



THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SS SB 36

Title "An Act establishing the Citizen's Advisory Commission on

Requested by Federal Management Areas in the State: Date 2/18/81  
and providing for an effective date."

II. FISCAL DETAIL

Agency Affected Office of the Governor

Program Category Affected General Government

BRU, Program, or Subprogram(s) Affected Executive Operations

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		42.6	170.1	185.7	202.5	220.7
200 TRAVEL		10.0	60.0	65.4	71.3	77.7
300 CONTRACTUAL		30.0	126.0	127.2	140.7	162.2
400 COMMODITIES		2.5	2.0	4.1	4.5	4.8
500 EQUIPMENT		4.8	5.2	5.7	6.2	6.8
600 LAND & STRUCTURES		0	0	0	0	0
700 GRANTS, CLAIMS, ETC.		0	0	0	0	0
<b>TOTAL</b>		<b>90.0</b>	<b>365.1</b>	<b>398.2</b>	<b>434.2</b>	<b>473.2</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		90.0	365.1	398.2	434.2	473.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		5	5	5	5	5
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assume:

1. Start-up costs in FY 81;
2. Need for coordination of Commission's activities by an Executive Director with clerical support offered by an Administrative Assistant and 3 Research Analysts. Positions will last for the duration of the Commission, termination effective June 30, 1988;
3. Need for legal services, research and advisement by an attorney for the duration of the Commission's activities;
4. Four meetings, minimum, per year, of the Commission;
5. Commission staff support located in Fairbanks;
6. One trip for one person representing Commission to Wash., D.C.
7. Use of legislative and gubernatorial staff in Wash., D. C., offices.
8. Use of overall annual expense increase of 9 percent

IV. DATE February 12, 1981 PREPARED BY Betty Fabrankamp, Chairman

AGENCY Senate Resource Committee

Original: Legislative Finance

PHONE \_\_\_\_\_

cc: Budget and Management

Prime Sponsor (First Legislator Named)

FISCAL NOTE (Continued)

III. ANALYSIS

Personal Services includes salaries & benefits for an Executive Director (Range 24), an Administrative Assistant II (Range 14), and three Research Analysts I (Range 13). Travel included for staff work in state and a single trip to Washington, D. C. Contractual for printing and advertising costs as well as for office support (rentals of space, typewriters, copier, telephone, etc.). Commodities and Equipment are basic to start-up and maintenance expenditure for a small office.

Original sponsors: Fahrenkamp and Bennett

Offered: 4/8/81

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  
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18 Sec. 41.37.050. REMOVAL OF A MEMBER. (a) A member of the com-  
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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  
27 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.

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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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Amendments to CSSSSB 36 (Rules)

p.2, lines 16-17

After the word "and" on line 16 strike the rest of the sentence and insert the following:

"at the pleasure of the presiding officer,"

p. 5, line 3

Add a new section 3 to read:

Sec. 3 AS 39.50.200(b) is amended by adding a new subparagraph to read:

(44) Citizens Advisory Commission on Federal Management Areas in Alaska.

p. 5, line 5

Change effective date clause to read:

Sec. 6 Sections 1, 2 and 3 of this Act take effect immediately in accordance with AS 01.10.070(c).

Re-number accordingly.



Senate

SENATOR BETTYE FAHRENKAMP  
CHAIRMAN, RESOURCES COMMITTEE

4016 EVERGREEN  
FAIRBANKS ALASKA 99701

907-479-3550

WHILE IN JUNEAU

POUCH V

JUNEAU, ALASKA 99811

OFFICE 907-465-3763

RESOURCES COMMITTEE

907-465-3834

HOME 907-789-9182

MEMORANDUM

TO: Senator Terry Stimson  
FROM: Senator Bettye Fahrenkamp  
RE: SB 36  
DATE: March 11, 1981

SB 36 is intended to aid the citizens of Alaska who are impacted by the 31 newly created federally managed areas in the state, by creating a Citizens Advisory Commission which will keep an eye on activities relating to those federal areas from an Alaskan point of view. The Commission will thoroughly review any and all regulations, management plans or policy statements which will affect the use of Alaskan lands, and make comments to the respective federal agency. It is hoped that the Commission, while having no official standing in federal law, will be considered by the agencies it deals with as a body which gives due consideration and deliberation to each side of the issues which it will address. (In fact, federal agencies have indicated an interest in working with such a Commission. It will also work with the federal Committee mandated by recent d-2 legislation.)

