

Original sponsors: Fahrenkamp and Bennett

Offered: 4/9/81

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 36 (Rules)

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 membership of the commission shall represent each judicial
24 district in the state.

25 (c) The governor shall appoint eight members of the commission.

26 (d) The speaker of the house of representatives shall appoint two
27 members of the commission from the membership of the state house of
28 representatives and two members who are residents of the state.

29 (e) The president of the senate shall appoint two members of the

1 commission from the membership of the state senate and two members who
2 are residents of the state.

3 (f) The commission shall select a presiding officer of the com-
4 mission from its membership. The commission may elect other officers.

5 Sec. 41.37.030. QUALIFICATIONS OF MEMBERS. The members of the
6 commission appointed by the governor under AS 41.37.020(c) and members
7 appointed under AS 41.37.020(d) and (e) who are not members of the
8 legislature shall be representative of the diversity of users and uses
9 of federal land in the state.

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

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

15 (c) A member of the commission appointed by a member of the
16 legislature serves for two years and until his successor is appointed
17 and qualifies.

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

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

1 Sec. 41.37.060. COMPENSATION, EXPENSES, AND PER DIEM. (a) A
2 member of the commission who is a legislator or a full-time employee of
3 the state or of a municipality of the state shall suffer no loss of
4 compensation from the state or a municipality of the state as a result
5 of service to the commission.

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

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

12 Sec. 41.37.080. DUTIES OF THE COMMISSION. (a) The commission
13 shall consider, research, and hold hearings on the consistency with
14 federal law and congressional intent on management, operation, planning,
15 development, and additions to federal management areas in the state.

16 (b) The commission shall consider, research, and hold hearings on
17 the impact of federal regulations and federal management decisions on
18 the people of the state.

19 (c) The commission may, after consideration of the public policy
20 concerns under (a) and (b) of this section, make a recommendation on
21 the concerns identified under (a) and (b) of this section to an agency
22 of the state or to the agency of the United States which manages federal
23 land in the state.

24 (d) The commission shall consider the views, research, and reports
25 of advisory groups established by it under AS 41.37.090 as well as the
26 views, research, and reports of individuals and other groups in the
2 state.

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

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

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

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

8 (b) The commission shall invite nominations for the membership on
9 the advisory groups and shall consider the nominations in making its
10 appointments to the groups.

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

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

19 Sec. 41.37.110. AGENCY COOPERATION. Each state department,
20 agency, board, and commission shall cooperate with the commission in
21 the fulfillment of the duties of the commission under AS 41.37.080.

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

24 * Sec. 2. The terms of the first members of the Citizens' Advisory
25 Commission on Federal Management Areas in Alaska appointed by the governor
26 under AS 41.37.020 as enacted in sec. 1 of this Act are as follows: two
27 members shall be appointed for four-year terms, two members shall be ap-
28 pointed for three-year terms, two members shall be appointed for two-year
29 terms, and two members shall be appointed for one-year terms. The governor

1 shall specify the term of office of each member appointed under this sec-
2 tion.

3 * Sec. 3. AS 41.37 is repealed.

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

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

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