

1 HB794
2 120592-1
3 By Representative Collier
4 RFD: Agriculture and Forestry
5 First Read: 30-MAR-10

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8 SYNOPSIS: This bill would create the Alabama
9 Waterfront Access Study Task Force to study the
10 loss of diversity and use along the coastal
11 shoreline of Alabama.

12 This bill would specify the composition of
13 the task force, assign its duties, and provide for
14 members compensation.

15 This bill would allow the task force to
16 accept private funds without conditions and provide
17 for funding from appropriations to the Legislature.

18
19 A BILL

20 TO BE ENTITLED

21 AN ACT

22
23 Creating the Alabama Waterfront Access Study Task
24 Force as a permanent advisory committee to the Legislature,
25 specifying the composition, procedures, duties, expenses, and
26 diversity of the task force; and provide for the acceptance of

1 private funds and for funding from appropriations to the
2 Legislature.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) The Alabama Waterfront Access Study
5 Task Force is created.

6 (b) The task force shall be composed of the
7 following members:

8 (1) The Director of the Mississippi-Alabama Sea
9 Grant Program.

10 (2) A representative of the Alabama Department of
11 Conservation and Natural Resources.

12 (3) A representative of the Alabama Department of
13 Conservation and Natural Resources, Marine Resources Division.

14 (4) A representative of the Alabama Working
15 Waterfront Coalition.

16 (5) A representative of the Alabama Port Authority.

17 (6) A representative of the commercial fishing
18 industry appointed by the Speaker of the House of
19 Representatives.

20 (7) A representative of the recreational fishing
21 industry appointed by the President Pro Tempore of the Senate.

22 (8) A representative of the United States Army Corps
23 of Engineers appointed by the Speaker of the House of
24 Representatives.

25 (9) An economist appointed by the President Pro
26 Tempore of the Senate from one of the major colleges or
27 universities in the state.

1 (10) A social scientist appointed by the Speaker of
2 the House of Representatives from one of the major colleges or
3 universities in the state.

4 (11) A representative of the Alabama Home Builders
5 Association.

6 (12) A representative of the Alabama Association of
7 Realtors.

8 (13) A representative of the marine trades and
9 manufacturing industry appointed by the President Pro Tempore
10 of the Senate.

11 (14) A representative of the Alabama Bureau of
12 Tourism and Travel.

13 (15) A representative of the commercial fishing
14 support industry appointed by the Organized Seafood
15 Association of Alabama, Inc.

16 (16) A local government representative from each
17 congressional district, with the representatives from
18 odd-numbered districts appointed by the Speaker of the House
19 of Representatives and the representatives from even-numbered
20 districts appointed by the President Pro Tempore of the
21 Senate.

22 (17) The Chair of the Agriculture, Conservation and
23 Forestry task force of the Senate, or his or her designee.

24 (18) The Chair of the Agriculture and Forestry task
25 force of the House of Representatives, or his or her designee.

26 (19) The members of the House of Representatives
27 representing House Districts 95 and 105.

1 (20) The members of the Senate representing Senate
2 Districts 32 and 35.

3 (c) In making the appointments, the appointing
4 authorities shall strive to ensure that the composition of the
5 task force shall be inclusive and reflect the racial, gender,
6 geographic, urban/rural, and economic diversity of the state.
7 The task force shall annually report to the Legislature by the
8 second legislative day of each regular session the extent to
9 which the task force has complied with the diversity
10 provisions provided for in this act.

11 (d) The task force may appoint an ad hoc technical
12 task force as necessary.

13 (e) The Director of the Mississippi-Alabama Sea
14 Grant Program shall be the chair of the task force. The
15 representative of the commercial fishing support industry
16 appointed by the Organized Seafood Association of Alabama,
17 Inc., shall be the vice chair of the task force. Any vacancy
18 shall be filled by the original appointing authority. A quorum
19 of the task force shall be a majority of its members. The task
20 force shall meet upon the call of the chair.

21 (f) The task force, with the assistance of the
22 Mississippi-Alabama Sea Grant Consortium, shall study the
23 degree of loss and potential loss of the diversity of uses
24 along the coastal shoreline of Alabama and how these losses
25 impact access to the public trust waters of the state.
26 Specifically, the task force shall do all of the following:

1 (1) Gather information about local land-use
2 management and zoning, current shoreline development trends,
3 and local tax rates, including tax assessment trends for
4 shoreline properties.

5 (2) Collect research and information from Alabama
6 and other states and jurisdictions regarding incentive-based
7 techniques and management tools used to preserve waterfront
8 diversity.

9 (3) Assess the applicability of such tools and
10 techniques to the coastal shorelines of Alabama.

11 (4) Prepare a draft report with a statement of the
12 issues, a summary of the research, and recommendations to
13 address issues of diversity of waterfront use and access in
14 Alabama.

15 (5) Hold at least three public meetings to present
16 the draft report and recommendations to the public and user
17 groups.

18 (g) The task force, while in the discharge of its
19 official duties, may have the power to request all officers,
20 agents, agencies, and departments of the state to provide any
21 information, data, or documents within their possession,
22 ascertainable from their records, or otherwise available to
23 them to carry out its functions.

24 (h) The chair of the task force shall be responsible
25 for convening meetings of the task force as shall be necessary
26 for the task force to carry out its functions under this act,

1 which shall include the power to provide policies and
2 guidelines for use in carrying out this act.

3 (i) The task force shall have the power to employ
4 and provide for the compensation of a program coordinator. The
5 task force may enter into agreements with other state agencies
6 and public or private organizations for additional staff or
7 support as the task force may determine to be necessary.
8 Private funding may be accepted only upon a clear designation
9 that the funding places no conditions on the findings or
10 recommendations of the task force.

11 (j) Each citizen member of the task force shall
12 receive the same daily expense, mileage, and travel allowance
13 for each day he or she attends a task force meeting as
14 authorized for state employees attending state business. Each
15 legislator serving on the task force shall receive his or her
16 regular legislative compensation, per diem, and travel
17 expenses for each day he or she attends a meeting of the task
18 force. Upon requisitions signed by the chair of the task
19 force, these payments shall be paid out of any funds
20 appropriated to the use of the Legislature by means of
21 warrants drawn by the state Comptroller on the State Treasury.
22 Notwithstanding the foregoing, no legislative member shall
23 receive additional compensation or per diem for a meeting day
24 on the task force when he or she attends a regular or special
25 legislative session meeting day or legislative task force
26 meeting day, or if a member is being paid any other payments
27 on the same dates for attendance on other state business.

1 Members of the task force who are state officials, other than
2 legislative members, shall receive no compensation for their
3 service on the task force, but may be reimbursed for expenses
4 from funds appropriated to or otherwise available to their
5 respective departments. The total expenditure of the task
6 force shall not exceed \$10,000 per fiscal year.

7 Section 2. This act shall become effective on the
8 first day of the third month following its passage and
9 approval by the Governor, or its otherwise becoming law.