

BY SEN. DUNCAN

1 IN THE SENATE

2

SENATE BILL NO. 473

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."

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

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

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ARTICLE 2. ALASKA MARINE HIGHWAY SYSTEM COMMISSION.

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Sec. 19.65.100. DECLARATION OF POLICY. The state ferry system, operated by the Department of Transportation and Public Facilities, is a moving highway commonly known as the Alaska Marine Highway System.

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It is the purpose of AS 19.65.100 - 19.65.150 to

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

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

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

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

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

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

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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 five members appointed by the governor. At least three  
6 members must be from communities in the state served by the marine  
7 highway system.

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

10          (c) Members must be residents of the state and shall comply with  
11 the requirements of AS 39.50 (conflict of interest).

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

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

18          (f) Each member, before serving on the commission, shall take  
19 and subscribe to an oath to faithfully perform the duties of the  
20 office. A record of the oath shall be filed with the Office of the  
21 Governor.

22          Sec. 19.65.130. COMPENSATION. The members of the commission  
23 serve without compensation, but are entitled to per diem and travel  
24 expenses authorized for state boards and commissions under AS 39.20.-  
25 180.

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

28          (b) The commission shall meet at a time and place determined by  
29 the chair, and at other times and places the chair, or a majority of

1 the commission members, considers necessary.

2 (c) The powers of the commission are vested in the members and  
3 three members of the commission constitute a quorum. The commission  
4 may take action by the affirmative vote of at least three members. A  
5 vacancy in the membership of the commission does not impair the right  
6 of a quorum to exercise all the powers and perform all the duties of  
7 the commission.

8 Sec. 19.65.150. DUTIES. The commission shall

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

11 (2) advise and make recommendations to the director of the  
12 marine highway system on policies regarding the operation of the  
13 marine highway system, including

14 (A) schedules and tariffs;

15 (B) management, planning, and construction of facili-  
16 ties;

17 (C) replacement, refurbishing, and overhaul of ves-  
18 sels;

19 (D) reviews of short-term and long-term operating and  
20 capital costs;

21 (3) submit to the governor and the legislature before the  
22 10th day of each regular legislative session a comprehensive report  
23 describing the operations and expenditures of the commission and  
24 including a summary of recommendations made by the commission under  
25 (2) of this section during the preceding year;

26 (4) adopt rules of procedure; and

27 (5) hold meetings to provide an opportunity for the public  
28 to comment on the operation of the marine highway system, including  
29 proposed tariff increases or scheduling changes.

1 \* Sec. 2. AS 39.50.200(b) is amended by adding a new paragraph to read:  
2 (50) Alaska Marine Highway System Commission (AS 19.65.100 -  
3 19.65.150).

4 \* Sec. 3. AS 44.42.040 is amended by adding a new subsection to read:

5 (b) The Alaska Marine Highway System Commission shall

6 (1) appoint the director of the division of marine trans-  
7 portation;

8 (2) advise and make recommendations to the director of the  
9 marine highway system concerning the operations of the marine highway  
10 system;

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

13 \* Sec. 4. Initial appointments to the Alaska Marine Highway System  
14 Commission shall be made under AS 39.05.055.