

1 IN THE SENATE

BY SENATOR OWEN

SENATE BILL NO. 128

2 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

3 TWENTY-SECOND SESSION

4 A BILL

5 For an Act entitled: "An Act to establish a Territorial policy
6 concerning the termination, limitation, or
7 establishment of business-type operations
8 of the Territory which may be conducted in
9 competition with private enterprise, and
10 for other purposes."

11 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

12 Section 1. SHORT TITLE. This Act may be cited as the
13 "Anti-Government Competition Act."

14 Sec. 2. DECLARATION OF POLICY. The strength and welfare
15 of this Territory rest upon an economic system in which private
16 enterprises compete freely among themselves with a minimum of
17 direct Government competition. This system produces and distri-
18 butes the goods and services vital to our economic and social
19 welfare and essential to the maintenance of an ever-rising stan-
20 dard of living for the Alaskan people. When the Territory un-
21 warrantedly engages in business-type operations competitive with
22 private enterprise, it tends to destroy initiative on the part
23 of the people and to restrict the normal growth and expansion of
24 private enterprise. It further deprives the people of opportuni-
25 ties for private employment and enterprise. Therefore, it is
26 declared to be the policy of the Legislature that the Territorial
27 Government shall not engage in business-type operations competi-
28 tive with private enterprise except where it can be demonstrated

1 that it is necessary for the Territory itself to perform such
2 operations in furtherance of Territorial programs and objectives
3 legally established. To the degree that present Territorial
4 business-type operations may be carried on in a manner inconsis-
5 tent with this policy, they should be terminated or limited in
6 accordance with appropriate law, and the Territory should avoid
7 such competition. Whenever new Territorial Government business-
8 type operations are proposed to be established, they, likewise,
9 should be measured against this policy and should not be estab-
10 lished unless thoroughly consistent with this policy.

11 Sec. 3. PUBLIC COMPLAINTS OF GOVERNMENT COMPETITION. It
12 shall be the duty of the Legislative Council to receive from the
13 public and examine specific complaints of Territorial Government
14 competition with private enterprise and, where the facts warrant,
15 consult and cooperate with officers of the Territorial Government
16 supervising the Territorial Government business-type operations
17 complained about in order to suggest legislation, where appro-
18 priate, to insure the termination or limitation of Territorial
19 Government competition through the utilization of private facili-
20 ties, products, or services in lieu thereof.

21 Sec. 4. NEW GOVERNMENT BUSINESS-TYPE OPERATIONS. Before
22 establishing any new Territorial Government business-type opera-
23 tions which may be competitive with private enterprise or request-
24 ing or expending funds for such operations, it shall be the duty
25 of each Government department, agency, establishment, or instru-
26 mentality, planning to establish such operations to submit a
27 report to the Legislative Council, in such form as may be pre-
28 scribed, describing in detail the proposed new Territorial Govern-
29 ment business-type operations. It shall be the duty of the

1 Legislative Council to make a recommendation to the Legislature
2 as to whether such contemplated operations should be established,
3 bearing in mind the policy declared in section 2 of this Act;
4 Provided, however, that this section shall not apply to any
5 Territorial Government business-type operations hereafter speci-
6 fically authorized by the Legislature.

7 Sec. 5. BIENNIAL REPORT. The Legislative Council shall make
8 a biennial report to the Legislature concerning operations under
9 this Act, together with such information, comments, and recom-
10 mendations as it may deem appropriate for furthering the policy
11 declared in section 2 of this Act.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30