The need for the Commission is evident. On many occasions, federal land management agencies (including National Park Service, National Forest Service, Bureau of Land Management and Fish and Wildlife Service) have overstepped their legislative mandate and have imposed great hardships on persons living in areas which they manage. Some of the areas of Alaska which already feel they have received short shrift in some instances are Skagway, Glacier Bay and Glenallen.

In the aura of cooperation which exists now with Secretary Watt and the Department of Interior, the timing is critical for getting the Commission started. President Reagan has placed a moratorium on all regulations which were pending when he took office. However, that action does not remove the potential for implementing the 70-odd page of interim regulations dealing with Alaskan lands that were placed in the Federal Register on January 19.

The effectiveness of the Commission will depend not only on the selection of the Commission, but also will depend on the manner in which it conducts itself. However, that it can be effective is evidenced in a similar committee created in Minnesota.

In Minnesota, similar legislation was passed in 1975, five years after Voyager's National Park was created. Management plans for the area were already far along, and in those management plans, use of the park through traditional means of access such as snowmachines, powerboats and float planes was denied. During the years which intervened between the establishment of the Park and the establishment of the Voyager's Park Citizens' Advisory Committee, ill feelings were bred between park users and park managers. However, since 1975, the committee has been able to establish lines of communication with the federal management agencies, to help the Minnesota citizens become more knowledgeable about the operations and potential uses for the park, and to impact some NPS decisions. The committee has been able to defuse some bitter rivalries and hostile actions. The committee has earned the respect of people on both sides of the management issue.

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8. Use of overall annual expense increase of 9 percent

IV. DATE February 12, 1981 PREPARED BY Betty Fabrankamp, Chairman

AGENCY Senate Resource Committee

Original: Legislative Finance PHONE \_\_\_\_\_

cc: Budget and Management  
Prime Sponsor (First Legislator Named)

FISCAL NOTE (Continued)

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# Alaska State Legislature

BETTYE FAHRENKAMP, CHAIRMAN  
VICI SCHER, VICE-CHAIRMAN  
BRAD BRADLEY  
DICK ELIASON  
DON GILMAN  
BOB MULCAHY  
ARLISS STURGULEWSKI



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JUNEAU, ALASKA 99811  
(907) 465-3834  
(907) 465-3835

## Senate

### Committee on Resources

#### MEMORANDUM

TO: MEMBERS OF THE SENATE

FROM: SENATOR BETTYE FAHRENKAMP  
CHAIRMAN, SENATE RESOURCES COMMITTEE

RE: CSSB 36 "AN ACT ESTABLISHING THE CITIZENS' ADVISORY COMMISSION ON  
FEDERAL MANAGEMENT AREAS IN ALASKA."

DATE: APRIL 6, 1981

---

CSSB 36 is intended to aid the citizens of Alaska who are impacted by the management of federal land in the state by creating a Citizens' Advisory Commission. The Commission will thoroughly review any regulations, management plans or policy statements which will affect the use of federal land in Alaska and make comments to the appropriate federal agency. It is hoped that the Commission, while having no official standing in federal law, will be considered by the agencies it works with as a body which gives due consideration and deliberation to each side of the issues it addresses. (In fact, federal agencies have indicated an interest in working with such a Commission. It will also work with the Alaska Land Use Council which was established under the Alaska Lands Act.)

