

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE STUTES

TO: HB 283

- 1 Page 1, line 2:
2 Delete "**providing for an effective date**"
3 Insert "**establishing an Advisory Board of Protected Waters**"
4
5 Page 1, line 4:
6 Delete "a new section"
7 Insert "new sections"
8
9 Page 1, line 6:
10 Delete "not"
11
12 Page 1, line 7:
13 Delete "except by an act of the legislature"
14 Insert "by the commissioner after the commissioner receives a recommendation from
15 the Advisory Board of Protected Waters. If the commissioner receives a nomination
16 recommendation from the board but does not follow the recommendation, the commissioner
17 shall, in writing, explain why the recommendation was not followed."
18
19 Page 1, line 8:
20 Delete "department"
21 Insert "Advisory Board of Protected Waters"
22
23 Page 1, line 11, through page 2, line 3:

1 Delete all material and insert:

2 **"* Sec. 2.** AS 46.03 is amended by adding a new section to read:

3 **Sec. 46.03.087. Advisory Board of Protected Waters.** (a) The Advisory
4 Board of Protected Waters is established in the department.

5 (b) The board shall consist of nine voting members as follows:

6 (1) three permanent members:

7 (A) the commissioner of environmental conservation, who shall
8 chair the board;

9 (B) one biologist from the Department of Environmental
10 Conservation, appointed by the commissioner;

11 (C) one biologist from the Department of Natural Resources,
12 appointed by the commissioner of natural resources; and

13 (2) six rotating members, representing the region or regions in which
14 the nominated water is located, appointed by the commissioner:

15 (A) two representatives from a regional fishing organization;

16 (B) two representatives from a regional mining organization;

17 (C) two representatives from a regional Native corporation.

18 (c) The commissioner shall appoint rotating members of the board as soon as
19 practicable after the board receives a nomination that meets the nomination criteria
20 established under (g) of this section. The term of a rotating board member expires on
21 the date the board takes final action on a nomination. The applicable commissioner
22 shall fill a vacancy on the board within 30 days.

23 (d) Members of the board do not receive a salary and are not entitled to per
24 diem and travel expenses authorized for boards and commissions under AS 39.20.180.

25 (e) Five members of the board constitute a quorum for the conduct of business.
26 A majority of the membership of the board must approve a recommendation for
27 nomination for a designation of an outstanding national resource water.

28 (f) The board shall consider nominations one at a time in the order that they are
29 received. The commissioner shall determine whether a nomination meets the criteria
30 established under (g) of this section.

31 (g) The department, in consultation with the board, shall propose and adopt

1 regulations that establish

2 (1) the process for the submittal of a nomination and for the submittal
3 of additional information related to a nomination;

4 (2) nomination acceptance criteria; regulations adopted under this
5 paragraph must include a requirement that a nomination demonstrate that the
6 nominated water is outstanding because of its ecological or recreational significance,
7 its existing water quality, or its proximity to, adjacency to, or location within existing
8 protected waters;

9 (3) public notice and public hearings for all nominations meeting
10 qualifications under (2) of this subsection;

11 (4) a method to provide individual notice to known owners of land
12 adjacent to the nominated water; and

13 (5) scientific and other requirements that must be met before water can
14 be designated outstanding national resource water.

15 (h) The department shall provide staff for administrative support for the
16 board."

17
18 Renumber the following bill sections accordingly.

19
20 Page 2, lines 8 - 13:

21 Delete all material.