

CS FOR HOUSE BILL NO. 173(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 5/10/17

Referred: Resources, Finance

Sponsor(s): REPRESENTATIVES JOSEPHSON, Tarr

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing the Alaska Climate Change Response Commission; and relating to**
2 **the powers and duties of the Alaska Climate Change Response Commission."**

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

4 * **Section 1.** AS 44.19 is amended by adding new sections to read:

5 **Sec. 44.19.650. Establishment of commission; composition.** (a) The Alaska
6 Climate Change Response Commission is established in the Office of the Governor.

7 (b) The commission consists of 15 members as follows:

8 (1) the commissioner of fish and game;

9 (2) the commissioner of environmental conservation;

10 (3) the commissioner of natural resources;

11 (4) the commissioner of commerce, community, and economic
12 development;

13 (5) the commissioner of transportation and public facilities;

14 (6) the director of the division in the Department of Commerce,

Community, and Economic Development responsible for community and regional affairs;

(7) nine members appointed by the governor who are mayors or members of an assembly or council of a municipality from each of the following general regions:

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

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

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

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

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

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

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

(H) northern Southeast Alaska, including the area southeast of 141 West longitude and north of 57 North latitude, including the entirety of the City and Borough of Sitka; and

(I) southern Southeast Alaska, including that portion of Southeast Alaska not contained within the area described in (H) of this paragraph.

(c) Members appointed under (b)(7) of this section

- (1) serve staggered terms of three years, until reappointed or replaced;
- (2) serve at the pleasure of the governor; and
- (3) may be reappointed.

1 (d) The commission shall, by majority vote of the membership, elect co-
 2 chairs. One co-chair shall be a member appointed under (b)(7) of this section, and one
 3 co-chair shall be a member designated under (b)(1) - (6) of this section.

4 (e) If a member appointed under (b)(7) of this section no longer meets the
 5 qualifications prescribed in (b)(7) of this section, or, if a vacancy exists among those
 6 members for any reason other than the expiration of a member's term, the governor
 7 shall, within 30 days after the occurrence of the vacancy, make an appointment,
 8 effective immediately, for the unexpired portion of the term. An appointment by the
 9 governor made under this subsection to fill an unexpired term must comply with the
 10 requirements of (b)(7) of this section.

11 **Sec. 44.19.652. Compensation.** Members of the commission serve without
 12 compensation but are entitled to per diem and travel expenses authorized for boards
 13 and commissions under AS 39.20.180.

14 **Sec. 44.19.654. Meetings.** Four members appointed under AS 44.19.650(b)(7)
 15 and three members designated under AS 44.19.650(b)(1) - (6) constitute a quorum for
 16 conducting business and exercising the powers of the commission. The commission
 17 shall meet at least quarterly, at the call of the chair, at the request of the majority of the
 18 members, or at a regularly scheduled time as determined by a majority of the
 19 members. The commission shall keep a record of its proceedings and make these
 20 records available for public inspection.

21 **Sec. 44.19.656. Alternate members.** (a) Each member of the commission
 22 shall have a permanent alternate to serve at meetings of the commission as follows:

23 (1) for a member appointed under AS 44.19.650(b)(7), the governor
 24 shall appoint a permanent alternate who, at the time of appointment and throughout
 25 the period of service as a permanent alternate, is the mayor or a member of the
 26 assembly or council of a municipality within the region from which the permanent
 27 member was appointed; in appointing a permanent alternate under this paragraph, the
 28 governor shall consider the recommendations of the member appointed under
 29 AS 44.19.650(b)(7);

30 (2) for a member designated under AS 44.19.650(b)(1) - (5), a deputy
 31 commissioner of the relevant department or the director of a division of the

1 department; and

2 (3) for a member designated under AS 44.19.650(b)(6), the member's
3 designee within that office.

4 (b) A member of the commission who is unable to attend a meeting shall
5 advise the permanent alternate who may attend the meeting and act in the place of the
6 member.

7 **Sec. 44.19.658. Executive director.** The commission may employ an
8 executive director who serves at the pleasure of the commission. The executive
9 director may not be a member of the commission. The executive director may contract
10 with or employ personnel or consultants that the executive director considers
11 necessary to carry out the powers and duties of the commission. The executive
12 director is in the exempt service under AS 39.25 (State Personnel Act).

