

Introduced: 1/31/74
Referred: State Affairs,
Judiciary and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 520

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation and control of
7 the effects of the construction and operation of
8 the trans-Alaska pipeline; and providing for an
9 effective date."

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

11 * Section 1. FINDINGS. The legislature finds that the construction and
12 operation of the trans-Alaska pipeline will produce social, physical, and
13 economic influences on the pattern of land uses which must be regulated and
14 controlled to prevent and minimize adverse effects and to secure beneficial
15 effects. The legislature further finds that, with slight exception, the ex-
16 isting statutory authority for state and local regulation and control of land
17 uses is sufficient for this purpose. The legislature further finds that the
18 most effective manner in which these land uses may be regulated and con-
19 trolled is by local government exercise of zoning and related powers and that
20 outside of municipalities authorized to regulate land use, through inter-
21 agency planning and coordination by authorized state agencies in the adop-
22 tion and enforcement of regulations controlling land uses and related acti-
23 vities directly and indirectly arising from construction and operation of the
24 trans-Alaska pipeline, particularly on private property in the vicinity of
25 the pipeline. Finally, the legislature finds that, outside of cities and
26 organized boroughs which are exercising zoning and related powers, the area
27 within the Southeast Fairbanks and Valdez - Chitina - Whittier 1970 census
28 divisions established by the United States Bureau of the Census is the
29 critical impact area in that it lacks adequate local resources and

1 authority to regulate and control the effects of pipeline construction and
2 operation and that authorized state agencies must therefore provide special
3 regulation and control of those effects in that area.

4 * Sec. 2. STATE PLANNING AND REGULATIONS COORDINATING COMMITTEE. (a)

5 There is established in the Office of the Governor the State Planning and
6 Regulation Coordinating Committee consisting of the commissioner of
7 community and regional affairs, the commissioner of environmental conserva-
8 tion, the commissioner of fish and game, the commissioner of highways, the
9 commissioner of natural resources, the commissioner of public safety, the
10 commissioner of public works, and the director of planning and research,
11 Office of the Governor. The governor shall designate its chairman.

12 (b) The committee shall provide an inter-agency assessment of the
13 potential social, physical, and economic influences on patterns of land
14 use likely to arise from pipeline construction and operation in the impact
15 area designated in sec. 1 of this Act and shall prepare appropriate plans,
16 and the members, under the existing authority of their respective agencies,
17 shall adopt and enforce appropriate and complementary regulations designed
18 to prevent or minimize adverse effects and to secure beneficial effects.
19 The powers of the member agencies shall be liberally construed to carry
20 out the purposes of this Act.

21 (c) Regulations adopted by each of the agencies remain in effect
22 until repealed or until suspended by the adoption of ordinances covering
23 the same subject by a city or organized borough.

24 * Sec. 3. IMPACT AREA ADVISORY COUNCIL. (a) There is established in
25 the Office of the Governor the Impact Area Advisory Council consisting of
26 no less than five and no more than nine members to be appointed by the
governor from among residents of the impact area designated in sec. 1 of
this Act and representative of the population of that area. Members serve
29 at the pleasure of the governor.

1 (b) The Impact Area Advisory Council shall select its own chairman.
2 It shall meet at the call of its chairman or of the chairman of the State
3 Planning and Regulation Coordinating Committee to provide advice to the
4 committee, to review and comment upon the committee's activities and the
5 plans and regulations developed by the members of the committee, and to
6 suggest needs and recommend actions to the committee.

7 (c) Members of the Impact Area Advisory Council are entitled to
8 travel expenses and per diem allowed by law for state boards and commissions
9 for each day going to and from and each day in actual attendance at
10 council meetings.

11 * Sec. 4. DISSOLUTION OF COMMITTEE AND COUNCIL. Upon his determination
12 that no additional need exists for the State Planning and Regulation
13 Coordinating Committee and the Impact Area Advisory Council, the governor
14 shall dissolve them. Dissolution of the committee does not affect any
15 regulations adopted by a state agency during the existence of the
16 committee.

17 * Sec. 5. This Act takes effect on the day after its passage and
18 approval or on the day it becomes law without approval.
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