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IN THE SENATE BY RULES COMMITTEE BY REQUEST
SENATE BILL NO. 31
IN THE LEGISLATURE OF THE STATE OF ALASKA
FIRST LEGISLATURE - FIRST SESSION
A BILL

For an Act entitled: "An Act authorizing and directing the Alaska Highway and Public Works Board, the Commissioner of the Alaska Highway and Public Works Department, and the Director of the Highway Division to inquire into the feasibility of providing Southeastern Alaska with a ferry system immediately; authorizing said Board to approve an operator for the operation of such system; imposing certain standards for operation; providing certain time limitations; imposing certain limitations on the expenditure of state funds for such operation and authorizing an expenditure for limited purposes; conferring the powers, duties and limitations imposed by this act upon the successors to the Board, Commissioner, and Director; providing for severability of the act's provisions; and declaring an emergency."

Section 1. Purpose of Act. The purpose of this act is to authorize and direct the Alaska Highway and Public Works Board, the Commissioner of the Alaska Highway and Public Works

1 Department, and the Director of the Highway Division of said
2 Department, all hereinafter referred to as the Board, Commis-
3 sioner, and Director, respectively, to inquire forthwith into
4 the feasibility of providing a ferry system for Southeastern
5 Alaska, to authorize the said Board to approve such a system,
6 and to direct the Commissioner to enter into a contract with
7 the operator of such approved system to provide ferry service
8 as hereinafter described. The Legislature declares that it
9 recognizes that there is an immediate and pressing need for a
10 ferry system for Southeastern Alaska, and that the commencement
11 of such ferry service will be of great benefit not only to
12 Southeastern Alaska, but also to the other regions of the state,
13 connecting as it does with the Haines Cut-Off to the Alaska
14 Highway.

15 Section 2. Duties and Powers of Alaska Highway and Public
16 Works Board; Commissioner of the Alaska Highway and Public Works
17 Department, and Director of the Highway Division of the Alaska
18 Highway and Public Works Department, or their Successors. The
19 Board, the Commissioner, and the Director are hereby authorized
20 and directed to conduct an inquiry into the possibility of a
21 private person or corporation immediately providing a ferry
22 system for Southeastern Alaska. The Board, the Commissioner
23 and the Director shall forthwith solicit plans and proposals
24 from interested persons or corporations and shall study such
25 proposals immediately upon their receipt, and the Board shall
26 finally determine, as promptly as possible after such study,
27 whether or not any such person can provide such ferry service
28 upon the terms and conditions and within the limitations
29 hereinafter set forth. If the Board shall determine that any

1 such person or corporation can provide a ferry system upon said
2 terms and conditions and within said limitations, it shall
3 forthwith direct the Commissioner, acting for the said Board,
4 to enter into a contract or other agreement with such person
5 or corporation. It is the purpose of this section to marshal
6 the full capacities of the Board, the Commissioner, and the
7 Director, in surveying the possibilities of providing such
8 immediate ferry service, but to confer upon the Board alone
9 the right to finally determine the matter of whether or not
10 such service can be provided, and to designate the appropriate
11 person or corporation to perform such service.

12 Section 3. Standards of proposed Operation. In passing
13 upon the question of the designation of a person or corporation
14 to operate such service, the Board shall be bound by the
15 following standards:

16 (1) The origin of the system shall be the port or
17 city of Prince Rupert, or some other city or port south
18 of or near Ketchikan, and the terminus shall be the city
19 of Skagway, Alaska, with stops en route at Ketchikan,
20 Wrangell, Petersburg, Juneau and Haines.

21 (2) No operator shall be approved unless his proposed
22 service shall provide for the accommodation of at least
23 thirty (30) passenger cars, two hundred passengers, with
24 a reclining-type seat for each passenger, and a schedule
25 which includes two round-trips weekly from the point of
26 origin to the terminus of the route.

27 (3) No operator shall be approved unless he shall be
28 capable of expanding his service to meet the future public
29 need. Any proposed operator shall be required to make a

1 showing to the Board that he is ready, willing and able
2 to meet the anticipated needs of the state's tourist and
3 general traffic.

4 (4) No operator shall be approved unless he shall
5 be able to commence the operation of a ferry system by
6 July 1, 1959.

7 (5) No operator shall be approved unless he shall
8 provide facilities for the feeding of a minimum of 200
9 passengers.

10 (6) No operator shall be approved unless he shall
11 agree to provide at least one registered nurse for each
12 vessel and adequate state room facilities for emergency
13 medical care.

14 Section 4. Time Schedule. The Board shall, immediately
15 upon the passage of this act, direct the Commissioner or the
16 Director to solicit proposals for a ferry system. The Board
17 may consider any proposals which may have been heretofore sub-
18 mitted to it, the Alaska Highway and Public Works Department,
19 the Commissioner, or the Director. The Board shall promptly
20 convene to consider all such proposals, and, no later than
21 March 1, 1959, certify to the Commissioner either that no
22 operator has submitted a satisfactory proposal, or that a
23 particular person or corporation has been selected to operate
24 a ferry system. The Commissioner shall forthwith enter into a
25 contract with the approved operator providing for his operation
26 for a period of not less than ten years.

27 Section 5. Authorization for and Limitation on Expenditure
28 of State Funds. No monies in the Highway Fund, or otherwise
29 available for expenditure by the Board, the Commissioner, or

1 the Director, shall be committed or expended for the purchase
2 or maintenance of ferries or vessels used in the system.
3 However, the Board, the Commissioner, or the Director, are
4 hereby expressly authorized to commit or expend any such monies
5 for the purpose of providing sufficient approaches and shore
6 facilities for an approved system. Upon the execution by the
7 Commissioner of the contract provided for in Section 4 of
8 this act, the Commissioner shall take immediate steps to pro-
9 vide for the installation of such approaches and shore facilities
10 and insure that such approaches and shore facilities are
11 installed and operative by July 1, 1959.

12 Section 6. Applicability to Successors. Any power, duty
13 or limitation imposed upon the Board, the Commissioner or the
14 Director shall be applicable to the successor of such Board,
15 Commissioner or Director.

16 Section 7. Constitutionality. If any provision or
17 provisions of this act are held invalid or unconstitutional,
18 the remainder of this act shall not be affected by such holding.

19 Section 8. Repeal of Laws in Conflict Herewith. All laws
20 or parts of laws in conflict with the provisions of this act
21 are hereby repealed to the extent of such conflict.

22 Section 9. Emergency. An emergency is hereby declared
23 to exist and this act shall be in full force and effect from
24 and after the date of its passage and approval.

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