

Introduced: 3/16/72
Referred: Commerce

BY THE RULES COMMITTEE BY RE-
QUEST OF THE LEGISLATIVE
COUNCIL BY REQUEST

1 IN THE SENATE

2 SENATE CONCURRENT RESOLUTION NO, 21

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 Relating to a study of transportation
6 laws and regulations.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS transportation in all of its forms is one of the most funda-
9 mental needs of Alaska necessary to its orderly development and growth in
10 the manner best suited for the health and welfare of its citizens; and

11 WHEREAS the Legislature has, since statehood, sought to foster, promote
12 and develop adequate transportation service in the public interest by
13 economic regulation of the various transportation modes, such policy objec-
14 tives being expressed in AS 02.05.010, AS 42.10.010 and AS 42.15.011; and

15 WHEREAS the economic regulation of transportation is presently provided
16 for by separate and diverse Acts relating to the different carrier modes
17 exemplified by the Air Commerce Act; the Transportation Commission Act;
18 the Motor Freight Carrier Act; the Motor Bus Act and the Ferry Act; and

19 WHEREAS these separate Acts were enacted at different times; have been
20 amended piecemeal since enactment; provide in many instances inconsistent
21 regulatory methods, concepts, and conflicting jurisdiction of the regulatory
22 agency as between the various Acts; in many cases and also contain inconsis-
23 tent, conflicting and ambiguous provisions within each Act; and are un-
24 responsive to the regulatory objective of the Legislature and the needs of
25 the public; and

26 WHEREAS no regulation of intrastate transportation by water (except
27 ferries) or by air cushion vehicles is presently provided, nor has it been
28 determined whether this regulation is or is not required; and

29 WHEREAS the proper relationship between interstate and intrastate

1 transportation and the regulatory responsibilities, jurisdiction and coordina-
2 tion of regulation efforts between federal and state agencies has never
3 been adequately evaluated nor applied; and

4 WHEREAS, AS 02.05.010 anticipated in part that the Alaska Air Commerce
5 Act is to be applied to

6 "(6) provide for the administration and enforcement of this chapter
7 to avoid conflict with the regulation of air carriers by the federal govern-
8 ment;

9 (7) maintain air transport services in the state on an economically
10 sound basis, pending a study of the air transport needs of the state and the
11 relationship of intrastate air services to the interstate and foreign air
12 services subject to regulation by the Federal Civil Aeronautics Board
13 S. 2 ch. 161 SLA 1960."; and

14 WHEREAS no study of air commerce, as anticipated in AS 02.05.010(6)
15 and (7), has been made to date even though such a study is essential to a
16 better understanding and application of regulatory efforts and needs and
17 coordination with the responsibilities of the Civil Aeronautics Board;

18 BE IT RESOLVED that the Legislative Council be directed to study and
19 develop a uniform transportation code covering all modes (excluding trans-
20 portation by pipeline) for the state considering among other things:

21 (1) the regulatory relationships between interstate and intrastate
22 transportation and the regulatory responsibilities and jurisdiction of both
23 federal and state regulatory agencies;

24 (2) coordination with the Civil Aeronautics Board in developing a
25 sound transportation policy in air commerce, particularly in areas of over-
26 lapping jurisdiction and carrier service;

27 (3) delineation of the responsibilities for developing and pursuing
28 state policy and objectives with regard to interstate transportation and to
29 proceedings before federal regulatory agencies;

1 (4) development of the nature, organization and budget requirements
2 of the Alaska Transportation Commission adequate to effectively and
3 efficiently carry out the assigned responsibilities for transportation regu-
4 lation; and be it

5 FURTHER RESOLVED that the Legislative Council may contract with an
6 individual or agency knowledgeable in all areas of transportation regulation
7 to conduct such a study and shall submit its report, with recommendations,
8 to the Eighth Legislature, First Session.

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