

1 IN THE HOUSE

BY MILLER AND GARDINER

2 HOUSE BILL NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Alaska State Port and Waterways  
7 Study Commission, prescribing its organization, powers  
8 and duties; and providing for an effective date."

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

10 \* Section 1. AS 30 is amended by adding a new chapter to read:

11 CHAPTER 20. ALASKA STATE PORT AND WATERWAYS

12 STUDY COMMISSION.

13 Sec. 30.20.010. COMMISSION CREATED. There is in the Office of  
14 the Governor an Alaska State Port and Waterways Study Commission.

15 Sec. 30.20.020. COMPOSITION. (a) The Alaska State Port and  
16 Waterways Study Commission consists of the commissioner of public works,  
17 who shall serve as chairman, and eight members to be appointed by and  
18 serve at the pleasure of the governor.

19 (b) In making his appointments, the governor shall appoint at  
20 least three members of the commission who are residents of southeast  
21 Alaska, three who are residents of southcentral Alaska, and one who is  
22 a resident either of western or northwestern Alaska. Three members of  
23 the commission shall be municipal officers or employees.

24 (c) To provide the commission membership with a broad background  
25 of professional experience, the governor should consider naming some  
26 commission members from among the following areas of expertise:

27 (1) law: a graduate of an accredited law school, who may  
28 or may not be admitted to practice law in the state but who, preferably,  
29 has experience in maritime or admiralty law;

1 (2) transportation or civil engineering;

2 (3) business, finance or accounting; transportation  
3 planning or economics;

4 (4) a licensed or registered marine pilot.

5 Sec. 30.20.030. COMPENSATION; PER DIEM AND TRAVEL EXPENSES.

6 Members of the commission receive no salary but are entitled to per diem  
7 and travel expenses authorized by law for other boards and commissions.

8 Sec. 30.20.040. DUTIES. (a) The commission shall study, includ-  
9 ing, but not limited to, the following:

10 (1) the creation of a state port authority for the construc-  
11 tion, operation, maintenance and regulation of ports, harbors and port  
12 facilities, and the creation of comparable regional and municipal  
13 authorities;

14 (2) the formulation of a comprehensive master or general  
15 plan for the development of new, and the expansion of existing, ports,  
16 harbors and port facilities;

17 (3) the promulgation of a uniform system of port, harbor  
18 and waterways regulations, including but not limited to uniform marine  
19 pilotage rules and a uniform system of navigational markings in the  
20 waterways of the state, for the efficient management of marine traffic  
21 and port operations that complements, but is not in conflict with,  
22 applicable federal laws and regulations, and for their effective  
23 enforcement; existing municipal port, harbor and waterways regulations  
24 shall be considered and a statutory scheme developed for harmonizing  
25 state and municipal port, harbor and waterways regulations;

26 (4) all existing ports, harbors, and port facilities, whether  
27 state or municipally owned or operated, or whether operated under  
28 private concessions or publicly-granted franchises, and shall survey  
29 and inventory them;

1 (5) the establishment of major port and marine transportation  
2 facilities and terminals in or near urban areas with satellite facili-  
3 ties in rural areas; and the need for off-shore, deepwater port  
4 facilities;

5 (6) the engineering practicality and economic feasibility  
6 of integrating existing state port facilities, including state ferry  
7 terminals, with projected port facilities and ferry terminals at  
8 appropriate locations;

9 (7) the methods of financing port, harbor and port facilities  
10 development including but not limited to revenue and general obligation  
11 bonds, federal grants and loans and the availability of other methods  
12 of private and public financing.

13 (b) The commission shall visit and conduct public hearings at the  
14 coastal and inland port cities of the state.

15 Sec. 30.20.050. POWERS. The commission may

16 (1) elect a vice chairman and other officers from among its  
17 membership;

18 (2) employ an executive director, who shall be a member of  
19 the exempt service under AS 39.25.110, and other necessary personnel;

20 (3) contract with experts and consultants, either individuals  
21 or organizations, to provide necessary data, research and other materials  
22 the commission may require to formulate its recommendations;

23 (4) solicit and obtain the services of other state and muni-  
24 cipal departments and agencies in collecting, compiling and analyzing  
25 data necessary for the commission to carry out its duties under sec. 40  
26 of this chapter;

27 (5) receive and expend grants and appropriations from private  
28 as well as governmental sources to carry out its duties under sec. 40  
29 of this chapter.

1           Sec. 30.20.060. REPORT. The commission shall present a report  
2 containing its findings and recommendations to the governor and to  
3 the legislature not later than the day the Ninth Legislature, Second  
4 Session, convenes.

5 \* Sec. 2. AS 39.25.110 is amended by adding a new paragraph to read:

6           (16) the executive director of the Alaska State Port and  
7 Waterways Study Commission.

8 \* Sec. 3. This Act takes effect immediately in accordance with  
9 AS 01.10.070(c).