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Haines Borough Assembly Agenda Bill

Agenda Bill No.: 24-1360

Assembly Meeting Date: 02/27/24

Business Item Description:

Subject: Supporting the Current Membership
Configuration of the Alaska Marine Highway Board

Originator:

Mayor

Originating Department:

Mayor

Date Submitted:

2/22/24

Attachments:

1. Resolution 24-02-1100
2. Executive Order #131

Full Title/Motion:

Motion: Adopt Resolution 24-02-1100

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$	\$	N/A

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:

Consistent: ☒ Yes ☐ No

Summary Statement:

Governor Dunleavy issued executive order 131 to reorganize the membership of the Alaska Marine Highway Operations Board. The board consists of 9 members, which is the deputy commissioner of transportation and public facilities assigned to the Alaska marine highway system and the following 8 public members, each of whom are a resident of the state.

Referral:

Referred to:

Referral Date:

Recommendation:

Meeting Date:

Assembly Action:

Meeting Date(s): 2/27/24

Public Hearing Date(s):

Postponed to Date:

**A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY SUPPORTING THE
CURRENT MEMBERSHIP CONFIGURATION OF THE ALASKA MARINE
HIGHWAY OPERATIONS BOARD**

WHEREAS, the Alaska Marine Highway System strived to serve a wide range of Alaskans and visitors with reliable marine transportation service throughout coastal Alaska; and

WHEREAS, the users of the Alaska Marine Highway System represent divergent interests, including educational, recreational, commercial, and industrial transportation needs statewide; and

WHEREAS, the Alaska Marine Highway Operations Board (operations board) is vital for representing to the State of Alaska the wide range of ferry system users and their concerns; and

WHEREAS, the operations board must necessarily represent a balance of representatives and perspectives, just as the ferry system itself must balance a variety of public demands; and

WHEREAS, the current composition of the operations board, including appointment of 4 of 9 board seats by the Senate president and House speaker, ensures that the state hears a diversity of opinion on best practices and procedures; and

WHEREAS, an advisory board representing only a monolithic point of view would by its nature preclude the range of opinion necessary for making fully informed decisions; and

WHEREAS, monolithic decision-making has led to historic missteps in ferry system management; and

WHEREAS, Alaska Governor Michael Dunleavy has issued Executive Order #131, making the governor the sole decider of board membership; and

WHEREAS, Governor Dunleavy's action would tend to limit the full range of perspectives necessary for robust and broad consideration of issues facing the ferry system, thereby impairing decision-making;

NOW, THEREFORE, BE IT RESOLVED by the Haines Borough Assembly supports the current membership configuration of the Alaska Marine Highway Operations Board, including four members appointed by members of the Alaska Legislature.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 27th day of February, 2024.

Thomas C. Morphet, Mayor

Attest: _____
Aleka Fullerton, MMC, Borough Clerk

Received in the Senate: 1/15/24; Introduced: 1/16/24
Referred: Transportation

Received in the House: 1/15/24; Introduced: 1/16/24
Referred: Transportation

EXECUTIVE ORDER NO. 131

Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance with AS 24.08.210, I order the following:

*** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

FINDINGS. As governor, I find that it is in the best interests of efficient administration to reorganize the membership of the Alaska Marine Highway Operations Board.

*** Sec. 2.** AS 19.65.120(a) is amended to read:

(a) The board is composed of the deputy commissioner of transportation and public facilities assigned to the Alaska marine highway system and the following eight public members, each of whom must be a resident of the state:

(1) one representative, who may be retired, of a recognized union that represents employees of the Alaska marine highway system, appointed by the governor;

(2) one representative of an Alaska Native organization or tribe who is from a community served by the Alaska marine highway system, appointed by the governor;

(3) six public members

[(A)] who collectively have experience in enterprise, architecture, business operations, financial management, risk management, logistics, supply chain management, engineering, project management and controls, marine operations, strategy, regulatory compliance, ship maintenance, construction, and repair, quality management, continuous improvement, sales, marketing, communications, customer interface, or experience management, [;

(B) TWO OF WHOM ARE] appointed by the governor [, TWO OF WHOM ARE APPOINTED BY THE SPEAKER OF THE HOUSE

1 OF REPRESENTATIVES AND WHO SERVE AT THE PLEASURE OF
 2 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TWO OF
 3 WHOM ARE APPOINTED BY THE PRESIDENT OF THE SENATE AND
 4 WHO SERVE AT THE PLEASURE OF THE PRESIDENT OF THE
 5 SENATE].

6 * **Sec. 3.** AS 19.65.120(c) is amended to read:

7 (c) The members of the board, except for the deputy commissioner of
 8 transportation and public facilities, shall serve staggered six-year terms. If a vacancy
 9 arises on the board, the governor [, THE PRESIDENT OF THE SENATE, OR THE
 10 SPEAKER OF THE HOUSE OF REPRESENTATIVES, AS APPLICABLE,] shall,
 11 within 30 days after the vacancy arises, appoint a person to serve the balance of the
 12 unexpired term. A person appointed to fill the balance of an unexpired term shall serve
 13 on the board from the date of appointment until the expiration of the term.

14 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 15 read:

16 TRANSITION. The terms of the current members of the Alaska Marine Highway
 17 Operations Board terminate on the effective date of this Order. The governor may appoint to
 18 the Alaska Marine Highway Operations Board a person who served on the board as it existed
 19 before the effective date of this Order and who meets the qualifications of AS 19.65.120(a), as
 20 amended by sec. 2 of this order. The terms of persons initially appointed to the Alaska Marine
 21 Highway Operations Board under AS 19.65.120(a), as amended by sec. 2 of this Order, must
 22 be set as provided in AS 19.65.120(c) so as to establish the staggering of terms.

23 * **Sec. 5.** This Order takes effect July 1, 2024.

DATED: _____

 Mike Dunleavy
 Governor