

HB

380

FISCAL NOTE

Revision Date: 01/21/92
Title: Alaska Marine Highway Commission

Department Affected: DOT&PF
BRU: Marine Management

Sponsor: Mackie, Grussendorf
Requestor:

Component: Administration
Component Serial Number: 0621

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	24.2	24.2	24.2	24.2	24.2	24.2
CONTRACTUAL	3.0	3.0	3.0	3.0	3.0	3.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	27.2	27.2	27.2	27.2	27.2	27.2

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS	27.2	27.2	27.2	27.2	27.2	27.2
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE	0	0	0	0	0	0
TOTAL FUNDING:	27.2	27.2	27.2	27.2	27.2	27.2

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Assumes seven members of Commission. Three quarterly and one annual meeting of three days duration, minutes prepared by professional secretarial service and advertisements for each meeting.

Prepared by: John Halterman

Phone: 465-3950

Division: Alaska Marine Highway System

Date: January 21, 1992

Approved by Commissioner: 
Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: January 21, 1992

Distribution By Preparer: Leg. Finance, Leg. Sponsor, Requestor, OMB/DBR, Gov. Leg. Office, Impacted Agency(ies).

FISCAL NOTE

Revision Date: 01/21/92
Title: Alaska Marine Highway Commission

Department Affected: DOT&PF
BRU: Marine Management

Sponsor: Mackie, Grussendorf
Requestor:

Component: Support Services
Component Serial Number: 1224

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
PERSONAL SERVICES	87.6	87.6	87.6	87.6	87.6	87.6
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
EQUIPMENT	5.0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	98.1	93.1	93.1	93.1	93.1	93.1

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS	98.1	93.1	93.1	93.1	93.1	93.1
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE	0	0	0	0	0	0
TOTAL FUNDING:	98.1	93.1	93.1	93.1	93.1	93.1

POSITIONS

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: N/A

ANALYSIS: (Attach a separate page if necessary)

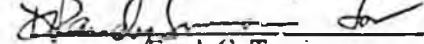
HB 380 amends the State Procurement Code (AS 36.30) to authorize AMHS to adopt its own procurement policies and procedures. This fiscal note authorizes and funds a new position (Purchasing Agent V) to carry out these responsibilities.

Prepared by: John Halterman

Phone: 465-3950

Division: Alaska Marine Highway System

Date: January 21, 1992

Approved by Commissioner: 
Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: January 21, 1992

REPRESENTATIVE
JERRY MACKIE

P O BOX 73
CRAIG, ALASKA 99921
(907) 826-3008 OFFICE
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CHAIRMAN,
COMMUNITY & REGIONAL AFFAIRS COMMITTEE

VICE CHAIRMAN,
TRANSPORTATION COMMITTEE

Alaska State Legislature



WHILE IN JUNEAU
P O BOX V
JUNEAU, ALASKA 99811
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House of Representatives

STATEMENT ON HB 380

BY

REP. JERRY MACKIE

I introduced HB 380, establishing the Alaska Marine Highway Commission, as a different approach to improving the marine highway system than the authority concept of HB 10.

The seven member commission will bring continuity to the management of the marine highway system in order to achieve improvements in system operations, funding, and fleet acquisitions and replacements. It will also provide a better integration with community and private sector interests dependent on the marine highway system. In addition to appointing the director, the commission is responsible for advising and making recommendations on schedules and tariffs and conducting public meetings on system operations including proposed tariff increases or scheduling changes; management, planning and construction of facilities; replacement, refurbishing, and overhaul of vessels; and operating and capital costs. It is responsible for preparing a 5 year development and improvement plan that is subject to legislative approval.

Another feature of HB 380 is that it allows the marine highway system to design its own procurement code to best meet the special repair, maintenance and reconstruction needs of the system. This will help decrease the extended overhaul and breakdown/repairs experience and will also produce substantial cost savings.

The two main differences between the commission approach and an authority approach is that state employees of the system are totally unaffected by HB 380 and the legislature retains its traditional funding oversight of the Alaska Marine Highway System.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
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Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

February 6, 1992

SUBJECT: Appointment power of the governor (HB 380)

TO: Representative Jerry Mackie
ATTN: Dave Gray

FROM: George Utermohle *GU*
Legislative Counsel

You have asked whether the governor can be compelled to appoint members of the Alaska Marine Highway Commission from a list of nominees prepared by a special interest group.

