

**ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE**

February 27, 2004

3:32 p.m.

TAPE(S) 04-17

MEMBERS PRESENT

Senator Scott Ogan, Chair
Senator Ralph Seekins
Senator Ben Stevens
Senator Kim Elton

MEMBERS ABSENT

Senator Thomas Wagoner, Vice Chair
Senator Fred Dyson
Senator Georgianna Lincoln

COMMITTEE CALENDAR

SENATE BILL NO. 190

"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; amending the qualifications for members of the Kenai River Special Management Area advisory board; and providing for an effective date."

MOVED CSSB 190(STA) OUT OF COMMITTEE

SENATE BILL NO. 303

"An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 190

SHORT TITLE: KENAI RIVER SPECIAL MANAGEMENT AREA

SPONSOR(S): SENATOR(S) WAGONER

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|----------|-----|---------------------------------|
| 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

BILL: SB 303

SHORT TITLE: BIG GAME SERVICES & COMM. SERVICES BD
 SPONSOR(s): RULES BY REQUEST OF LEG BUDGET & AUDIT

02/06/04 (S) READ THE FIRST TIME - REFERRALS
 02/06/04 (S) RES, FIN
 02/20/04 (S) RES AT 3:30 PM BUTROVICH 205
 02/20/04 (S) Heard & Held
 02/20/04 (S) MINUTE(RES)
 02/27/04 (S) RES AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

Ms. Amy Seitz
 Staff to Senator Wagoner
 Alaska State Capitol
 Juneau, AK 99801-1182
POSITION STATEMENT: Commented on SB 190 for sponsor.

Mr. Henry Webb
 Staff to Representative Ralph Samuels
 Alaska State Capitol
 Juneau, AK 99801-1182
POSITION STATEMENT: Commented on SB 303 for the sponsor.

ACTION NARRATIVE

TAPE 04-17, SIDE A
 ^#SB190

SB 190-KENAI RIVER SPECIAL MANAGEMENT AREA

CHAIR SCOTT OGAN called the Senate Resources Standing Committee meeting to order at 3:32 p.m. Present were Senators Ben Stevens, Ralph Seekins, Kim Elton and Chair Scott Ogan. The first order of business to come before the committee was SB 190.

MS. AMY SEITZ, staff to Senator Wagoner, sponsor of SB 190, said the bill had been discussed last Monday and there were no changes. However, Senator Elton wanted to know how moving EVOS (Exxon Valdez Oil Spill) lands into KRSMA (Kenai River Special Management Area) would affect oil and gas development. She was told that the conservation easements in the EVOS purchasing agreement would not change when the parcels are moved into KRSMA.

SENATOR KIM ELTON said he appreciated the Department of Natural Resources' work and Chair Ogan asked that its memo be included in the record, which follows.

- The subsurface estate is the dominant estate
- EVOS conservation easements only apply to the portion of the estate acquired with EVOS funds
- The use of lands acquired with EVOS funds is controlled by the terms of the conservation easements on them. The KRSMA designation does not affect the conservation easements
- Conservation easements associated with EVOS lands apply to the specific land interest acquired. If the subsurface estate was not a part of the purchase, the conservation easement cannot limit access to the mineral estate any more than the surface owner of any parcel of land can limit access to the minerals underlying his estate
- Typically, we did not acquire the subsurface state with EVOS funds. If we did acquire the subsurface estate on any of the EVOS funded parcels, utilization of the minerals on that specific parcel would be limited by the terms of the conservation easement
- Typically, the oil and gas rights on many of the EVOS acquired parcels were previously conveyed to the State of Alaska via patent and as such would be subject to the terms of the conservation easement
- Generally, the conservation easement on EVOS acquired parcels is consistent with Parks' management intent and the KRSMA designation.
- The conservation easement has no effect on adjacent parcels

SENATOR BEN STEVENS moved to pass CSSB 190(STA), version \I, from committee with attached fiscal note and individual recommendations. There were no objections and it was so ordered.
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3:37 p.m. to 3:30 p.m. - at ease
^#SB303

SB 303-BIG GAME SERVICES & COMM. SERVICES BD

CHAIR SCOTT OGAN announced SB 303 to be up for consideration. He asked everyone to consider the changes in the bill over the upcoming weekend.

SENATOR RALPH SEEKINS moved to adopt the proposed CSSB 303(RES), version \D, for discussion purposes.

CHAIR OGAN said he would like to hold voting on the motion until the bill was before the committee next time to allow for amendments, since it is pretty extensively reworked.

MR. HENRY WEBB, Staff to Representative Ralph Samuels, sponsor, said that they met with the Department of Fish and Game (ADF&G), Department of Public Safety (DPS), Division of Occupational Licensing and the Board of Game and went through the bill page by page. There were 63 changes, some were technical and some were substantive.

CHAIR OGAN asked him to go over the substantive changes.

MR. WEBB said he would rather do a complete markup so the whole bill could be before the committee. He hoped to have it done within the next couple of days.

SENATOR ELTON suggested that it makes sense to wait for the markup before the committee goes through the bill.

CHAIR OGAN said that made sense to him, too.

SENATOR STEVENS moved to adjourn. There were no objections and the meeting was adjourned at 3:42 p.m.

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