

Introduced: 5/14/83
Referred: Resources and Finance

1 IN THE HOUSE

BY HERRMANN

2

HOUSE BILL NO. 416

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to appointed coastal resource ser-
7 vice boards."

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

9 * Section 1. AS 46.40.130 is amended by adding a new paragraph to read:

10 (c) During an election held under this section after June 31,
11 1983, the question of whether the proposed coastal resource service
12 area shall have an elected board or an appointed board under AS 46.-
13 40.140 shall be submitted to the voters together with the question of
14 organization of a coastal resource service area.

15 * Sec. 2. AS 46.40.140 is amended to read:

16 Sec. 46.40.140. COASTAL RESOURCE SERVICE AREA BOARDS. (a) Each
17 coastal resource service area organized before July 1, 1983 [, UPON
18 ORGANIZATION,] shall have an elected board representing the population
19 of the service area. Each coastal resource service area organized
20 after June 30, 1983 shall have an elected or appointed board as
21 determined by the voters. The board shall have the powers and duties
22 and perform the functions prescribed for or required of coastal re-
23 source districts.

24 (b) An elected [A] coastal resource service area board shall
25 contain seven members who [~~. BOARD MEMBERS~~] shall be elected at large
26 by the qualified voters of the coastal resource service area. An
27 appointed coastal resource service area board shall contain members
28 appointed by the governor. One member shall be appointed from each
29 city and village in the coastal resource service area.

1 (c) The commissioner of the Department of Community and Regional
2 Affairs, after consultation with residents of a coastal resource
3 service area with an elected board, may divide the [A] service area
4 into sections only for the purpose of nominating and electing board
5 members. Division of a service area into sections for the purpose of
6 nomination and election shall be in accordance with the provisions of
7 AS 14.08.051(a). Division may be proposed in the petition submitted
8 under AS 46.40.130(a)(1), in the resolution submitted under AS 46.40.-
9 130(a)(2), at the direction of the council under AS 46.40.130(a)(3),
10 or may be proposed at any time by the members of the elected coastal
11 resource service area board. If proposed by the board, the division
12 of the service area into sections is subject to approval of a majority
13 of the qualified voters voting on the question in the coastal resource
14 service area at the next regular election or at a special election
15 called for that purpose and, if approved, takes effect at the next
16 regular election of members of the coastal resource service area
17 board.

18 (d) The term of office of a member of a coastal resource service
19 area board is three years, except that the terms of the members of the
20 first board elected or appointed after organization of a coastal
21 resource service area shall be determined by lot, with two members
22 serving one-year terms, two members serving two-year terms, and three
23 members serving three-year terms. Members serve until their succes-
24 sors are elected or appointed and have qualified. Nothing in this
25 section prohibits the reelection or reappointment of a board member.

26 (e) The lieutenant governor shall provide for the election of
27 the members of an elected coastal resource service area board
28 [BOARDS]. The first election of board members shall occur not less
29 than 60 nor more than 90 days after certification of the results of an

1 organization election under AS 46.40.130(b) in which a majority of
2 votes cast favors organization of the coastal resource service area.

3 (f) Except for the first election of members of an elected
4 coastal resource service area board [BOARDS], elections shall be held
5 annually on the date of election of members of regional educational
6 attendance area boards under AS 14.08.071(b).

7 (g) A vacancy on an elected [A] coastal resource service area
8 board shall be filled by appointment as provided in AS 14.08.041(e)
9 [AS 14.08.041(a)] for vacancies in the membership of regional educa-
10 tional attendance area boards. A vacancy on an appointed coastal
11 resource service area board shall be filled by appointment by the
12 governor of a person to serve the unexpired portion of the term. A
13 person appointed under this subsection shall be from the same city or
14 village that the former member was from.

15 (h) Members of an elected coastal resource service area board
16 [BOARDS] are subject to recall on the same grounds and in the same
17 manner as provided for recall of municipal officials in AS 29.28.130 -
18 29.28.250. The lieutenant governor functions in place of the assembly
19 or council and municipal clerk for receipt and review of recall peti-
20 tions and the conduct of recall elections. Members of an appointed
21 coastal resource service area board serve at the pleasure of the
22 governor.