

**CS FOR HOUSE BILL NO. 30 (JUDICIARY)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION**

BY THE HOUSE JUDICIARY COMMITTEE

**Offered: 3/11/91
Referred: Finance**

Sponsor(s): REPRESENTATIVE KOPONEN

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring the governor to notify the legislature about settlement negotiations on
2 Exxon Valdez oil spill claims; requiring the governor to submit proposed settlements of
3 those claims to the legislature for review; restricting the power of the governor to settle
4 claims arising from the Exxon Valdez oil spill; relating to the confidentiality of settlement
5 negotiations; and providing for an effective date."

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

7 * **Section 1. FINDINGS.** The legislature finds that

8 (1) the possible settlement of the state's claims arising from the Exxon Valdez oil spill
9 would have far-reaching effects on the welfare of the people of the state, the disposition of state funds,
10 and the status of large areas of state land;

11 (2) it is of paramount importance to the state's interests that any settlement proposal
12 regarding these claims be submitted to the legislature for review, that the state not enter into any
13 settlement until the legislature has had an opportunity to review the proposal, and that the legislature be

1 given the opportunity to prevent any settlement that is not in the public interest; and

2 (3) the present administration has indicated it intends to submit any proposed settlement
3 to the legislature for public review and approval.

4 * Sec. 2. The governor or the governor's designee shall keep the legislature, through the president
5 of the senate and the speaker of the house or their designees, informed, on a daily basis if possible, of
6 the progress of the settlement negotiations of the claims brought by the state and federal governments
7 against the Exxon Corporation and its subsidiaries arising from the March 1989 tanker Exxon Valdez
8 oil spill.

9 * Sec. 3. (a) Before the state enters into any settlement with any other party to resolve the claims
10 described in sec. 2 of this Act, the governor shall submit the proposed settlement to the president of the
11 senate and the speaker of the house.

12 (b) If a proposed settlement of claims described in sec. 2 of this Act is submitted to the
13 legislature during the first 45 days of a regular legislative session, the state may not enter into the
14 settlement within 75 days of the date that the settlement was submitted to the legislature, unless the
15 legislature waives its right to review the settlement or assents to it. After 75 days the state may enter
16 into the settlement if a law has not been enacted prohibiting the proposed settlement or if, in a
17 concurrent resolution, the legislature has earlier waived its right of review or assented to the settlement.

18 (c) If a proposed settlement of claims described in sec. 2 of this Act is submitted to the
19 legislature after the first 45 days of a regular legislative session or when the legislature is not in regular
20 session, the state may not enter into the settlement until the governor has convened the legislature in
21 special session, or the legislature has convened itself into special session, to consider the settlement,
22 unless a majority of the members of each house waive in writing a special session. If, after a special
23 session is held under this subsection, a law has not been enacted prohibiting the settlement, the state may
24 enter into the proposed settlement.

25 * Sec. 4. (a) Information relevant to any proposed settlement submitted to the legislature under sec. 3
26 of this Act, including the terms of the settlement, is not confidential, except as required by law.

27 (b) The Department of Law shall maintain for public review full documentation of each proposed
28 settlement submitted to the legislature, as well as the final settlement.

29 * Sec. 5. This Act is retroactive to March 4, 1991.

30 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).