

**CS FOR HOUSE BILL NO. 87(FIN) am**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 5/1/07

Offered: 4/13/07

Sponsor(s): REPRESENTATIVES KELLY, Foster, Stoltze, Thomas, Ramras, Dahlstrom, Lynn, Coghill, Fairclough, Neuman

SENATORS Therriault, Dyson, Wilken, McGuire, Huggins, Bunde, Green

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the Citizens' Advisory Commission on Federal Management Areas  
2 in Alaska; and providing for an effective date."

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

4 \* **Section 1.** AS 41.37 is amended by adding new sections to read:

5 **Sec. 41.37.160. Citizens' Advisory Commission on Federal Management**  
6 **Areas in Alaska.** The Citizens' Advisory Commission on Federal Management Areas  
7 in Alaska is established in the department. In the exercise of its responsibilities, the  
8 commission shall consider the views of citizens of the state and officials of the state.

9 **Sec. 41.37.170. Membership and officers.** (a) The commission is composed  
10 of 12 members appointed in accordance with this section.

11 (b) The membership of the commission shall represent each region of the state  
12 to give the commission a reasonable geographic balance among regions of the state.

13 (c) The governor shall appoint six members of the commission.

14 (d) The speaker of the house of representatives shall appoint one member of

1 the commission from the membership of the state house of representatives and two  
2 members who are residents of the state who are not legislators.

3 (e) The president of the senate shall appoint one member of the commission  
4 from the membership of the state senate and two members who are residents of the  
5 state who are not legislators.

6 (f) Each member of the commission serves at the pleasure of the appointing  
7 authority.

8 (g) The commission shall select a presiding officer of the commission from its  
9 membership. The commission may elect other officers.

10 **Sec. 41.37.180. Qualifications of members.** The members of the commission  
11 appointed by the governor under AS 41.37.170(c) and members appointed under  
12 AS 41.37.170(d) and (e) who are not members of the legislature shall be representative  
13 of the diversity of users and uses of federal land in the state.

14 **Sec. 41.37.190. Term of members of the commission.** (a) A member of the  
15 commission appointed by the governor serves for a term of four years or until a  
16 successor is appointed and qualifies.

17 (b) A member of the commission appointed from the legislature serves for the  
18 person's term of office as a legislator or until a successor is appointed and qualifies.

19 (c) Except as provided in (b) of this section, a member of the commission  
20 appointed by the speaker of the house or president of the senate serves for four years  
21 or until a successor is appointed and qualifies.

22 **Sec. 41.37.200. Compensation, expenses, and per diem.** (a) A member of the  
23 commission who is a legislator or a full-time employee of the state or of a  
24 municipality of the state shall suffer no loss of compensation from the state or a  
25 municipality of the state as a result of service to the commission.

26 (b) A member of the commission is entitled to per diem and travel expenses  
27 authorized for boards and commissions under AS 39.20.180.

28 **Sec. 41.37.210. Staff of the commission.** The commission may employ staff  
29 and contract for services relating to matters within its authority. Staff employed under  
30 this section are responsible to the commission.

31 **Sec. 41.37.220. Duties of the commission.** (a) The commission shall consider,

1 research, and hold hearings on the consistency with federal law and congressional  
2 intent on management, operation, planning, development, and additions to federal  
3 management areas in the state.

4 (b) The commission shall consider, research, and hold hearings on the effect  
5 of federal regulations and federal management decisions on the people of the state.

6 (c) The commission may, after consideration of the public policy concerns  
7 under (a) and (b) of this section, make a recommendation on the concerns identified  
8 under (a) and (b) of this section to an agency of the state or to the agency of the United  
9 States that manages federal land in the state.

10 (d) The commission shall consider the views, research, and reports of advisory  
11 groups established by it under AS 41.37.230 as well as the views, research, and reports  
12 of individuals and other groups in the state.

13 (e) The commission shall establish internal procedures for the management of  
14 the responsibilities granted to it under this chapter.

15 (f) The commission shall report annually to the governor and the legislature  
16 within the first 10 days of a regular legislative session.

17 (g) The commission shall cooperate with each department or agency of the  
18 state or with a state board or commission in the fulfillment of their duties.

19 (h) All hearings of the commission are subject to AS 44.62.310. Hearings of  
20 the commission held under this section shall be noticed as provided in AS 44.62.190  
21 and 44.62.200, and the hearings shall be conducted in accordance with the provisions  
22 of AS 44.62.210.

23 **Sec. 41.37.230. Advisory groups of the commission.** (a) The commission  
24 may establish advisory groups in the state.

25 (b) The commission shall invite nominations for the membership on the  
26 advisory groups and shall consider the nominations in making its appointments to the  
27 groups.

28 (c) The membership of each advisory group shall be broadly representative of  
29 individuals involved in activities affected by the establishment or management of units  
30 of federal land within the state.

31 **Sec. 41.37.240. Suit.** The commission may request the attorney general to file

1 suit against a federal official or agency if the commission determines that the federal  
2 official or agency is acting in violation of an Act of Congress, congressional intent, or  
3 the best interests of the state.

4 **Sec. 41.37.250. Agency cooperation.** Each state department, agency, board,  
5 and commission shall cooperate with the commission in the fulfillment of the duties of  
6 the commission under AS 41.37.220.

7 **Sec. 41.37.260. Definition.** In this chapter, "commission" means the Citizens'  
8 Advisory Commission on Federal Management Areas in Alaska.

9 \* **Sec. 2.** AS 41.37.160, 41.37.170, 41.37.180, 41.37.190, 41.37.200, 41.37.210, 41.37.220,  
10 41.37.230, 41.37.240, 41.37.250, and 41.37.260 are repealed June 30, 2014.

11 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 TRANSITION. Notwithstanding AS 41.37.190(a), as enacted in sec. 1 of this Act, the  
14 terms of the first members of the Citizens' Advisory Commission on Federal Management  
15 Areas in Alaska appointed by the governor under AS 41.37.170, as enacted in sec. 1 of this  
16 Act, are as follows: (1) two members shall be appointed for a four-year term; (2) two  
17 members shall be appointed for a three-year term; (3) one member shall be appointed for a  
18 two-year term; and (4) one member shall be appointed for a one-year term. The governor shall  
19 specify the term of office of each member appointed subject to this section.

20 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).