The executive power of the state is vested in the governor. Alaska Constitution, art. III, sec. 1. Furthermore the power to appoint subordinate executive officers is an executive function to be exercised by the governor. Bradner v. Hammond, 553 P.2d 1, 6 (Alaska 1976). If the legislature was to prescribe that the governor could only appoint members to the Alaska Marine Highway Commission from a list submitted by a special interest group, the legislature may, in my opinion, impermissibly infringe on the power of the executive branch and delegate governmental functions to a nongovernmental entity.

Courts in other states have held that statutes requiring the governor to appoint from a list submitted by a private entity are constitutional. Welch v. Key, 365 P.2d 154 (Okla. 1961) (upholding statute that required governor to make appointments to state election board from lists submitted by two leading political parties); Humane Society of the United States v. New Jersey Fish and Game Council, 362 A.2d 20, 27-28 (N.J. 1976). These cases have upheld the statutes even without construing them to allow the governor to reject all names, and ask for a new list. I am inclined to think that, because of the strong gubernatorial appointment power provisions of the Alaska constitution, Alaska courts would not follow these cases, as least as far as they do not allow rejection of all names. However, they do lend support to an argument that the governor may be required to choose members of the commission from a list submitted by a special interest group provided that the requirement can be construed to give the governor the power to reject all names on the list and ask for resubmission.

Representative Jerry Mackie
February 6, 1992
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I have attached a copy of two opinions by the Attorney General on this subject. Both opinions find that the governor's power to appoint members of boards and commissions cannot be circumscribed by delegating the power to make a list of nominees to another group or agency.

It may be useful to consult the governor as to whether he would veto HB 380, if it contained a provision requiring him to select members of the commission from a list submitted by a special interest group.

It is possible to allow interest groups to submit names of potential appointees to the governor without interfering with the governor's powers. However, to state in a bill that a group may suggest potential nominees to the governor is unnecessary and redundant because a group is always free to communicate with the governor regarding any matter, including appointments to boards and commissions.

If I may be of further assistance, please advise.

GU:pl
92-073.plm

Attachments

MEMORANDUM

State of Alaska

TO: Hon. Helen D. Beirne
Commissioner
Department of Health & Social
Services

DATE: April 23, 1981

FILE NO: J-66-698-81

TELEPHONE NO. 465-3600

FROM: WILSON L. CONDON
ATTORNEY GENERAL

SUBJECT: Proposed Council on
Domestic Violence
and Sexual Assault

By:

Rodger W. Pegues
Assistant Attorney General

You have asked whether establishment of a proposed Council on Domestic Violence and Sexual Assault poses any legal problems.

In the form proposed by the draft bill for an Act relating to domestic violence and sexual assault, the proposal violates the state constitution in two ways. */

The first constitutional infirmity in the proposed bill is that it unduly impairs the appointment authority of the chief executive, transferring it, as it were, to a special interest group under proposed AS 18.66.030(3). The proposed council's job is to carry out the law, and that function is vested by the constitution in the governor. To perform that function, he appoints subordinates to assist him. While reasonable qualifications may unquestionably be prescribed by law for those appointments, the power of selection cannot be shared except as the constitution itself provides. Bradner v. Hammond, 553 P.2d 1 (Alaska 1976).

Accordingly, in order to conform with the dictates of the state constitution, the requirement in proposed AS 18.-66.030(3) that appointments be from a list should be changed to a requirement for consultation with the Network of Domestic Violence and Sexual Assault. (We are concerned that the network may lack a formal, corporate status, thereby making even consultation haphazard.)

The second constitutional infirmity is that the bill gives the council tenure and also the authority to super-

*/ There are other existing and proposed councils on ad hoc subjects which share one or both of these constitutional defects, for example, CSHB 198 (Fin), establishing a seafood market council.

wise and direct a unit of state government in carrying out a significant part of the law which, under the constitution, is expressly a function and responsibility of the governor. We are not dealing here with a regulatory or quasi-judicial council, the members of which under the constitution, need not serve at the chief executive's pleasure. Humphrey's Executor v. United States 295 U.S. 602 (1935); Buckley v. Valeo, 424 U.S. 1, 140-141 (1976) (dicta). We are dealing rather with persons who are being placed in charge of carrying on the duties of an executive department of the government, and such officers must be responsible to the chief executive. Myers v. United States, 272 U.S. 52 (1926); cf., Alaska State Operated School System v. Mueller, 536 P.2d 99 (Alaska 1975), Walker v. Alaska State Mtg. Ass'n, 416 P.2d 245 (Alaska 1966).

