

**CS FOR SENATE BILL NO. 140(RES)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 4/27/99  
Referred: Finance

Sponsor(s): SENATE FINANCE COMMITTEE

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the powers and duties of the Department of Natural  
2 Resources, modifying that department's power to control and manage land within  
3 the Hatcher Pass Public Use Area, and authorizing municipal selection of that  
4 land, and relating to the Alaska coastal management program; and providing for  
5 an effective date."

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

7 \* **Section 1.** AS 39.50.200(b)(38) is amended to read:

8 (38) Alaska Coastal Policy Council members and their alternates  
9 (AS 44.37.060) [(AS 44.19.155)];

10 \* **Sec. 2.** AS 41.21.492(b) is amended to read:

11 (b) Nothing in AS 41.21.491 - 41.21.495 affects the responsibilities of  
12 (1) the Department of Fish and Game, the Board of Fisheries, or the  
13 Board of Game under AS 16 and AS 41.99.010;

1 (2) the Department of Environmental Conservation under AS 46.03; or  
 2 (3) state agencies and municipalities under AS 44.37.080(2)  
 3 [AS 44.19.145(a)(11)] and AS 46.40.100.

4 \* **Sec. 3.** AS 41.21.504(b) is amended to read:

5 (b) Nothing in AS 41.21.500 - 41.21.514 affects the applicability of

6 (1) AS 41.99.010 and AS 16 regarding the responsibilities of the  
 7 Department of Fish and Game or the Board of Fisheries or the Board of Game;

8 (2) AS 46.03 regarding the responsibilities of the Department of  
 9 Environmental Conservation; or

10 (3) AS 44.37.080(2) [AS 44.19.145(a)(11)] and AS 46.40.100 regarding  
 11 the responsibilities of state agencies and municipalities.

12 \* **Sec. 4.** AS 41.23.130 is amended to read:

13 **Sec. 41.23.130. Hatcher Pass Public Use Area.** The vacant and  
 14 unappropriated state-owned land and water and the state land and water acquired in the  
 15 future that lie within the boundaries described in this section are designated as the  
 16 Hatcher Pass Public Use Area, are reserved for all uses compatible with their primary  
 17 function as public use land, and are assigned to the department for control and  
 18 management:

19 Township 19 North, Range 1 East, Seward Meridian

20 Section 1: NW1/4NW1/4, NW1/4NE1/4NW1/4, W1/2SW1/4NW1/4,  
 21 NE1/4SW1/4NW1/4

22 Section 2: NE1/4, SE1/4NW1/4, SE1/4NE1/4NW1/4,  
 23 SE1/4SW1/4NW1/4, SW1/4 **exclusive of S1/2SW1/4SW1/4,**  
 24 NW1/4SE1/4, SW1/4SE1/4, NW1/4SE1/4SE1/4,  
 25 W1/2NE1/4SE1/4, NE1/4NE1/4SE1/4

26 [SECTION 10: E1/2E1/2]

27 Section 11: W1/2, NW1/4NE1/4, **exclusive of Tract A**

28 Section 14: W1/2, **exclusive of Tract A**

29 [SECTION 15: E1/2E1/2]

30 [SECTION 22: E1/2E1/2]

31 Section 23: W1/2

1 Section 26: W1/2SW1/4, SW1/4NW1/4

2 [SECTION 27: E1/2E1/2]

3 Township 20 North, Range 1 East, Seward Meridian

4 Section 25: S1/2S1/2SE1/4

5 Section 35: SE1/4, SE1/4SE1/4NE1/4

6 Section 36: NE1/4, SW1/4, E1/2NW1/4, SW1/4NW1/4,  
7 SE1/4NW1/4NW1/4, NW1/4SE1/4, NW1/4NE1/4SE1/4,  
8 NW1/4SW1/4SE1/4

9 Township 20 North, Range 2 East, Seward Meridian

10 Section 9: E1/2SE1/4, E1/2SW1/4SE1/4, SE1/4SE1/4NE1/4

11 Section 10: W1/2SW1/4, E1/2NW1/4, SW1/4NW1/4,  
12 E1/2NW1/4NW1/4, W1/2NE1/4SW1/4, NW1/4NE1/4,  
13 NW1/4SW1/4NE1/4

14 Section 15: W1/2W1/2NW1/4

15 Section 16: SE1/4, E1/2NE1/4, E1/2W1/2NE1/4

16 Section 21: E1/2SW1/4, E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4,  
17 SE1/4NW1/4SW1/4, NW1/4SE1/4, W1/2SW1/4SE1/4,  
18 NE1/4SW1/4SE1/4, W1/2NE1/4, W1/2NE1/4NE1/4,  
19 NW1/4SE1/4NE1/4, SE1/4NW1/4, E1/2NE1/4NW1/4,  
20 SW1/4NE1/4NW1/4

