

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

Referred: Resources

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### EXECUTIVE ORDER NO. 134

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

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

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions of the Recreation Rivers Advisory Board to the  
7 Department of Natural Resources. Additionally, with the transfer of these functions, I find  
8 that there is no longer a need for the Recreation Rivers Advisory Board and its elimination is  
9 in the best interests of efficient administration.

10 \* **Sec. 2.** AS 41.23.440(a) is amended to read:

11 (a) The commissioner, in consultation with representatives of affected  
12 municipalities, shall prepare and adopt and may revise a management plan for each of  
13 the six recreation rivers and their recreation river corridors. In preparing or revising  
14 the plan, the commissioner and each affected municipality shall consult with the  
15 public and state agencies, including the commissioner of fish and game [AND THE  
16 ADVISORY BOARD ESTABLISHED UNDER AS 41.23.430]. In preparation or  
17 revision of the plan, the commissioner shall comply with the notice requirements of  
18 AS 38.05.945 and provide written notice by first-class mail to private property owners  
19 in the recreation river corridors and shall hold at least two public hearings in  
20 municipalities and communities near the recreation river and the recreation river  
21 corridor. The management plan shall establish long-range guidelines and management  
22 practices consistent with AS 41.23.400 to

23 (1) establish guidelines and restrictions, if necessary, for an activity  
24 occurring under AS 41.23.410 to implement the purposes of AS 41.23.400;

25 (2) protect, maintain, or enhance the fish and wildlife habitat and the  
26 free-flowing nature of the river;

1 (3) identify special recreation values and manage the level of intensity  
2 and types of recreation uses;

3 (4) designate management guidelines for development activities;

4 (5) designate management guidelines for commercial recreation  
5 activities or development, including recreation services;

6 (6) provide for necessary public services, such as transportation and  
7 utility corridors, crossing or fording corridors, public safety, and law enforcement;

8 (7) allow reasonable access to public land and private inholdings,  
9 including municipal land that is offered for sale or lease, and to land beyond or  
10 adjacent to the recreation river and the recreation river corridor;

11 (8) establish criteria and expedient timelines to review future proposed  
12 uses for compatibility with AS 41.23.400.

13 \* **Sec. 3.** AS 41.23.430 is repealed.

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

16 TRANSITION. (a) The terms of the members of the Recreation Rivers Advisory  
17 Board established under AS 41.23.430 terminate on the effective date of this Order.

18 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
19 repealed or amended by this Order, or in connection with a function transferred by this Order,  
20 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
21 provided for in this Order.

22 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
23 affected by this Order, and in effect on the effective date of this Order, remain in effect  
24 notwithstanding this Order's taking effect.

25 (d) Certificates, orders, and regulations in effect on the effective date of this Order that  
26 were issued or adopted under the authority of a law amended or repealed by this Order, or in  
27 connection with a function transferred by this Order, remain in effect for the term issued and  
28 shall be enforced by the agency to which the function is transferred under this Order until  
29 revoked, vacated, or amended by the agency to which the function is transferred.

30 (e) Records, equipment, appropriations, and other property of an agency of the state  
31 whose functions are transferred under this Order shall be transferred to implement the

- 1 provisions of this Order.
- 2 \* **Sec. 5.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

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Mike Dunleavy  
Governor