Accordingly, in order further to conform the bill with the dictates of the state constitution, the last sentence of proposed AS 18.66.040 should be amended to delete after the word "members," the words "shall be limited to no" and insert "serve at the pleasure of the governor and may not serve" instead.

There are other, technical changes which should be made. For example, the Attorney General, rather than the Chief Prosecutor, should be named to retain the parallelism. The Attorney General would have the option of naming a designee. It makes no sense to appoint a subcabinet, non-statutory officer to a statutory council.

Finally, experience teaches that the establishment of a line division on domestic violence and sexual assault in whichever department should handle the subject (with an advisory council of concerned and involved citizens) will have much more effect than the establishment of a separate council which will not be part and parcel of either department's operations. That is a practical matter rather than a legal one, and we do not insist on a change, but we strongly recommend one.

RWP/pjg

cc: Hon. W.R. Nix, Commissioner
Department of Public Safety

Hon. Donald Clocksin
House of Representatives

Marie Pignalberi
Special Assistant to the
Governor

DATE: September 17, 1979

FILE NO: J-66-164-80

TELEPHONE NO:

AVRUM M. GROSS
ATTORNEY GENERAL ..

SUBJECT: Appointment to the
Advisory Council on
Cultural Facilities

By:
Rodger W. Pegues
Assistant Attorney General

You have asked whether the governor may appoint a person to the Advisory Council on Cultural Facilities who was not named on the list of candidates provided to him for that purpose by the State Council on the Arts.

While the answer cannot be certain, we believe that it is yes.

The statute establishing the Advisory Council on Cultural Facilities provides that its members are to be "appointed by the governor from a list of candidates provided to him for that purpose by the State Council on the Arts." AS 44.33.400(b). The statute controls unless it is at odds with the federal or state constitutions.

Under the Alaska Constitution, the governor is the appointing authority. Bradner V. Hammond, 553 P.2d 1 (Alaska 1976). There can be no sharing of his power to appoint except as expressly provided for in the constitution itself. Id. The legislature can no more provide for the governor to share the power with an agency created by it than it can share in that power itself.

Statutes such as AS 44.33.400(b) have no purpose other than to dilute the responsibility and authority of the elected chief executive. They are directly in opposition to the principal purpose of the executive article of the constitution, that is, to place the administration of the executive department of the government in the hands of a single chief executive who is responsible to the electorate for all of the successes and failures of his administration. Under the territorial government, responsibility for executing the laws was dispersed widely among various officers and boards and commissions, each of which acted autonomously from the other. As a result, the public could not assign overall responsibility for the government on anyone, and no one was responsible for the government's conduct. The constitutional convention decisively rejected the territorial model in

Marie Pignalberi
September 17, 1979
Page #2

favor of the strong chief executive. To the extent that AS 44.33.400(b) conflicts with the convention's decision, it is a nullity.

This does not mean that the governor cannot solicit the advice of the State Council on the Arts or follow it. It does mean that the council cannot constitutionally exercise a veto on his choice of appointees. If the governor wishes to appoint Mr. Evans, he may do so.

RWP/pjg

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

JAN 13 1992

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240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

January 13, 1992

SUBJECT: Sectional Summary of House Bill 380;
Alaska Marine Highway Commission
(Work Order No. 7-LS1745)

TO: Representative Jerry Mackie

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum is a sectional summary of HB 380: An Act relating to the Alaska Marine Highway Commission; relating to repair, maintenance, and reconstruction of vessels of the Alaska marine highway system; and providing for an effective date.

A sectional summary of a bill is not an authoritative interpretation of a bill. The bill itself is the best statement of its contents.

Section 1 of the bill adds a new article to AS 19.65.

ARTICLE 3. ALASKA MARINE HIGHWAY COMMISSION.

Sec. 19.65.110 sets out the policy of the legislature in regard to the Alaska marine highway system.

Sec. 19.65.120 creates the Alaska Marine Highway Commission in the Department of Transportation and Public Facilities.