21 Section 28: NW1/4, W1/2NW1/4NE1/4, NW1/4SW1/4,  
22 NW1/4SW1/4SW1/4, NW1/4NE1/4SW1/4

23 Section 29: E1/2SE1/4, SE1/4NE1/4, SW1/4SE1/4, S1/2 NW1/4SE1/4,  
24 NE1/4NW1/4SE1/4, S1/2SW1/4, S1/2NE1/4SW1/4

25 Section 30: S1/2S1/2S1/2, S1/2SE1/4

26 Section 31: NW1/4, N1/2NE1/4, N1/2S1/2NE1/4

27 Section 32: N1/2NW1/4, N1/2SW1/4NW1/4, NW1/4NW1/4NE1/4.

28 \* **Sec. 5.** AS 41.23.420(d) is amended to read:

29 (d) The provisions of AS 41.23.400 - 41.23.510 do not affect the authority of  
30 (1) the Department of Fish and Game, the Board of Fisheries, the  
31 Board of Game, or the Department of Commerce and Economic Development under

1 AS 08.54, AS 16, or AS 41.99.010;

2 (2) the Department of Environmental Conservation under AS 46.03; or

3 (3) state agencies and municipalities under AS 44.37.080(2)  
4 [AS 44.19.145(a)(11)] and AS 46.40.100.

5 \* **Sec. 6.** AS 44.37 is amended by adding new sections to read:

6 **Sec. 44.37.060. Alaska Coastal Policy Council.** (a) There is created in the  
7 Department of Natural Resources the Alaska Coastal Policy Council. The council  
8 consists of the following:

9 (1) nine public members appointed by the governor from a list  
10 composed of at least three names from each region nominated by the municipalities  
11 of each region; the nominees shall be the mayor or member of the assembly or council  
12 of a municipality; one public member shall be appointed from each of the following  
13 general regions:

14 (A) northwest Alaska, including, generally, the area of the North  
15 Slope Borough and the Northwest Arctic Borough;

16 (B) Bering Strait, including, generally, the area of the Bering  
17 Strait regional educational attendance area;

18 (C) southwest Alaska, including, generally, the area within the  
19 Lower Yukon, Lower Kuskokwim, and Southwest regional educational  
20 attendance areas and the Bristol Bay and Lake and Peninsula Boroughs;

21 (D) Kodiak-Aleutians, including the area of the Kodiak Island  
22 and Aleutians East Boroughs and the Aleutian, Adak, and Pribilof regional  
23 educational attendance areas;

24 (E) Upper Cook Inlet, including the Municipality of Anchorage  
25 and the Matanuska-Susitna Borough;

26 (F) Lower Cook Inlet, including, generally, the area within the  
27 Kenai Peninsula Borough;

28 (G) Prince William Sound, including, generally, the area east  
29 of the Kenai Peninsula Borough to 141 West longitude;

30 (H) northern Southeast Alaska, including the area southeast of  
31 141 West longitude and north of 57 North latitude, including the entirety of the

1 City and Borough of Sitka; and

2 (I) southern Southeast Alaska, including that portion of  
3 southeastern Alaska not contained within the area described in (H) of this  
4 paragraph;

5 (2) each of the following:

6 (A) the director of the office of management and budget;

7 (B) the commissioner of commerce and economic development;

8 (C) the commissioner of community and regional affairs;

9 (D) the commissioner of environmental conservation;

10 (E) the commissioner of fish and game;

11 (F) the commissioner of natural resources; and

12 (G) the commissioner of transportation and public facilities.

13 (b) Each public member appointed by the governor under (a)(1) of this section  
14 serves a term of two years and until a successor is appointed and qualified. A public  
15 member may be reappointed.

16 (c) The council shall designate co-chairs, one of whom shall be selected from  
17 among the public members appointed under (a)(1) of this section and one of whom  
18 shall be selected from among the members designated in (a)(2) of this section.

