

1 IN THE SENATE

BY THE FREE CONFERENCE COMMITTEE

2 FREE CONFERENCE CS FOR HOUSE CS FOR CS FOR SENATE BILL NO. 388

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the state's coastal management pro-
7 gram; and providing for an effective date."

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

9 (1) by regulation, adopt under the provisions of the Admini-
10 strative Procedure Act (AS 44.62), not later than April 15, 1978 [WITHIN
11 SIX MONTHS OF THE EFFECTIVE DATE OF THIS ACT], for the use of and appli-
12 cation by coastal resource districts and state agencies for carrying out
13 their responsibilities under this chapter, guidelines and standards for

14 (A) identifying the boundaries of the coastal area sub-
15 ject to the district coastal management program;

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

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

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

22 (E) developing policies and procedures to determine
23 whether specific proposals for the land and water uses or activi-
24 ties subject to the district coastal management program shall be
25 allowed;

26 (F) designating and developing policies for the use of
27 areas of the coast which merit special attention; and

28 (G) measuring the progress of a coastal resource dis-
29 trict in meeting its responsibilities under this chapter;

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

2 (c) A determination under (b) of this section shall be made before
3 organization of the coastal resource service area [AND NO LATER THAN SIX
4 MONTHS FROM THE EFFECTIVE DATE OF THIS ACT].

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

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

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 AS 44.19.891(d) is repealed and re-enacted to read:

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

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

27 (g) If an incumbent public member ceases to meet the qualifica-
28 tions prescribed in (a)(1) of this section for nomination to the council
29 or if a vacancy exists among the public members for any other reason

1 except for a vacancy due to the expiration of the term of a public
2 member, the governor shall, within 30 days of the establishment of the
3 vacancy by lack of qualification or other reason, make an appointment,
4 to be immediately effective, for the unexpired portion of the term. An
5 appointment by the governor made under this subsection to fill an un-
6 expired term of a public member shall comply with the requirements of
7 (a)(1) of this section; however, the governor may appoint from qualified
8 persons without soliciting from municipalities nominations of persons to
9 fill the unexpired portion of the term.

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

11 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-

12 070(c).

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