Sec. 19.65.130 relates to membership of the commission. The commission consists of seven voting members appointed by the governor. Voting members of the commission must take an oath and comply with state conflict of interest laws. Voting members of the commission must be state residents who have certain kinds of experience. Three voting members of the commission must reside in specified areas of the state. Voting members of the commission serve at the pleasure of the governor for five year terms and until a successor is appointed and qualified.

In addition to the voting members of the commission, the commissioner of transportation and public facilities serves on the commission as an ex officio, non voting member.

Representative Jerry Mackie

January 13, 1992

Page 2

Sec. 19.65.140 provides that the voting members of the commission do not receive compensation but are entitled to travel and per diem expenses.

Sec. 19.65.150 provides for the election of the chair of the commission, for setting the time and place for meetings of the commission, and for a quorum of four voting members.

Sec. 19.65.160 sets out the duties of the commission. The more notable duties of the commission are to hire and fire the director of the Alaska marine highway system, establish policy for the Alaska marine highway system, and advise and make recommendations regarding the operation of the Alaska marine highway system.

Sec. 19.65.170 requires the Alaska Marine Highway Commission, in cooperation with the Department of Transportation and Public Facilities, to prepare a comprehensive long-range plan for development and improvement of the Alaska marine highway system at least every five years. The plan is subject to legislative approval by law.

Section 2 of the bill amends AS 36.30.015 to allow the Alaska Marine Highway Commission to establish policies, consistent with the State Procurement Code, for the procurement of supplies and services for the repair, maintenance, and reconstruction of vessels of the Alaska marine highway system. Sections 2 and 3 of the bill exempt the Alaska marine highway system from strict compliance with the State Procurement Code when obtaining supplies and services for the repair, maintenance, and reconstruction of vessels of the Alaska marine highway system.

Section 3 of the bill amends AS 36.30.990(1) to eliminate the Alaska marine highway system from the definition of "agency" under the State Procurement Code in regard to obtaining supplies and services for the repair, maintenance, and reconstruction of vessels of the Alaska marine highway system.

Section 4 of the bill adds the Alaska Marine Highway Commission to the list of boards and commissions whose members are subject to state conflict of interest laws.

Section 5 of the bill amends AS 44.42.040 by adding a new provision describing the role of the Alaska Marine Highway Commission in the Department of Transportation and Public Facilities.

Section 6 of the bill sets out the terms of the initially appointed members of the Alaska Marine Highway Commission in order to provide for staggered terms.

Section 7 of the bill provides that the Act shall take effect January 1, 1993.

GU:gc
92-009.glc

ALASKA MARINE HIGHWAY COMMISSION LEGISLATION FACT SHEET
Sponsored by Sen. Jim Duncan and Rep. Jerry Mackie

- GOAL IS TO PROVIDE CONTINUITY IN MANAGEMENT RESULTING IN IMPROVED EFFICIENCIES AND CONSISTENT SERVICE.
- SYSTEM EMPLOYEES MAINTAIN CURRENT STATUS.
- A SEVEN MEMBER COMMISSION OVERSEES SYSTEM OPERATIONS.
- GOVERNOR APPOINTS COMMISSION MEMBERS.
- COMMISSION APPOINTS SYSTEM DIRECTOR.
- MEMBERS ARE APPOINTED TO FIVE YEAR TERMS ON A STAGGERED BASIS.
- AT LEAST THREE MEMBERS MUST BE COMMUNITIES SERVED BY THE SYSTEM.
(TWO FROM SOUTHEAST WITH ONE REPRESENTING RURAL COMMUNITIES AND ONE FROM THE GULF OF ALASKA WEST OF ICY CAPE.)
- ALL MEMBERS MUST BE STATE RESIDENTS WITH A KNOWLEDGE OF THE SYSTEM AND EXPERIENCE IN BUSINESS MANAGEMENT, FINANCE, TRANSPORTATION SERVICES, TOURISM OR ENGINEERING.
- THE COMMISSIONER OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES SERVES AS AN EX-OFFICIO NONVOTING MEMBER.
- THE SYSTEM IS EXEMPTED FROM STATE PROCUREMENT CODE IN REGARDS TO REPAIR, MAINTENANCE AND RECONSTRUCTION OF VESSELS. LEGISLATION DIRECTS COMMISSION TO DEVELOP PROCUREMENT POLICIES BASED ON FAIR COMPETITION AND CONSISTENT WITH STATE GUIDELINES.
- THE COMMISSION IS RESPONSIBLE FOR PREPARING A LONG RANGE PLAN EVERY FIVE YEARS FOR DEVELOPMENT AND IMPROVEMENT OF SYSTEM WHICH IS SUBJECT TO LEGISLATIVE APPROVAL.
- OTHER DUTIES INCLUDE ADVISING AND MAKING RECOMMENDATIONS ON:
 - +SCHEDULES AND TARIFFS;
 - +MANAGEMENT, PLANNING AND CONSTRUCTION OF FACILITIES;
 - +REPLACEMENT, REFURBISHING, AND OVERHAUL OF VESSELS;
 - +OPERATING AND CAPITAL COSTS.
- THE COMMISSION IS ALSO CHARGED WITH CONDUCTING PUBLIC MEETINGS ON SYSTEM OPERATIONS INCLUDING PROPOSED TARIFF INCREASES OR SCHEDULING CHANGES.