19 (d) Each member of the council shall select one person to serve as a  
20 permanent alternate at meetings of the council. If a member of the council is unable  
21 to attend, the member shall advise the alternate, who may attend and act in the place  
22 of the member. The alternate for a public member appointed under (a)(1) of this  
23 section shall, at the time of the alternate's designation and throughout the period of  
24 service as a permanent alternate, be the mayor or member of the assembly or council  
25 of a municipality within the region from which the permanent member is appointed.  
26 The alternate for the director of the office of management and budget, serving under  
27 (a)(2)(A) of this section, shall be the director's designee within that office. The  
28 alternate for a designated member serving under (a)(2)(B) - (G) of this section shall  
29 be a deputy commissioner of the department or the director of a division in the  
30 department. The names of alternates shall be filed with the council.

31 (e) Four public members and three designated members of the council

1 constitute a quorum, but one or more of the members designated by the council may  
 2 hold hearings. All decisions of the council shall be by a majority vote of the members  
 3 present and voting.

4 (f) Members of the council or their alternates are entitled to per diem and  
 5 travel expenses authorized by law for members of boards and commissions.

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

16 **Sec. 44.37.065. Powers of the council.** The council may

17 (1) apply for and accept grants, contributions, and appropriations,  
 18 including application for and acceptance of federal funds that may become available  
 19 for coastal planning and management;

20 (2) contract for necessary services;

21 (3) consult and cooperate with

22 (A) persons, organizations, and groups, public or private,  
 23 interested in, affected by, or concerned with coastal area planning and  
 24 management;

25 (B) agents and officials of the coastal resource districts of the  
 26 state, and federal and state agencies concerned with or having jurisdiction over  
 27 coastal planning and management;

28 (4) take any reasonable action necessary to carry out the provisions of  
 29 AS 44.37.060 - 44.37.080.

30 **Sec. 44.37.070. Duties of the council.** In conformity with 16 U.S.C. 1451-  
 31 1464 (Coastal Zone Management Act of 1972), as amended, the council shall

1 (1) through the public hearing process and the recording of the minutes  
 2 of the hearings, develop guidelines and standards for the preparation of, and approve,  
 3 in accordance with AS 46.40, the Alaska coastal management program;

4 (2) establish continuing coordination among state agencies to facilitate  
 5 the development and implementation of the Alaska coastal management program; in  
 6 carrying out its duties under this paragraph, the council shall initiate an interagency  
 7 program of comprehensive coastal resource planning for each geographic region  
 8 described in AS 44.37.060(a)(1);

9 (3) assure continued provision of data and information to coastal  
 10 resource districts to carry out their planning and management functions under the  
 11 program.

12 **Sec. 44.37.075. Council staff.** The council shall use the staff of the office of  
 13 coastal management within the Department of Natural Resources in discharging its  
 14 powers and duties. The coordinator of the office of coastal management, under the  
 15 direction of the council co-chair who is selected from among the members designated  
 16 in AS 44.37.060(a)(2), may contract with or employ personnel or consultants the  
 17 coordinator considers necessary to carry out the powers and duties of the council.

18 **Sec. 44.37.080. Comprehensive plan and consistency determinations.** The  
 19 Department of Natural Resources shall

20 (1) prepare and maintain a state comprehensive development plan; and

21 (2) render, on behalf of the state, all federal consistency determinations  
 22 and certifications authorized by 16 U.S.C. 1456 (sec. 307, Coastal Zone Management  
 23 Act of 1972), and each conclusive state consistency determination when a project  
 24 requires a permit, lease, or authorization from two or more state resource agencies.

25 **Sec. 44.37.085. Planning assistance for development and maintenance of**  
 26 **district coastal management programs.** The Department of Natural Resources shall  
 27 conduct a program of research, training, and technical assistance to coastal resource  
 28 districts necessary for the development and implementation of district coastal  
 29 management programs under AS 46.40. The technical assistance must include the  
 30 direct granting to the coastal resource districts of a portion of any funds received by  
 31 the state from the federal coastal zone management program, in amounts to be

1 individually determined for each coastal resource district by the commissioner of  
 2 natural resources. State agencies shall assist the department in carrying out the  
 3 purposes of this section.

