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6-1110H

Original sponsor(s): Transportation Committee

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 310 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Marine Highway System
7 Commission; and providing for an effective date."

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

9 * Section 1. AS 19.65 is amended by adding new sections to read:

10 ARTICLE 2. ALASKA MARINE HIGHWAY SYSTEM COMMISSION.

11 Sec. 19.65.100. DECLARATION OF POLICY. The state ferry system,
12 operated by the Department of Transportation and Public Facilities, is
13 a moving highway commonly known as the Alaska Marine Highway System.
14 It is the purpose of AS 19.65.100 - 19.65.160 to

15 (1) ensure that the state marine highway system is operated
16 in the public interest;

17 (2) provide continuity of management of the marine highway
18 system to promote efficiency in operating the system;

19 (3) ensure that marine transportation services will be
20 provided equitably, economically, and efficiently to all users;

21 (4) provide users of the marine highway system and citizens
22 of the state with a marine highway system operated and managed as a
23 public service for their benefit under a fair and reasonable tariff
24 schedule;

25 (5) make certain that the marine highway system is properly
26 developed and operated in coordination with other transportation modes
27 and services; and

28 (6) provide the traveling public complete and dependable
29 marine transportation services.

1 Sec. 19.65.110. ALASKA MARINE HIGHWAY SYSTEM COMMISSION. The
2 Alaska Marine Highway System Commission is created within the Depart-
3 ment of Transportation and Public Facilities.

4 Sec. 19.65.120. MEMBERSHIP AND VACANCIES. (a) The commission
5 consists of seven members. One member is the commissioner of trans-
6 portation and public facilities and six members are appointed by the
7 governor. The six appointed members must be state residents except as
8 provided in (1) of this subsection. One appointed member shall be a
9 representative of the tourist industry who meets one of the require-
10 ments under (1) - (4) of this subsection, and one shall be a represen-
11 tative of the commercial carriers who meets one of the requirements
12 under (1) - (4) of this subsection. Appointed members shall include

13 (1) a representative of the maritime industry; a person who
14 is not a state resident may be appointed under this paragraph;

15 (2) a member of a maritime union;

16 (3) two residents of Southeast Alaska;

17 (4) a resident of the Gulf of Alaska area west of Icy Cape;

18 and

19 (5) a person who represents the interests of the public.

20 (b) Members serve at the pleasure of the governor for five-year
21 terms.

22 (c) Members shall comply with the requirements of AS 39.50
23 (conflict of interest).

24 (d) A member holds office for the term of the appointment and
25 until a successor has been appointed and qualified. A member may be
26 reappointed.

27 (e) A vacancy in a membership occurring other than by expiration
28 of term shall be filled in the same manner as the original appointment
29 but only for the unexpired term.

1 (f) Each member, before serving on the commission, shall take
2 and subscribe to an oath to faithfully perform the duties of the
3 office. A record of the oath shall be filed with the Office of the
4 Governor.

5 Sec. 19.65.130. COMPENSATION. The members of the commission
6 serve without compensation, but are entitled to per diem and travel
7 expenses authorized for state boards and commissions under AS 39.20.-
8 180.

9 Sec. 19.65.140. OFFICERS, MEETINGS, AND QUORUM. (a) The mem-
10 bers shall annually elect one of their number as chair.

11 (b) The commission shall meet at a time and place determined by
12 the chair, and at other times and places the chair, or a majority of
13 the commission members, considers necessary.

14 (c) The powers of the commission are vested in the members and
15 four members of the commission constitute a quorum. The commission
16 may take action by the affirmative vote of at least four members. A
17 vacancy in the membership of the commission does not impair the right
18 of a quorum to exercise all the powers and perform all the duties of
19 the commission.

20 Sec. 19.65.150. DUTIES. The commission shall

21 (1) recruit, select, appoint, dismiss, or suspend the
22 director of the division of marine transportation;

23 (2) advise and make recommendations to the director of the
24 marine highway system regarding the operation of the marine highway
25 system, including

26 (A) schedules and tariffs;

27 (B) management, planning, and construction of facili-
28 ties;

29 (C) replacement, refurbishing, and overhaul of

1 vessels;
2 (D) reviews of short-term and long-term operating and
3 capital costs;
4 (3) establish policy for the division of marine transporta-
5 tion;
6 (4) submit to the governor and the legislature before the
7 10th day of each regular legislative session a comprehensive report
8 describing the operations and expenditures of the commission and
9 including a summary of recommendations made by the commission under
10 (2) of this section during the preceding year;
11 (5) adopt rules of procedure; and
12 (6) hold meetings to provide a timely opportunity for the
13 public to comment on the annual operations plan of the marine highway
14 system, including proposed tariff increases or scheduling changes.
15 Sec. 19.65.160. COMPREHENSIVE LONG-RANGE PLAN. The commission,
16 with the cooperation of the Department of Transportation and Public
17 Facilities, shall prepare a comprehensive long-range plan for the
18 development and improvement of the marine highway system and shall
19 revise and update the plan at least every five years. The comprehen-
20 sive long-range plan and revisions and updates of the plan are subject
21 to legislative approval by law.
22 * Sec. 2. AS 39.50.200(b) is amended by adding a new paragraph to read:
23 (50) Alaska Marine Highway System Commission (AS 19.65.100 -
24 19.65.160).
25 * Sec. 3. AS 44.42.040 is amended by adding a new subsection to read:
26 (b) The Alaska Marine Highway System Commission shall
27 (1) appoint the director of the division of marine trans-
28 portation;
29 (2) advise and make recommendations to the director of the

1 marine highway system regarding the operation of the marine highway
2 system;

3 (3) establish policy for the division of marine transporta-
4 tion.

5 * Sec. 4. INITIAL APPOINTMENT OF MEMBERS OF THE ALASKA MARINE HIGHWAY
6 SYSTEM COMMISSION. Notwithstanding AS 19.65.120(b), enacted by sec. 1 of
7 this Act, the terms of the initially appointed members of the Alaska Marine
8 Highway System Commission shall be staggered as set out in AS 39.05.055(4).

9 * Sec. 5. This Act takes effect January 1, 1991.