TESTIMONY OF
THE INLAND BOATMEN'S UNION OF THE PACIFIC, ALASKA
THE MARINE ENGINEERS BENEFICIAL ASSOCIATION, D-1 PCD
THE ALASKA STATE EMPLOYEES ASSOCIATION, AFSCME LOCAL 52
THE ALASKA PUBLIC EMPLOYEES ASSOCIATION/AFT
PUBLIC EMPLOYEES LOCAL 71
AND THE
ALASKA AFL-CIO
BEFORE THE HOUSE TRANSPORTATION COMMITTEE
ON
HOUSE BILL 380
ESTABLISHING AN ALASKA MARINE HIGHWAY COMMISSION

MY NAME IS VERN HIRSCH. I AM THE EMPLOYEE REPRESENTATIVE FOR ALASKA PUBLIC EMPLOYEES ASSOCIATION, BUT I AM ALSO TESTIFYING ON BEHALF OF THE MARINE ENGINEERS BENEFICIAL ASSOCIATION, PUBLIC EMPLOYEES LOCAL 71, THE ALASKA STATE EMPLOYEES ASSOCIATION, THE INLAND BOATMEN'S UNION OF THE PACIFIC-ALASKA REGION, AND THE ALASKA STATEWIDE AFL-CIO WITH REGARD TO HOUSE BILL 380, WHICH SEEKS TO ESTABLISH AN ALASKA MARINE HIGHWAY COMMISSION WITHIN THE DEPARTMENT OF TRANSPORTATION. BETWEEN US, THE UNIONS REPRESENTED HERE TODAY REPRESENT ALL BUT A SMALL HANDFUL OF THE EMPLOYEES OF THE ALASKA MARINE HIGHWAY SYSTEM.

I'D LIKE TO BEGIN BY THANKING CHAIRMAN FOSTER FOR ALLOWING US TO TESTIFY ON THIS BILL, AND BY THANKING COMMITTEE VICE-CHAIRMAN REP. JERRY MACKIE FOR INTRODUCING THE BILL. WE BELIEVE THAT HOUSE BILL 380 IS A MAJOR IMPROVEMENT OVER THE BILL WE DISCUSSED HERE LAST YEAR, AND WE THANK THE REPRESENTATIVE FOR TRYING TO DEVELOP A PIECE OF LEGISLATION THAT HELPS SOLVE THE MARINE HIGHWAY SYSTEM'S PROCUREMENT PROBLEMS AND PROTECTS THOSE SYSTEM EMPLOYEES COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

THE UNIONS I AM REPRESENTING TODAY ARE STILL WAITING TO HEAR BACK ON THE BILL FROM OUR RESPECTIVE MEMBERS IN THE MARINE HIGHWAY SYSTEM. WE HAVE SENT THEM COPIES OF THE LEGISLATION.