4 \* **Sec. 7.** AS 44.62.800(1) is amended to read:

5 (1) "agency" means a department, an institution, or a division or other  
 6 administrative unit of the executive branch of state government authorized or required  
 7 by law to make regulations, except that "agency" does not include

8 (A) a board; a commission; a council, except the Alaska Coastal  
 9 Policy Council established in AS 44.37.060 [AS 44.19.155]; an authority; or  
 10 a public corporation of the executive branch of state government authorized or  
 11 required by law to make regulations; or

12 (B) the Department of Corrections;

13 \* **Sec. 8.** AS 44.62.800(2) is amended to read:

14 (2) "agency head" means

15 (A) the commissioner or other head of an agency who has the  
 16 authority to adopt regulations for the agency; or

17 (B) for the Alaska Coastal Policy Council established in  
 18 AS 44.37.060 [AS 44.19.155], the co-chair of the council designated under  
 19 AS 44.37.060(a) [AS 44.19.155(c)] from the members listed in  
 20 AS 44.37.060(a)(2) [AS 44.19.155(a)(2)];

21 \* **Sec. 9.** AS 46.40.010(a) is amended to read:

22 (a) The Alaska Coastal Policy Council established in AS 44.37.060  
 23 [AS 44.19.155] shall approve, in accordance with this chapter, the Alaska coastal  
 24 management program.

25 \* **Sec. 10.** AS 46.40.094(c)(1) is amended to read:

26 (1) "agency responsible for the consistency determination" means

27 (A) the Department of Natural Resources [OFFICE OF  
 28 MANAGEMENT AND BUDGET], for a consistency determination required  
 29 to be made under AS 44.37.080(2) [AS 44.19.145(a)(11)]; and

30 (B) the commissioner of the resource agency that coordinates  
 31 a consistency review for a proposed use or activity, or for a proposed phase of

1 a use or activity, when required by this chapter for which a permit, lease, or  
 2 authorization is required to be approved or issued only by that resource agency;

3 \* **Sec. 11.** AS 46.40.096(b) is amended to read:

4 (b) If a consistency review is not subject to AS 44.37.080(2)  
 5 [AS 44.19.145(a)(11)] because the project for which a consistency review is made  
 6 requires a permit, lease, or authorization from only one state agency, that state agency  
 7 shall coordinate the consistency review of the project. The state agency shall  
 8 coordinate the consistency review according to the requirements of the regulations  
 9 adopted by the council under this section.

10 \* **Sec. 12.** AS 46.40.096(f) is amended to read:

11 (f) For a consistency review subject to AS 44.37.080(2) [AS 44.19.145(a)(11)],  
 12 the council may, by regulation, limit consideration of a petition under (e) of this  
 13 section seeking review of a proposed consistency determination to the extent necessary  
 14 to meet the deadlines set by federal law for timely submission of a federal consistency  
 15 determination as allowed by 16 U.S.C. 1456.

16 \* **Sec. 13.** AS 46.40.096(g)(2) is amended to read:

17 (2) "reviewing entity" means the  
 18 (A) Department of Natural Resources [OFFICE], for a  
 19 consistency review subject to AS 44.37.080(2) [AS 44.19.145(a)(11)];  
 20 (B) state agency identified in (b) of this section, for a  
 21 consistency review not subject to AS 44.37.080(2) [AS 44.19.145(a)(11)].

22 \* **Sec. 14.** AS 46.40.100(b) is amended to read:

23 (b) A party that is authorized under AS 46.40.096(e)(1) or (g) of this section  
 24 may file a petition showing that a district coastal management program is not being  
 25 implemented, enforced, or complied with. On receipt of a petition, the council, after  
 26 giving public notice in the manner required by (f) of this section, shall convene a  
 27 hearing to consider the matter. A hearing called under this subsection shall be held  
 28 in accordance with regulations adopted by the council. After hearing,

29 (1) if the petition was filed under AS 46.40.096(e) and the council finds  
 30 that

31 (A) the Department of Natural Resources [OFFICE] or the

1 state agency responsible for coordinating the consistency review has not fairly  
 2 considered the petitioner's comments in the development of a proposed  
 3 consistency determination, the council shall remand the proposed consistency  
 4 determination to the **Department of Natural Resources** [OFFICE], or to the  
 5 state agency responsible for coordinating the consistency review, for  
 6 preparation of a revised proposed consistency determination that gives fair  
 7 consideration to the petitioner's comments;

8 (B) a remand of the consistency determination is not required  
 9 under (A) of this paragraph, the council shall dismiss the petition;

10 (2) if the petition was not filed under AS 46.40.096(e), the council may  
 11 order that the coastal resource district or a state agency take any action the council  
 12 considers necessary to implement, enforce, or comply with the district coastal  
 13 management program.