13 **Sec. 44.19.660. Powers of the commission.** The commission may

14 (1) apply for and accept grants, contributions, and appropriations,
15 including application for and acceptance of federal, international, or private funds that
16 may become available for financing infrastructure adaptation, renewable energy
17 technology, community relocation, food and transportation security, education and
18 research, or other needs related to climate change;

19 (2) contract for necessary services;

20 (3) consult and cooperate with

21 (A) public or private persons, organizations, and groups
22 interested in, affected by, or concerned with climate change effects and
23 response;

24 (B) climate scientists holding PhDs who are affiliated with an
25 academic or nonprofit institution; and

26 (C) agents and officials in the different regions of the state and
27 federal and state agencies concerned with or having jurisdiction over climate
28 change effects and response;

29 (4) establish the duties of the executive director of the commission;

30 (5) assess fees for grant writing and other assistance; and

31 (6) take any reasonable action necessary to carry out the provisions of

1 AS 44.19.650 - 44.19.668.

2 **Sec. 44.19.662. Duties of the commission.** The commission shall

3 (1) advise the Office of the Governor on the preparation and
4 implementation of a statewide climate change strategy that includes identification of
5 areas in the state that are particularly vulnerable to the effects of climate change and
6 options for assistance to the communities in those areas;

7 (2) provide grant writing and general assistance to governmental and
8 nongovernmental entities in the state on climate change response issues, prioritizing
9 assistance to rural governments, nonprofits serving rural areas, and tribal
10 organizations;

11 (3) develop a program for the distribution of funds to assist local
12 governments to respond to climate change effects;

13 (4) establish continuing coordination among state agencies to facilitate
14 the development and implementation of the climate change response strategy;

15 (5) coordinate with the University of Alaska in efforts to seek out
16 grants or other aid for climate change education and research;

17 (6) inform the public of available assistance for responding to climate
18 change effects, including an outreach program to rural governments, nonprofits
19 serving rural areas, and tribal organizations;

20 (7) advance the implementation of technology that provides for
21 renewable energy, local food systems, and adaptive infrastructure in the state by
22 recommending legislation and policies to incentivize its development;

23 (8) monitor and report on the effects of climate change on existing
24 infrastructure, ecosystems, geophysical features, and communities in the state;

25 (9) identify opportunities to reduce greenhouse gas emissions from in-
26 state sources, including the expanded use of alternative fuels, energy conservation,
27 energy efficiency, renewable energy, land use management, and transportation
28 planning; and

29 (10) recommend legislative and administrative action to implement the
30 climate change response strategy.

31 **Sec. 44.19.664. Fees.** The commission shall adopt regulations under AS 44.62

1 to establish fees for grant writing or other assistance provided by the commission. The
 2 fees must be based on a sliding scale formula that takes into account the client's need.
 3 Governmental and tribal entities may not be charged a fee.

4 **Sec. 44.19.666. Annual report and recommendations.** The commission shall
 5 submit to the governor and the legislature an annual report of the activities of the
 6 commission for the previous calendar year that includes any recommendations for
 7 legislative and administrative action. The commission shall submit a report provided
 8 under this section not later than February 1 of each year. The commission shall deliver
 9 the report to the senate secretary and the chief clerk of the house of representatives and
 10 notify the legislature that the report is available.

11 **Sec. 44.19.668. Definition.** In AS 44.19.650 - 44.19.668, "commission" means
 12 the Alaska Climate Change Response Commission.

13 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
 14 read:

15 ALASKA CLIMATE CHANGE RESPONSE COMMISSION; STAGGERED
 16 TERMS. Notwithstanding AS 39.05.055, the governor shall appoint the initial members of the
 17 Alaska Climate Change Response Commission under AS 44.19.650(b)(7) to staggered terms
 18 as follows:

- 19 (1) three members shall be appointed to serve three years;
- 20 (2) three members shall be appointed to serve two years; and
- 21 (3) three members shall be appointed to serve one year.

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

24 TRANSITION: WRITTEN INFORMATION FROM CLIMATE CHANGE SUB-
 25 CABINET. The governor shall provide all written reports, recommendations, and research
 26 developed by the Climate Change Sub-Cabinet established under Administrative Order No.
 27 238 to the Alaska Climate Change Response Commission established under AS 44.19.650
 28 within 30 days after the effective date of this Act.