

Offered: 4/19/89
Referred: Resources

6-1207A

1 IN THE SENATE BY KERTTULA AND SZYMANSKI
2 SENATE BILL NO. 290
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the use of water for certain
7 salmon hatcheries as a preferred use of water; and
8 providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 46.15 is amended by adding a new section to read:
11 Sec. 46.15.155. SALMON HATCHERIES AS A PREFERRED USE OF WATER.
12 (a) The use of water by a salmon hatchery that is permitted under
13 AS 16.10.400 and that receives financial assistance under AS 16.10.-
14 500 - 16.10.560 is preferred over the use of the water for a state-
15 owned hydroelectric project. An applicant who asserts and proves a
16 preferred use under this section shall be granted a preference over a
17 prior appropriation for a state-owned hydroelectric project.
18 (b) To receive a preference under this section, the applicant
19 shall
20 (1) show that the applicant will use the water for a salmon
21 hatchery that is permitted under AS 16.10.400 and that receives finan-
22 cial assistance under AS 16.10.500 - 16.10.560;
23 (2) show that the applicant's use of the water will be
24 prevented or substantially interfered with by a prior appropriation
25 for a state-owned hydroelectric project; and
26 (3) provide other information that the commissioner may
27 require by regulation.
28 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).