14 \* **Sec. 15.** AS 46.40.120(b) is amended to read:

15 (b) The commissioner of **natural resources** [COMMUNITY AND  
 16 REGIONAL AFFAIRS] may, after public hearings held in the area affected,  
 17 consolidate two or more regional educational attendance areas as a single coastal  
 18 resource service area

19 (1) if a substantial portion of the coastal area contains land and water  
 20 area owned by the federal government over which it exercises exclusive jurisdiction  
 21 or land held in trust by the federal government for Alaska Natives over which the state  
 22 would not exercise control as to use; or

23 (2) if, after giving due consideration to the standards applicable to  
 24 incorporation of borough governments and the likelihood that a borough will be  
 25 incorporated within the area, the commissioner determines that the functions to be  
 26 performed under this chapter could be undertaken more efficiently through the  
 27 combination of two or more regional educational attendance areas as a single coastal  
 28 resource service area.

29 \* **Sec. 16.** AS 46.40.120(d) is amended to read:

30 (d) For purposes of coastal zone management only, the commissioner of  
 31 **natural resources** [COMMUNITY AND REGIONAL AFFAIRS] may, after public

1 hearings held in the regional educational attendance area affected, divide an existing  
 2 regional educational attendance area into no more than three coastal resource service  
 3 areas according to geographic, cultural, economic, environmental, or other features  
 4 relevant to coastal management planning. However,

5 (1) each coastal resource service area formed by dividing an existing  
 6 regional educational attendance area must contain at least one first class city or home  
 7 rule city;

8 (2) a city within a coastal resource service area formed by dividing an  
 9 existing regional educational attendance area may not elect to exclude itself from the  
 10 coastal resource service area; and

11 (3) a coastal resource service area formed before June 1, 1980, may not  
 12 be divided for coastal management planning purposes.

13 \* **Sec. 17.** AS 46.40.140(c) is amended to read:

14 (c) The commissioner of natural resources [COMMUNITY AND  
 15 REGIONAL AFFAIRS], after consultation with residents of a coastal resource service  
 16 area, may divide a service area into sections only for the purpose of nominating and  
 17 electing board members. Division of a service area into sections for the purpose of  
 18 nomination and election shall be in accordance with the provisions of AS 14.08.051(a).  
 19 Division may be proposed in the petition submitted under AS 46.40.130(a)(1), in the  
 20 resolution submitted under AS 46.40.130(a)(2), at the direction of the council under  
 21 AS 46.40.130(a)(3), or may be proposed at any time by the members of the coastal  
 22 resource service area board. If proposed by the board, the division of the service area  
 23 into sections is subject to approval of a majority of the qualified voters voting on the  
 24 question in the coastal resource service area at the next regular election or at a special  
 25 election called for that purpose and, if approved, takes effect at the next regular  
 26 election of members of the coastal resource service area board.

27 \* **Sec. 18.** AS 46.40.170(a) is amended to read:

28 (a) If residents of a coastal resource service area reject organization of the  
 29 service area at an election called for the purpose and the council finds, after public  
 30 hearing, that major economic development activity has occurred or will occur within  
 31 the service area, the council may direct the department [DEPARTMENT OF

1 COMMUNITY AND REGIONAL AFFAIRS] to prepare and recommend for  
2 consideration by the council and for submission to the legislature a district coastal  
3 management program for the service area.

4 \* **Sec. 19.** AS 46.40.170(b) is amended to read:

5 (b) At the request of the council, the **department** [DEPARTMENT OF  
6 COMMUNITY AND REGIONAL AFFAIRS] shall complete the district coastal  
7 management program in accordance with this chapter and the guidelines and standards  
8 adopted by the council for a coastal resource service area **that** [WHICH] has been  
9 organized but [WHICH] has failed to make substantial progress in the preparation of  
10 an approvable district coastal management program within 18 months of certification  
11 of the results of an organization election or [WHICH] has not submitted for approval  
12 to the council a program within 30 months of certification of the results of its  
13 organization election. Preparation of the program shall be conducted in consultation  
14 with the coastal resource service area and shall, to the maximum extent consistent with  
15 this chapter, reflect the expressed concerns of the residents of the service area.