AFL-CIO TESTIMONY ON H B. 380
PAGE TWO

BUT BASED ON THE INITIAL FEEDBACK OUR JUNEAU MEMBERS HAVE PROVIDED - WE ARE STILL WAITING TO HEAR FROM MEMBERS IN THE MORE OUTLYING AREAS SUCH AS CRAIG, KETCHIKAN, SITKA, AND CORDOVA, FOR EXAMPLE -- INDICATES CONCERNS WITH THREE AREAS OF THE BILL. ACCORDINGLY, WE RESPECTFULLY PROPOSE THE FOLLOWING CHANGES BE MADE TO HOUSE BILL 380:

UNDER SECTION 19.65.130 (A) OF THE BILL, DEALING WITH MEMBERSHIP AND VACANCIES OF THE COMMISSION, WE BELIEVE TWO SEATS SHOULD BE ADDED TO THE COMMISSION: ONE FOR AN ON-VESSEL EMPLOYEE REPRESENTATIVE AND ONE FOR A SHORESIDE EMPLOYEE REPRESENTATIVE. WE BELIEVE THESE REPRESENTATIVES SHOULD BE FROM ALASKA MARINE HIGHWAY SYSTEM EMPLOYEE GROUPS ALREADY COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

WE SUGGEST THESE TWO POSITIONS BECAUSE WE BELIEVE NO ONE KNOWS THE OPERATIONS AND NEEDS OF THE SYSTEM BETTER THAN ITS EMPLOYEES. IF THE COMMISSION IS TO PROVIDE THE SYSTEM'S LONG-RANGE PLANNING EFFORT, AS IT WOULD UNDER THIS BILL, THEN WE THINK IT VITAL THAT THE COMMISSION HAVE A FORMAL MECHANISM FOR RECEIVING EMPLOYEE INPUT AND SUGGESTIONS TO ENHANCE THE PLANNING FUNCTION. HAVING TWO EMPLOYEE REPRESENTATIVES ON THE COMMISSION WOULD ACCOMPLISH THIS GOAL. WE SEE NO PROBLEM WITH THE GOVERNOR APPOINTING THESE MEMBERS.

UNDER THE SAME SECTION, SUBPARAGRAPH (C), WHICH STATES: "VOTING MEMBERS SERVE AT THE PLEASURE OF THE GOVERNOR FOR STAGGERED FIVE-YEAR TERMS;" WE BELIEVE THE PHRASE: "AND CAN ONLY BE REMOVED FOR CAUSE" SHOULD BE ADDED TO THIS LINE.

FINALLY, UNDER SECTION 19.65.160 (2) (C), WHICH READS: "REPLACEMENT, REFURBISHING, AND OVERHAUL OF VESSELS," WE BELIEVE YOU SHOULD ADD "AND SHORESIDE DOCKING AND TRANSFER FACILITIES" TO THIS LINE.

AFL-CIO TESTIMONY ON H.B. 380
PAGE THREE

OTHER THAN THESE THREE CHANGES, WE ARE VERY PLEASED WITH THIS BILL AND FEEL IT REPRESENTS A POSITIVE STEP TOWARD MAKING THE ALASKA MARINE HIGHWAY SYSTEM MORE RESPONSIVE TO ITS MISSION AND THE COMMUNITIES IT SERVES.

AGAIN, MY THANKS TO THE CHAIRMAN FOR ALLOWING US TO TESTIFY. IF THE COMMITTEE HAS ANY QUESTIONS ON OUR TESTIMONY, WE WILL BE HAPPY TO TRY TO ANSWER THEM.

(END OF TESTIMONY)

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
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Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Transportation 1-21-92
House Transportation 2-11-92



House Transportation Committee

DATE: 1/21/92

PLACE: Room 17

SUBJECT OF MEETING:
 HB 380 - Relating to establishing
 an A.M.H.S. commission

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Vern V Hirsch	AMHS UNIONS	P.O. Box 20597	99802	586 3281	465 2707	<input checked="" type="radio"/>	N	HB 380
GEORGE U-TERMOHLE	LAA-LEGAL				465-2450	Y	N	HB 380 if required
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	



House Transportation Committee

DATE: 2/11/92

PLACE: 17

SUBJECT OF MEETING:

HB 380 - A.M. H.S. Commission

HB 434 - Motor Vehicle Special plates

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Juanita Hensley	DPS/DMV	PO. Box N, Juneau	99811		465-4335	Y N	Questions only
Jim Ayers or Randy Simmons	DOT/AMHS	3132 Channel Dr.			465-3900	Y N	
Jon Stables	AGEA/AA-CIO	641 Co. Willoughby, suite 100 PO Box 110900	99801		463-4949	Y N	HB 380
Jeff Morrison	DMVA	Juneau AK 99811			465-4600	Y N	HB 434
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	