The need for the Commission is evident. On many occasions, federal land management agencies (including the National Park Service, National Forest Service, Bureau of Land Management and Fish and Wildlife Service) have overstepped their legislative mandate and by doing so, have imposed great hardships on persons living in areas which they manage. Some of the areas of Alaska which already feel they have received short shrift in some instances are Skagway, Glacier Bay and Glenallen.

In the aura of cooperation which exists now with Secretary Watt and the Department of the Interior, the timing is critical for getting the Commission started. President Reagan has placed a moratorium on all regulations which were pending when he took office. However, that action does not remove the potential for implementing the 70-odd pages of interim regulations dealing with Alaskan lands that were placed in the Federal Register on January 19. The effectiveness of the Commission will depend not only on the selection of the Commission, but also will depend on the manner in which it conducts itself. However, that it can be effective is evidenced by a similar committee created in Minnesota.

In Minnesota, similar legislation was passed in 1975, five years after Voyager's National Park was created. Management plans for the area were already far along, and in those management plans, use of the park by snowmachines, powerboats and float planes for access was denied. During the years which intervened between the establishment of the Park and the establishment of the Voyager's Park Citizens' Advisory Committee, ill feelings arose between park users and park managers. However, since 1975 the committee has been able to establish lines of communication with the federal management agencies, help the Minnesota citizens become more knowledgeable about the operations and potential uses of the park and impact some National Park Service decisions. The committee has been able to defuse some bitter feelings and hostile actions. The committee has earned the respect of both the users and managers of the park.

### SECTIONAL ANALYSIS

#### Section 1.

Sec. 41.37.010 establishes the Citizens' Advisory Commission on federal areas in Alaska. The Commission is a temporary advisory agency of the executive branch. It is charged with considering the views of the citizens of the state in its deliberations.

Sec. 41.37.020 deals with the membership and officers of the Commission. The Commission shall be comprised of 16 members. Eight shall be appointed by the Governor, four by the Speaker of the House of Representatives (2 legislators and 2 citizens). The Commission will elect its own officers.

Sec. 41.37.030 states that the members of the Commission shall be selected from each judicial district of the state. The purpose of this section is to help insure that all of the land users of the state have a voice on the Commission and to avoid the Commission becoming a spokesperson for any one particular interest or geographic area.

Sec. 41.37.040 establishes the length of the terms of service for the commissioners. Commissioners appointed by the Governor will serve for four years. Commissioners appointed by the Legislature will serve for two years. Legislators appointed to the Commission will serve for the length of their legislative terms.

Sec. 41.37.050 provides that a commissioner can be removed from office for cause or for missing three consecutive Commission meetings.

Sec. 41.37.060 states that a legislator or employee of the state or municipality who serve as commissioner shall not suffer loss of compensation. This section also provides for per diem and travel expenses to be paid.

Sec. 41.37.070 allows the Commission to hire staff and contract for outside services.

Sec. 41.37.080 establishes the duties of the Commission. These duties include the consideration of public policy concerns of the state, municipalities and citizens of the state as they relate to or result from federal management of land in Alaska. The Commission can make recommendations to an agency of the state or federal government after it considers public policy. This section also requires the Commission to submit an annual report to the Governor and Legislature.

Sec. 41.37.090 allows the Commission to establish advisory groups. The membership of each advisory group must broadly represent the individuals affected by the management of federal lands.

Sec. 41.37.100 gives the Commission the authority to request the Attorney General to file suit if the Commission determines that the federal land manager is acting in violation of the law, intent of the law or the best interests of the state. The Attorney General will decide on whether to initiate the suit in accordance with AS 44.23.020.

#### Section 2

Section 2 defines the length of the terms of service for the first Commission members.

#### Sections 3 and 4

These sections mandate that the Commission terminate on June 30, 1988 unless the Legislature amends this legislation to allow the Commission to function past this date.