16 \* **Sec. 20.** AS 46.40.180(a) is amended to read:

17 (a) Before adoption by a coastal resource service area board, or by the  
18 **department** [DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS] under  
19 AS 46.40.170, a district coastal management program shall be submitted for review to  
20 each city or village within the coastal resource service area. The council of a city or  
21 traditional village council shall consider the program submitted for review. Within 60  
22 days of submission, the council of a city or traditional village council shall either  
23 approve the program or enter objections to all or any portion of the program.

24 \* **Sec. 21.** AS 46.40.180(d) is amended to read:

25 (d) For purposes of this section, "village" means an unincorporated community  
26 where at least 25 persons reside as a social unit [AS DETERMINED BY THE  
27 DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS].

28 \* **Sec. 22.** AS 46.40.190(a) is amended to read:

29 (a) A city within the coastal area **that** [WHICH] is not part of a coastal  
30 resource service area shall be included for purposes of this chapter within an adjacent  
31 coastal resource service area unless its governing body, by resolution adopted by a

majority of its membership, chooses to exclude the city from an adjacent coastal resource service area and a copy of the resolution is filed with the commissioner of **natural resources** [COMMUNITY AND REGIONAL AFFAIRS].

\* **Sec. 23.** AS 46.40.210(5) is amended to read:

(5) "department" means the Department of **Natural Resources** [COMMUNITY AND REGIONAL AFFAIRS];

\* **Sec. 24.** AS 44.19.145(a)(2), 44.19.145(a)(11), 44.19.155, 44.19.160, 44.19.161, 44.19.162; AS 44.47.095; and AS 46.40.210(6) are repealed.

\* **Sec. 25.** AVAILABILITY OF HATCHER PASS PUBLIC USE AREA LAND FOR GENERAL GRANT LAND ENTITLEMENT OF THE MATANUSKA-SUSITNA BOROUGH. Notwithstanding the reservation of land, designation of the reserved land as the Hatcher Pass Public Use Area, and assignment of control and management of the land to the Department of Natural Resources made by AS 41.23.130, and notwithstanding selection procedures applicable to municipal general grant land entitlements under AS 29.65.010 - 29.65.140, the following land within Township 19 North, Range 1 East, Seward Meridian, that is part of the Hatcher Pass Public Use Area is available for selection and conveyance to the Matanuska-Susitna Borough to fulfill the borough's general grant land entitlement under AS 29.65.010 - 29.65.140:

Section 2: S1/2SW1/4SW1/4

Section 10: E1/2E1/2

Section 11: Tract A

Section 14: Tract A

Section 15: E1/2E1/2

Section 22: E1/2E1/2

Section 27: E1/2E1/2.

\* **Sec. 26.** TRANSITIONAL PROVISIONS. (a) This Act does not terminate the existing Alaska Coastal Policy Council or affect the terms of its current members; this Act moves the existing Alaska Coastal Policy Council from the Office of the Governor to the Department of Natural Resources.

(b) Litigation, hearings, investigations, and other proceedings pending under a law amended or repealed by this Act, or in connection with functions transferred by this Act,

1 continue in effect and may be continued and completed notwithstanding a transfer or  
2 amendment or repeal provided for in this Act. Certificates, orders, guidelines, approvals, and  
3 regulations issued or adopted under authority of a law amended or repealed by this Act remain  
4 in effect for the term issued, or until revoked, vacated, or otherwise modified under the  
5 provisions of this Act. Contracts, rights, liabilities, and obligations created by or under a law  
6 amended or repealed by this Act, and in effect on the effective date of this bill section, remain  
7 in effect notwithstanding this Act's taking effect. Records, equipment, appropriations, and  
8 other property of agencies of the state whose functions are transferred under this Act shall be  
9 transferred to implement the provisions of this Act.

10 \* **Sec. 27.** Sections 1 - 3 and 5 - 28 of this Act take effect June 15, 1999.

11 \* **Sec. 28.** Section 4 of this Act takes effect on the date of conveyance by the Department  
12 of Natural Resources to the Matanuska-Susitna Borough of all land described in sec. 25 of this  
13 Act. The commissioner of natural resources shall promptly notify the revisor of statutes of  
14 the conveyance made by the Department of Natural Resources to the Matanuska-Susitna  
15 Borough of land described in sec. 25 of this Act.