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Referred: Resources and Finance

1 IN THE HOUSE

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2

HOUSE BILL NO. 278

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

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A BILL

6 For an Act entitled: "An Act establishing the Alaska River Commission; and
7 providing for an effective date."

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

9 * Section 1. FINDINGS. The legislature finds that Alaska rivers are
10 among the most important of the state's natural resources and that they
11 must be protected and preserved for the maximum benefit of all Alaskans.
12 The vitality of Alaska rivers is threatened. Power boat wakes and stream-
13 bank development have contributed to the erosion of river banks and degra-
14 dation of fish beds. Increased user traffic on the rivers endangers fish
15 and wildlife habitats. Competition among sportfishers, professional
16 guides, and persons who use the rivers for recreation and transportation
17 creates overcrowded, hazardous and unpleasant conditions. A multitude of
18 state and federal agencies with jurisdiction over various aspects of Alaska
19 rivers have created a labyrinth of regulations without effectively prevent-
20 ing the deterioration of the rivers. A need exists for an interagency body
21 to take a comprehensive look at the problems of Alaska rivers, to recommend
22 a coordinated approach to solving those problems, and to take emergency
23 action where necessary to deal with the most immediate problems of the
24 rivers. To that end, this Act creates the Alaska River Commission.

25 * Sec. 2. AS 44.19 is amended by adding new sections to read:

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ARTICLE 17. ALASKA RIVER COMMISSION.

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Sec. 44.19.200. COMMISSION ESTABLISHED. (a) There is estab-

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lished in the Office of the Governor the Alaska River Commission.

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(b) The commission consists of nine members appointed by and

1 serving at the pleasure of the governor. The members shall represent
2 (1) Department of Community and Regional Affairs;
3 (2) Department of Environmental Conservation;
4 (3) Department of Fish and Game;
5 (4) Department of Natural Resources;
6 (5) Department of Public Safety;
7 (6) Department of Transportation and Public Facilities;
8 (7) the environmental conservation lobby;
9 (8) industries whose business includes use of Alaska river
10 resources;
11 (9) citizens who use Alaska rivers for sportfishing and
12 other recreational purposes.

13 (c) A representative from each of the following federal agencies
14 may be appointed as a nonvoting ex officio member:

- 15 (1) Forest Service;
16 (2) Soil Conservation Service;
17 (3) National Marine Fisheries Service;
18 (4) Army Corps of Engineers;
19 (5) Environmental Protection Agency;
20 (6) Bureau of Land Management;
21 (7) Fish and Wildlife Service;
22 (8) United States Geological Survey; and
23 (9) United States Coast Guard.

24 Sec. 44.19.201. TERM OF COMMISSION MEMBERS. The term of a
25 commission member is coextensive with the term of the governor who
26 appoints the member. A member may continue to serve on the commission
27 after expiration of the member's term until a successor is appointed.

28 Sec. 44.19.202. COMPENSATION. A member of the commission serves
29 without compensation, but is entitled to per diem and travel expenses

1 authorized by law for boards and commissions under AS 39.20.180.

2 Sec. 44.19.203. MEETINGS. The commission shall meet as often as
3 necessary to conduct its business.

4 Sec. 44.19.204. DUTIES. (a) The commission shall

5 (1) make a comprehensive study of state and federal laws
6 affecting Alaska rivers, users of the rivers, land adjacent to the
7 rivers, and fish and wildlife resources dependent on the rivers;

8 (2) identify areas of overlapping or conflicting jurisdic-
9 tion among state and federal agencies;

10 (3) identify problem areas over which no agency has juris-
11 diction;

12 (4) publish a list of priorities for the uses of various
13 Alaska rivers;

14 (5) recommend, in a coordinated and comprehensive manner,
15 regulations to be adopted or actions to be taken by state and federal
16 agencies to address the problems of Alaska rivers;

17 (6) under the provisions of the Administrative Procedure
18 Act (AS 44.62), adopt regulations, including emergency regulations,
19 addressing Alaska river problems over which no state or federal agency
20 has jurisdiction.

21 (b) In performing its duties the commission shall solicit and
22 consider information from local governments, industries, landowners,
23 persons engaged in commercial fishing and others who have an interest
24 that is or may be directly affected by the commission's actions.

25 Sec. 44.19.205. EXECUTIVE DIRECTOR; STAFF. The commission may
26 employ and determine the salary of an executive director. With the
27 approval of the commission, the executive director may select and
28 employ additional staff. The executive director is in the exempt
29 service under AS 39.25.

1 Sec. 44.19.206. REPORTS. Not later than January 30, of each
2 year, the commission shall submit to the legislature and the governor
3 a report on its activities during the previous calendar year. The
4 report may contain the commission's recommendations for legislation,
5 including proposed reorganization of state agency functions and pro-
6 posals for the establishment and funding of programs addressing prob-
7 lems associated with Alaska rivers.

8 Sec. 44.19.207. ENFORCEMENT AUTHORITY. An enforcement officer
9 authorized and designated by the commission or by the Department of
10 Public Safety has the authority to enforce regulations and orders of
11 the commission.

12 Sec. 44.19.210. DEFINITION. For the purposes of AS 44.19.200 -
13 44.19.210, "commission" means the Alaska River Commission.

14 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).