

**ALASKA STATE LEGISLATURE  
HOUSE COMMUNITY AND REGIONAL AFFAIRS  
STANDING COMMITTEE**

May 3, 2004  
8:10 a.m.

**MEMBERS PRESENT**

Representative Carl Morgan, Chair  
Representative Kelly Wolf, Vice Chair  
Representative Ralph Samuels  
Representative Sharon Cissna  
Representative Albert Kookesh

**MEMBERS ABSENT**

Representative Pete Kott  
Representative Tom Anderson

**COMMITTEE CALENDAR**

CS FOR SENATE BILL NO. 190(STA)

"An Act adding certain state-owned land and water to the Kenai River Special Management Area; relating to the mineral estate of the state-owned land and water in the Kenai River Special Management Area; relating to the Kenai River Special Management Area advisory board; and providing for an effective date."

- MOVED HCS CSSB 190(CRA) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 382(CRA) am

"An Act relating to replat approval; relating to the platting of right-of-way acquired through eminent domain proceedings; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

SENATE BILL NO. 387 am

"An Act authorizing the making of certain commercial fishing loans to eligible community quota entities for the purchase of certain fishing quota shares; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 190

SHORT TITLE: KENAI RIVER SPECIAL MANAGEMENT AREA

SPONSOR(S): SENATOR(S) WAGONER

04/16/03 (S) READ THE FIRST TIME - REFERRALS  
04/16/03 (S) STA, RES  
01/20/04 (S) STA AT 3:30 PM BELTZ 211  
01/20/04 (S) Moved CSSB 190(STA) Out of Committee  
01/20/04 (S) MINUTE(STA)  
01/21/04 (S) STA RPT CS 3DP 1NR NEW TITLE  
01/21/04 (S) DP: STEVENS G, COWDERY, STEDMAN;  
01/21/04 (S) NR: GUESS  
02/16/04 (S) RES AT 3:30 PM BUTROVICH 205  
02/16/04 (S) Heard & Held  
02/16/04 (S) MINUTE(RES)  
02/27/04 (S) RES AT 3:30 PM BUTROVICH 205  
02/27/04 (S) Moved CSSB 190(STA) Out of Committee  
02/27/04 (S) MINUTE(RES)  
03/01/04 (S) RES RPT CS(STA) 3DP 1NR  
03/01/04 (S) DP: OGAN, STEVENS B, SEEKINS; NR: ELTON  
03/05/04 (S) TRANSMITTED TO (H)  
03/05/04 (S) VERSION: CSSB 190(STA)  
03/08/04 (H) READ THE FIRST TIME - REFERRALS  
03/08/04 (H) CRA, RES  
03/23/04 (H) CRA AT 8:00 AM CAPITOL 124  
03/23/04 (H) Heard & Held <Assigned to Subcmte>  
03/23/04 (H) MINUTE(CRA)  
04/29/04 (H) CRA AT 8:00 AM CAPITOL 124  
04/29/04 (H) Subcommittee Meeting  
04/29/04 (H) MINUTE(CRA)  
05/03/04 (H) CRA AT 8:00 AM CAPITOL 124

**WITNESS REGISTER**

AMY SEITZ, Staff  
to Senator Thomas Wagoner  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Spoke on behalf of the sponsor of SB 190.

**ACTION NARRATIVE**

**TAPE 04-17, SIDE A**

Number 0001

**CHAIR CARL MORGAN** called the House Community and Regional Affairs Standing Committee meeting to order at 8:10 a.m.

Representatives Morgan, Wolf, Samuels, and Kookesh were present at the call to order. Representative Cissna arrived as the meeting was in progress.

SB 190-KENAI RIVER SPECIAL MANAGEMENT AREA

CHAIR MORGAN announced that the first order of business would be CS FOR SENATE BILL NO. 190(STA), "An Act adding certain state-owned land and water to the Kenai River Special Management Area; relating to the mineral estate of the state-owned land and water in the Kenai River Special Management Area; relating to the Kenai River Special Management Area advisory board; and providing for an effective date."

Number 0044

REPRESENTATIVE WOLF moved that the committee [move] HCS CSSB 190, Version 23-LS0961\Q, Bullock, 4/28/04, [out of the subcommittee and] adopt it as the working document. There being no objection, Version Q was before the committee.

Number 0121

AMY SEITZ, Staff to Senator Thomas Wagoner, Alaska State Legislature, related her observation that the only change encompassed in Version Q is in Section 4. She further related that the sponsor is happy with Version Q.

