

Introduced: 4/14/89
Referred: Resources and
Labor & Commerce

6-1212A

1 IN THE HOUSE

BY CATO

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HOUSE BILL NO. 291

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act relating to the use of water for certain
salmon hatcheries as a preferred use of water; and
providing for an effective date."

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

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* Section 1. AS 46.15 is amended by adding a new section to read:

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Sec. 46.15.155. SALMON HATCHERIES AS A PREFERRED USE OF WATER.

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(a) The use of water by a salmon hatchery that is permitted under
AS 16.10.400 and that receives financial assistance under AS 16.10.-
13 500 - 16.10.560 is preferred over the use of the water for a state-
14 owned hydroelectric project. An applicant who asserts and proves a
15 preferred use under this section shall be granted a preference over a
16 prior appropriation for a state-owned hydroelectric project.

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(b) To receive a preference under this section, the applicant
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(1) show that the applicant will use the water for a salmon
hatchery that is permitted under AS 16.10.400 and that receives finan-
22 cial assistance under AS 16.10.500 - 16.10.560;

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(2) show that the applicant's use of the water will be
prevented or substantially interfered with by a prior appropriation
25 for a state-owned hydroelectric project; and

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(3) provide other information that the commissioner may
require by regulation.

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* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).