



# LAWS OF ALASKA

2008

**Source**

SCS CSSH B 294(FIN) am S

**Chapter No.**

\_\_\_\_\_

**AN ACT**

Establishing the Alaska Marine Transportation Advisory Board and setting out its powers and duties; making conforming amendments; and providing for an effective date.

\_\_\_\_\_

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

THE ACT FOLLOWS ON PAGE 1



AN ACT

1 Establishing the Alaska Marine Transportation Advisory Board and setting out its powers and  
2 duties; making conforming amendments; and providing for an effective date.

3 \_\_\_\_\_  
4 \* **Section 1.** AS 19.65.011 is amended to read:

5           **Sec. 19.65.011. Comprehensive long-range plan.** The Department of  
6 Transportation and Public Facilities, **in consultation with the Alaska Marine**  
7 **Transportation Advisory Board,** shall prepare a comprehensive long-range plan for  
8 the development and improvement of the Alaska marine highway system and shall, **in**  
9 **consultation with the Alaska Marine Transportation Advisory Board,** revise and  
10 update the plan at least every five years. The department shall submit the  
11 comprehensive long-range plan and revisions and updates of the plan to the  
12 legislature.

13 \* **Sec. 2.** AS 19.65 is amended by adding new sections to read:

1                   **Article 3. Alaska Marine Transportation Advisory Board.**

2                   **Sec. 19.65.110. Alaska Marine Transportation Advisory Board.** There is  
3 established in the Department of Transportation and Public Facilities the Alaska  
4 Marine Transportation Advisory Board.

5                   **Sec. 19.65.120. Board composition.** (a) The board consists of 11 members  
6 appointed by the governor. Each member must be a resident of the state. The board  
7 shall be composed of the following members:

8                                 (1) one member who has a significant level of experience in the private  
9 sector or local government, specializing in financing or economic development or  
10 marketing, from each of the following districts:

11   (A) northern southeast Alaska, representing Haines, Juneau,  
12 and Skagway;

13   (B) central southeast Alaska, representing Petersburg, Sitka,  
14 and Wrangell;

15   (C) southeast Alaska, representing the cities of Angoon,  
16 Hoonah, Kake, Pelican, and Tenakee Springs;

17   (D) the Prince William Sound and Kenai Peninsula areas,  
18 representing the cities of Cordova, Valdez, and Whittier, the City and Borough  
19 of Yakutat, and the communities of Chenega Bay and Tatitlek; and

20   (E) southwest Alaska, representing the cities of Akutan,  
21 Chignik, Cold Bay, False Pass, Homer, King Cove, Kodiak, Port Lions, Sand  
22 Point, Seldovia, and Unalaska, including Dutch Harbor;

23                                 (2) one retired marine captain or marine engineer who is not affiliated  
24 with the Alaska marine highway system;

25                                 (3) one representative, who may be retired, of a recognized union that  
26 represents employees of the Alaska marine highway system;

27                                 (4) one business owner who has experience interacting with the Alaska  
28 marine highway system;

29                                 (5) one travel agent or tourism specialist familiar with various Alaska  
30 marine highway reservation systems available to the public; and

31                                 (6) two members of the public at large.

1 (b) For members being appointed under (a)(2) - (6) of this section, there shall  
2 be at least one resident of the Ketchikan Gateway Borough and at least two members  
3 who are residents of areas not directly served by the Alaska marine highway system.

4 (c) The members of the board shall serve staggered three-year terms. If a  
5 vacancy arises on the board, the governor shall, within 30 days after the vacancy  
6 arises, appoint a person to serve the balance of the unexpired term. A person appointed  
7 to fill the balance of an unexpired term shall serve on the board from the date of  
8 appointment until the expiration of the term.

9 (d) Board members serve at the pleasure of the governor. In addition, a  
10 majority of the membership of the board may remove a member if that member misses  
11 more than two meetings in a calendar year and has not been previously excused.

12 **Sec. 19.65.130. Officers and quorum.** The members of the board shall select  
13 a chair and a vice-chair from among the members of the board each year. The vice-  
14 chair presides over meetings in the absence of the chair. A majority of the members of  
15 the board constitutes a quorum. A vacancy in the board does not impair the right of a  
16 quorum to exercise all the powers and perform all the duties of the board.

17 **Sec. 19.65.140. Meetings.** The board shall meet at least four times each year.  
18 Meetings may be called by the chair or by a majority of the members of the board. At  
19 least one meeting each year must be attended by the board members in person, but all  
20 other meetings may be conducted by teleconference. All meetings are open to the  
21 public unless an executive session is called based on the criteria in AS 44.62.310(b).

22 **Sec. 19.65.150. Per diem and expenses.** Members of the board do not receive  
23 a salary, but are entitled to per diem and travel expenses authorized for boards and  
24 commissions under AS 39.20.180.

25 **Sec. 19.65.160. Records.** Records of the board are subject to inspection and  
26 copying under AS 40.25.110.

27 **Sec. 19.65.170. Legal assistance.** The Department of Law shall provide all  
28 legal services for the board.

29 **Sec. 19.65.180. Powers, duties, and functions.** (a) After the commissioner of  
30 transportation and public facilities has considered one or more candidates for the  
31 position of director or deputy commissioner of the Alaska marine highway system, the

1 commissioner shall confer with the board regarding that candidate or those candidates  
2 before making an appointment to that position. The selection of those candidates shall  
3 be without regard to political affiliation.

4 (b) The board may establish volunteer regional advisory committees. The  
5 purpose of the advisory committees is to provide recommendations to the board  
6 regarding concerns from the region of the members who constitute the advisory  
7 committee.

8 (c) The board may issue reports and recommendations and shall, in  
9 cooperation with the Department of Transportation and Public Facilities, prepare and  
10 submit to the department and the governor for review a strategic plan that includes the  
11 mission, core values, objectives, initiatives, and performance goals of the Alaska  
12 marine highway system.

13 (d) The board may receive information from the department as the board  
14 considers necessary to carry out its duties.

15 **Sec. 19.65.190. Staff.** The department shall provide staff for the board.

16 **Sec. 19.65.195. Definition.** In AS 19.65.110 - 19.65.195, "board" means the  
17 Alaska Marine Transportation Advisory Board.

18 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
19 read:

20 INITIAL APPOINTMENT OF MEMBERS OF THE ALASKA MARINE  
21 TRANSPORTATION ADVISORY BOARD. (a) Notwithstanding AS 19.65.120(c), added by  
22 sec. 2 of this Act, and AS 39.05.055, the initially appointed members of the Alaska Marine  
23 Transportation Advisory Board shall be appointed by the governor to terms as follows:

- 24 (1) three members shall serve one-year terms;  
25 (2) four members shall serve two-year terms; and  
26 (3) four members shall serve three-year terms.

27 (b) The governor may designate a member of the Marine Transportation Advisory  
28 Board, created by Administrative Order No. 233, who is serving as an advisory board member  
29 on the day before the effective date of this Act, as a member of the initial Alaska Marine  
30 Transportation Advisory Board under (a) of this section, if the member meets the  
31 requirements set by AS 19.65.120, added by sec. 2 of this Act. Nothing in this subsection

- 1 prevents the governor from appointing members to the board that do not serve on the Marine
- 2 Transportation Advisory Board as authorized by this subsection.
- 3 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).