CHAIR MORGAN informed the committee that there will be an amendment offered that would delete Section 4. He asked if Ms. Seitz had any objections to such an amendment.

MS. SEITZ said that she had no comment.

CHAIR MORGAN, upon determining there was no one who wished to testify, closed public testimony.

Number 0262

REPRESENTATIVE WOLF moved that the committee adopt the following amendment [Amendment 1]:

Page 5, line 11;  
Delete "not"

REPRESENTATIVE SAMUELS objected, and inquired as to how many members currently represent agencies. He inquired as to whether the local community members should be the members with the voice.

REPRESENTATIVE WOLF answered that currently there are five members who represent agencies on the Kenai River Special Management Area (KRSMA) Advisory Board. He noted that one member of the KRSMA Advisory Board is a resident of Cooper Landing who happens to also work for the Alaska Department of Fish & Game (ADF&G). The concern is that if that individual is removed from the advisory board, then Cooper Landing wouldn't have a voice on the KRSMA Advisory Board. There is also concern that there is a large portion of property that is owned by state and federal agencies, and therefore removing the voting ability of those members (indisc.-paper shuffling), which isn't desired.

REPRESENTATIVE SAMUELS surmised that the amendment would fix the Cooper Landing problem.

REPRESENTATIVE WOLF confirmed that it would.

MS. SEITZ, in response to Representative Samuels, specified that there are eight agency representatives on the KRSMA Advisory Board, with three of those coming from the municipalities. There are a total of 17 members on the KRSMA Advisory Board.

Number 0520

REPRESENTATIVE SAMUELS inquired as to the sponsor's position on language specifying that the "agency representatives" couldn't hold a majority of the seats on the KRSMA Advisory Board.

MS. SEITZ related that the sponsor would like for the agency members of the KRSMA Advisory Board to be ex officio members.

REPRESENTATIVE WOLF highlighted that currently the KRSMA Advisory Board consists of members from various agencies and community members. These members are managing 84 miles of the Kenai River, which is a critical habitat area within a state park. Representative Wolf opined that he wants the KRSMA Advisory Board to be comprised of experienced individuals as well as public individuals. He said the current makeup of the board is good. Therefore, he viewed removing the [voting rights of] agency members as taking away the agency representation [and expertise].

Number 0152

REPRESENTATIVE SAMUELS opined that if almost half the members are representing agencies, then it doesn't seem to be that much of a community advisory board. However, he didn't believe that an appointed individual who happens to be an employee of an agency should be penalized because of his or her employer. He inquired as to the possibility of limiting the number of agency representatives because, based on his experience with various organizations, he believes that the agency representatives are "driving the bus."

REPRESENTATIVE CISSNA asked if these agency representatives actually reside in the community.

MS. SEITZ acknowledged that the KRSMA Advisory Board members can be from Anchorage and anywhere around the state. She pointed out that the KRSMA Advisory Board met on this legislation and voted 10:3 in favor of CSSB 190(STA), which makes the agency members ex officio members.

Number 0932

REPRESENTATIVE KOOKESH questioned why there is such concern with this since the organization is an advisory board. He said that he didn't know of many advisory boards that have that much authority or power.

REPRESENTATIVE WOLF explained that currently two ADF&G representatives on the KRSMA Advisory Board are from Anchorage. The U.S. Forest Service representative is from Cooper Landing. The U.S. Fish & Wildlife representative is a resident of the Kenai Peninsula. Representative Wolf explained that making the agency members ex officio would remove the position that the individual from Cooper Landing holds because he works for ADF&G during the summer. Therefore, the Cooper Landing/Kenai Lake area wouldn't have representation on the KRSMA Advisory Board.

REPRESENTATIVE SAMUELS maintained his objection to Amendment 1.

A roll call vote was taken. Representatives Kookesh, Wolf, Cissna, and Morgan voted in favor of Amendment 1. Representatives Anderson and Samuels voted against it. Therefore, Amendment 1 was adopted by a vote of 4-2.

Number 1217

REPRESENTATIVE WOLF moved to report HCS CSSB 190, Version 23-LS0961\Q, Bullock, 4/28/04, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCS CSSB 190(CRA) was reported from the House Community and Regional Affairs Standing Committee.

**ADJOURNMENT**

The meeting was recessed to the call of the chair at 8:25 a.m.  
[This meeting did not reconvene.]