the criteria in AS 44.62.310(b).

(h) Members of the board do not receive a salary but are entitled to per diem and travel expenses authorized for boards and commissions under AS 39.20.180.

(i) The Department of Law shall provide all legal services for the board.

(j) The department shall provide staff for the board.

Sec. 44.42.095. Powers, duties, and functions of the Alaska Community and Transportation Advisory Board. (a) The Alaska Community and Transportation Advisory Board may issue reports and recommendations and shall, in cooperation with the department, prepare and submit to the department and the governor for review a strategic plan that includes the mission, objectives, initiatives, and performance goals for coordinated community and public transportation in the state.

(b) The board shall analyze community and public transportation services in the state and make recommendations for improved agency coordination and combining of services to achieve cost savings in the funding and delivery of community and public transportation services. The board shall assess the community

and public transportation needs of Alaskans and recommend means for the removal of barriers that prevent coordination of services to meet those needs.

(c) The board shall annually review funding available to state, federal, and local government agencies and private entities that administer or support community and public transportation services and recommend to the governor and the legislature changes to improve effective use of that funding.

(d) The board may establish volunteer regional or local advisory committees. The purpose of the advisory committees is to provide recommendations to the board to address concerns of the regions and local areas of the advisory committee members.

(e) The board may receive information from the department as the board considers necessary to carry out its duties.

*** Sec. 2.** AS 44.42.085(a), as enacted by sec. 1 of this Act, is amended to read:

(a) The commissioner [, IN CONSULTATION WITH THE ALASKA COMMUNITY AND PUBLIC TRANSPORTATION ADVISORY BOARD,] shall

(1) prepare a comprehensive long-range plan for the development and improvement of coordinated community and public transportation; and

(2) revise and update the plan at intervals determined by the commissioner.

*** Sec. 3.** AS 44.42.090 and 44.42.095 are repealed December 31, 2016.

*** Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

INITIAL APPOINTMENT OF MEMBERS OF THE ALASKA COMMUNITY AND PUBLIC TRANSPORTATION ADVISORY BOARD. (a) Notwithstanding AS 44.42.090(d), added by sec. 1 of this Act, and AS 39.05.055, members described in AS 44.42.090(b)(6) - (10) who are appointed initially to the Alaska Community and Public Transportation Advisory Board shall be appointed by the governor to terms as follows:

(1) two members shall serve one-year terms;

(2) three members shall serve two-year terms; and

(3) three members shall serve three-year terms.

(b) The governor may designate a member of the Governor's Coordinated Transportation Task Force, created by Administrative Order No. 254, who is serving as a task

force member on the day before the effective date of this Act, as a member of the initial Alaska Community and Public Transportation Advisory Board under (a) of this section if the member meets the requirements in AS 44.42.090, added by sec. 1 of this Act. Nothing in this subsection prevents the governor from appointing members to the board who do not serve on the Governor's Coordinated Transportation Task Force.

*** Sec. 5.** Section 2 of this Act takes effect January 1, 2017.

*** Sec. 6.** Except as provided in sec. 5 of this Act, this Act takes effect immediately under AS 01.10.070(c).