



# LAWS OF ALASKA

1978

**Source**

FCCS HCS CSSB 388

**Chapter No.**

129

## AN ACT

Relating to the state's coastal management program; and providing for an effective date.

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

\* Section 1. AS 46.40.040(1) is amended to read:

(1) by regulation, adopt under the provisions of the Administrative Procedure Act (AS 44.62), not later than April 15, 1978, for the use of and application by coastal resource districts and state agencies for carrying out their responsibilities under this chapter, guidelines and standards for

(A) identifying the boundaries of the coastal area subject to the district coastal management program;

(B) determining the land and water uses and activities subject to the district coastal management program;

(C) developing policies applicable to the land and water uses subject to the district coastal management program;

(D) developing regulations applicable to the land and water uses subject to the district coastal management program;

(E) developing policies and procedures to determine whether specific proposals for the land and water uses or activities subject to the district coastal management program shall be allowed;

(F) designating and developing policies for

Chapter 129

the use of areas of the coast which merit special attention; and

(G) measuring the progress of a coastal resource district in meeting its responsibilities under this chapter;

- \* Sec. 2. AS 46.40.120(c) is amended to read:

(c) A determination under (b) of this section shall be made before organization of the coastal resource service area.

- \* Sec. 3. AS 46.40.210(6)(C) is amended to read:

(C) the siting of major energy facilities, activities pursuant to a state oil and gas lease, or large-scale industrial or commercial development activities which are dependent on a coastal location and which, because of their magnitude or the magnitude of their effect on the economy of the state or the surrounding area, are reasonably likely to present issues of more than local significance;

- \* Sec. 4. AS 44.19.891(d) is repealed and re-enacted to read:

(d) Each member of the council shall select one person to serve as a permanent alternate at meetings of the council. If a member of the council is unable to attend, he shall advise the alternate who may attend and act in the place of the member. The alternate for a public member appointed after the effective date of this section under (a)(1) of this section shall, at the time of his designation and throughout the period of his service as a permanent alternate, be the mayor or member of the assembly or council of a municipality within the region from which the permanent member is appointed. The alternate for a designated member serving under (a)(2) of this section shall be a deputy commissioner of the department or the director of a division in the department. The names of alternates shall be filed with the council.

- \* Sec. 5. AS 44.19.891(g) is repealed and re-enacted to read:

(g) If an incumbent public member ceases to meet the qualifications prescribed in (a)(1) of this section for nomination to the council or if a vacancy exists among the public members for any other reason except for a vacancy due to the expiration of the term of a public member, the governor shall, within 30 days of the establishment of the vacancy by lack of qualification or other reason, make an appointment, to be immediately effective, for the unexpired portion of the term. An appointment by the governor made under this subsection to fill an unexpired term of a public member shall comply with the requirements of (a)(1) of this section; however, the governor may appoint from qualified persons without soliciting from municipalities nominations of persons to fill the unexpired portion of the term.

- \* Sec. 6. Section 1 of this Act is retroactive to June 4, 1977.

\* Sec. 7. This Act takes effect immediately in accordance with AS 01.10.070(c).

Approved by the Governor: July 8, 1978  
Actual Effective Date: July 9, 1978; section 1 retroactive to  
June 4, 1977