

Introduced: 3/2/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MOSS AND BROWN

2 HOUSE BILL NO. 239

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Citizens' Advisory Commission
7 on Federal Management Areas in Alaska; and providing
8 for an effective date."

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

10 * Section 1. AS 41 is amended by adding a new chapter to read:

11 CHAPTER 37. CITIZENS' ADVISORY COMMISSION

12 ON FEDERAL AREAS IN ALASKA.

13 Sec. 41.37.010. CITIZENS' ADVISORY COMMISSION ON FEDERAL AREAS IN
14 ALASKA. (a) The Citizens' Advisory Commission on Federal Areas in
15 Alaska is established.

16 (b) The commission is a temporary advisory agency of the executive
17 branch of the state but is not allocated to a principal department of
18 the executive branch. In the exercise of its responsibilities, the
19 commission shall consider the views of citizens of the state and offi-
20 cials of the state.

21 Sec. 41.37.020. MEMBERSHIP AND OFFICERS. (a) The commission is
22 composed of 16 members appointed in accordance with this section.

23 (b) The governor shall appoint eight members of the commission.

24 (c) The speaker of the house of representatives shall appoint two
25 members of the commission from the membership of the state house of
26 representatives and two members who are residents of the state.

27 (d) The president of the senate shall appoint two members of the
28 commission from the membership of the state senate and two members who
29 are residents of the state.

1 (e) The commission shall select a presiding officer of the com-
2 mission from its membership. The commission may elect other officers.

3 Sec. 41.37.030. QUALIFICATIONS OF MEMBERS. The members of the
4 commission appointed by the governor under AS 41.37.020(b) and members
5 appointed under AS 41.37.020(c) and (d) who are not members of the
6 legislature shall be broadly representative of land users in the state.

7 Sec. 41.37.040. TERM OF MEMBERS OF THE COMMISSION. (a) A
8 member of the commission appointed by the governor serves for a term of
9 four years and until his successor is appointed and qualifies.

10 (b) A member of the commission appointed from the legislature
11 serves for his term of office as a legislator.

12 (c) A member of the commission appointed by a member of the
13 legislature serves for two years and until his successor is appointed
14 and qualifies.

15 Sec. 41.37.050. REMOVAL OF A MEMBER. (a) A member of the com-
16 mission may be removed by the appointing authority for cause after
17 notice and hearing or after missing three consecutive meetings of the
18 commission. The presiding officer of the commission shall inform the
19 appointing authority if a member misses three consecutive meetings.

20 (b) After a member of the commission misses two consecutive
21 meetings and before the third meeting, the secretary of the commission
22 shall notify the member in writing that failure to attend the next
23 meeting may result in the removal of the member. The failure of the
24 secretary of the commission to notify a member under this subsection
25 does not prevent the appointing authority from removing a member under
26 (a) of this section.

27 Sec. 41.37.060. COMPENSATION, EXPENSES, AND PER DIEM. (a) A
28 member of the commission is entitled to compensation at the rate of \$50
29 a day for time spent on activities of the commission. A member of the

1 commission who is a legislator or a full-time employee of the state or
2 of a municipality of the state may not receive compensation under this
3 subsection but shall suffer no loss of compensation from the state or a
4 municipality of the state as a result of service to the commission.

5 (b) A member of the commission is entitled to travel expenses and
6 per diem prescribed for state boards and commissions.

7 Sec. 41.37.070. STAFF OF THE COMMISSION. The commission may
8 employ staff and contract for services relating to matters within its
9 authority. Staff employed under this section are responsible to the
10 commission.

11 Sec. 41.37.080. DUTIES OF THE COMMISSION. (a) The commission
12 shall consider the public policy concerns of the state, of a munici-
13 pality of the state, and of the people of the state relating to or
14 resulting from proposals for the establishment or the management of or
15 additions to federal land in the state as the commission considers
16 appropriate.

17 (b) If the commission, after consideration of the public policy
18 concerns under (a) of this section, makes a recommendation to an agency
19 of the state or to the agency of the United States which manages federal
20 land in the state, a copy of the recommendation shall be filed with the
21 legislative reference library and with public libraries in the state.

22 (c) The commission shall establish internal procedures for the
23 management of the responsibilities granted to it under this chapter.

24 (d) The commission shall report annually to the governor and the
25 legislature within the first 10 days of a regular legislative session.

26 Sec. 41.37.090. ADVISORY GROUPS OF THE COMMISSION. (a) The
27 commission may establish advisory groups in the state.

28 (b) The commission shall invite nominations for the membership on
29 the advisory groups and shall consider the nominations in making its

1 appointments to the groups.

2 (c) The membership of each advisory group shall be broadly repre-
3 sentative of individuals involved in activities affected by the estab-
4 lishment or management of units of federal land within the state.

5 Sec. 41.37.100. SUIT. The commission may request the attorney
6 general to file suit against a federal official or agency if the com-
7 mission determines that the federal official or agency is acting in
8 violation of an Act of Congress, congressional intent, or the best
9 interests of the State of Alaska.

10 Sec. 41.37.150. DEFINITION. In this chapter, "commission" means
11 the Citizens' Advisory Commission on Federal Management Areas in Alaska.

12 * Sec. 2. The terms of the first members of the Citizens' Advisory
13 Commission on Federal Management Areas in Alaska appointed by the governor
14 under AS 41.37.020 as enacted in sec. 1 of this Act are as follows: two
15 members shall be appointed for four-year terms, two members shall be ap-
16 pointed for three-year terms, two members shall be appointed for two-year
17 terms, and two members shall be appointed for one-year terms. The governor
18 shall specify the term of office of each member appointed under this sec-
19 tion.

20 * Sec. 3. AS 41.37 is repealed.

21 * Sec. 4. Section 3 of this Act takes effect June 30, 1988.

22 * Sec. 5. Sections 1 and 2 of this Act take effect immediately in accor-
23 dance with AS 01.10.070(c).