

Original sponsors: Miller, Gardiner
and Specking

Offered: 5/27/76
Referred: Finance

1 IN THE HOUSE BY THE COMMERCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 528

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE -- SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the state ferry system; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 19 is amended by adding a new chapter to read:

10 CHAPTER 65. ALASKA MARINE HIGHWAY REVIEW COMMITTEE.

11 Sec. 19.65.010. DECLARATION OF POLICY. The state ferry system,
12 operated by the division of marine transportation in the Department of
13 Public Works, its management, officers, crews, vessels, terminals,
14 routes and other facilities and services is a moving highway commonly
15 known as the Alaska Marine Highway. It is a substitute for a network of
16 roads and highways along and through the maritime areas of the state
17 where geography makes the construction and maintenance of a traditional
18 highway system economically unfeasible, environmentally unsound, and
19 impractical from an engineering standpoint. It is the purpose of this
20 chapter to provide users of the state ferry system and the taxpayers of
21 the state a ferry service operated and managed for their benefit under a
22 fair and reasonable tariff schedule, and to ensure that marine trans-
23 portation services will be rendered equitably, economically and effi-
24 ciently to all users. It is also the purpose of this chapter to make
25 certain that the state ferry system is properly developed and improved,
26 in coordination with other transportation modes and services, to assure
27 the traveling public complete and dependable marine transportation, and
28 that the state ferry system is operated in the public interest.

29 Sec. 19.65.020. REVIEW COMMITTEE CREATED, MEMBERSHIP. (a) There

1 is created in the Department of Public Works, division of marine trans-
2 portation, the Alaska Marine Highway Review Committee consisting of
3 members of the traveling public in Alaska, residents of the coastal
4 communities served, commercial users of the state ferry system, and
5 representatives of the tourism industry in the state.

6 (b) The committee consists of

7 (1) five persons appointed by the governor and confirmed by a
8 majority of the members of the legislature in joint session; one of the
9 appointees shall be a resident of a community not served by the state
10 ferry system;

11 (2) two members of the legislature, one each from the house
12 and senate appointed by the governor from a list of nominees provided by
13 the president of the senate and the speaker of the house of represen-
14 tatives; the legislative members may not be members of the same poli-
15 tical party.

16 (c) The commissioner of public works, the director of the division
17 of marine transportation, and the director of the division of tourism in
18 the Department of Commerce and Economic Development, or their designees,
19 shall be ex officio members of the committee, but may not vote on
20 matters before the committee.

21 Sec. 19.65.030. TERM OF OFFICE; VACANCIES. (a) The members of
22 the committee except legislative members shall serve four-year staggered
23 terms, or until their successors are appointed and qualify. One initial
24 gubernatorial appointee shall serve for one year, one for two years, two
25 for three years, and one for four years.

26 (b) Legislative members shall serve two-year terms ending on the
27 convening of the legislature on each odd year.

28 (c) Vacancies shall be filled in the same manner as original
29 appointment.

1 Sec. 19.65.040. OFFICERS. The chairman and vice-chairman of the
2 committee shall be elected by the members of the committee.

3 Sec. 19.65.050. MEETINGS; RULES OF PROCEDURE. (a) The committee
4 shall prescribe its own rules of procedure. The committee shall meet at
5 least once quarterly at a time and place determined by the chairman, or
6 at other times and places as the chairman or a majority of the members
7 of the committee consider necessary. A quorum is a majority of the
8 committee members. The votes of the committee members shall be re-
9 corded, and effective action requires the affirmative vote of a majority
10 of the committee members present. No committee member may vote for or
11 on behalf of another member of the committee.

12 (b) The committee shall meet either in the communities served by
13 the state ferry system, aboard the vessels of the state ferry system, or
14 at other places in the state to enable it to serve as an effective
15 communications link between the public and the division of marine trans-
16 portation, and affording the public an opportunity to express its views
17 concerning the planning, operation, management and expansion of state
18 ferry services.

19 Sec. 19.65.060. FUNCTIONS OF THE COMMITTEE. The committee shall
20 review and make recommendations

21 (1) concerning the program budget for the operation of the
22 division for each fiscal year before it is submitted to the department
23 or to the governor under the Executive Budget Act (AS 37.07);

24 (2) concerning the schedule of tariffs and other charges for
25 services provided by the division;

26 (3) relating to the policies, operation, and management of
27 the state ferry system, including but not limited to

28 (A) planning for, and review of, the routes, vessel
29 schedules, types of services and facilities the division should

1 provide to meet the needs of the traveling or using public;

2 (B) the level of staffing and funding for these pro-
3 grams, activities, services or facilities;

4 (C) the relationship of state ferry services to other
5 transportation services provided by the state or the publicly
6 regulated private sector of the transportation industry;

7 (4) concerning capital improvement projects and the means of
8 managing and financing them, including both vessels and shore facili-
9 ties, and their relationship to other transportation services and
10 facilities; and

11 (5) concerning the naming of ferry vessels.

12 Sec. 19.65.070. ANNUAL REPORT. The committee shall make an annual
13 report to the governor, commissioner, director and to the legislature
14 and the public concerning its activities, findings and recommendations.
15 The report shall be submitted not later than 10 days after the convening
16 of each regular session of the legislature.

17 Sec. 19.65.080. COMPENSATION. Members of the committee serve
18 without compensation but are entitled to per diem and travel expenses as
19 may be authorized by law for boards and commissions.

20 Sec. 19.65.090. CONFLICT OF INTEREST REPORTS. Members of the
21 committee are subject to AS 39.50.

22 Sec. 19.65.100. DEFINITIONS. In this chapter

23 (1) "review committee" or "committee" means the Alaska Marine
24 Highway Review Committee created under sec. 20 of this chapter;

25 (2) "commissioner" means the commissioner of public works;

26 (3) "department" means the Department of Public Works;

27 (4) "director" means the director of the division of marine
28 transportation;

29 (5) "division" means the division of marine transportation;

1 (6) "tariff" means a schedule of fares, rates, fees or other
2 charges for the movement of vehicular and passenger traffic over the
3 terminals and aboard the vessels between all ports served, and for all
4 other services rendered or provided by the state ferry system.

5 * Sec. 2. AS 39.50.200(9) is amended by adding a new subparagraph to
6 read:

7 (LL) Alaska Marine Highway Review Committee (AS 19.65.010)

8 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
9 070(c).

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

#