

SENATE CS FOR CS FOR HOUSE BILL NO. 83 (L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 5/19/91
Referred: Resources, Finance

Sponsor(s): REPRESENTATIVES NAVARRE, Brown, Davidson, Finkelstein, Parnell, G.Phillips, Ellis, Choquette, Ulmer

A BILL

FOR AN ACT ENTITLED

1 "An Act making special appropriations to the Department of Natural Resources for the
2 purchase of the inholdings of the Seldovia Native Association and the Cook Inlet Region,
3 Inc., and the timber rights of the Timber Trading Company, within the Kachemak Bay
4 State Park; and providing for an effective date."

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

6 * Section 1. LEGISLATIVE FINDINGS. (a) The legislature finds that the Kachemak Bay State
7 Park is an important scenic and recreational area and that the inholdings within the park, if developed,
8 would seriously compromise the integrity of the existing park land. The legislature finds, therefore, that
9 it is in the interest of the state to acquire the inholdings of the Seldovia Native Association and the Cook
10 Inlet Region, Inc., and the timber rights of the Timber Trading Company, within the Kachemak Bay
11 State Park.

12 (b) The legislature further finds that the value, to the state, of the inholdings of the Seldovia
13 Native Association and the Cook Inlet Region, Inc., and the timber rights of the Timber Trading
14 Company, within the Kachemak Bay State Park does not exceed \$22,000,000.

1 * Sec. 2. The sum of \$7,000,000 is appropriated from the general fund to the Department of Natural
2 Resources for the purchase of the inholdings of the Seldovia Native Association and the timber rights
3 of the Timber Trading Company, within the Kachemak Bay State Park as identified in the Preliminary
4 Exchange Agreement dated June 30, 1989, between the state, the Seldovia Native Association, and the
5 Timber Trading Company; and for the purchase of the inholdings of the Cook Inlet Region Inc. within
6 the Kachemak Bay State Park.

7 * Sec. 3. (a) Subject to (b) - (d) of this section, the amount necessary to pay the balance, after
8 payment of the appropriation made in sec. 2 of this Act, of the purchase price for the inholdings of the
9 Seldovia Native Association, the timber rights of the Timber Trading Company, and the inholdings of
10 the Cook Inlet Region, Inc., not to exceed \$15,000,000, is appropriated from the general fund to the
11 Department of Natural Resources for purchase of the inholdings and timber rights within Kachemak Bay
12 State Park.

13 (b) If the agreement negotiated by the commissioner of natural resources for the purchase of
14 inholdings and timber rights within Kachemak Bay State Park requires that a portion of the purchase
15 price be paid from sources other than the state, the appropriation made by (a) of this section is
16 conditioned on the portion required as a match not exceeding 20 percent and on the agreement permitting
17 that the required match be satisfied by cash donations, the transfer of timber rights, and other means.

18 (c) The amount appropriated from the general fund by (a) of this section may not exceed the
19 amount deposited in the general fund or received in value by the state during the fiscal years ending
20 June 30, 1991 and 1992 as a result of the lease of recreational land, timber sales, timber rights, land
21 exchanges, and resource development leases, excluding oil and gas leases.

22 (d) The appropriation made by (a) of this section may not be used for administrative or other
23 departmental expenses.

24 * Sec. 4. If the amount appropriated by secs. 2 and 3 of this Act is insufficient to satisfy the purchase
25 price for the inholdings and timber rights in Kachemak Bay State Park, the unexpended and unobligated
26 balances, not to exceed \$15,000,000, of the following appropriations are repealed and reappropriated to
27 the Department of Natural Resources for the purchase of the inholdings of the Seldovia Native
28 Association and the timber rights of the Timber Trading Company, within the Kachemak Bay State Park
29 as identified in the Preliminary Exchange Agreement dated June 30, 1989, between the state, the
30 Seldovia Native Association, and the Timber Trading Company; and for the purchase of the inholdings
31 of the Cook Inlet Region, Inc. within the Kachemak Bay State Park:

1 (1) that portion of the appropriation made by sec. 25, ch. 80, SLA 1979, page 66, line
2 38, as amended by sec. 448(a), ch. 105, SLA 1985, and sec. 275(a), ch. 130, SLA 1986, that is allocated
3 by sec. 25, ch. 80, SLA 1979, page 67, line 5 (Bradley Lake hydro project - \$80,000);

4 (2) that portion of the appropriation made by sec. 1(a), ch. 90, SLA 1981, as amended
5 by sec. 69, ch. 92, SLA 1981, and sec. 236, ch. 141, SLA 1982, that is allocated by sec. 1(a)(1), ch. 90,
6 SLA 1981, as amended by sec. 69, ch. 92, SLA 1981 (Bradley Lake - \$5,000,000);

7 (3) that portion of the appropriation made by sec. 1(b), ch. 90, SLA 1981, as amended
8 by sec. 69, ch. 92, SLA 1981, and sec. 236, ch. 141, SLA 1982, that is allocated by sec. 1(b)(1), ch. 90,
9 SLA 1981, as amended by sec. 69, ch. 92, SLA 1981 (Bradley Lake - \$10,000,000);

10 (4) sec. 241, ch. 141, SLA 1982 (Bradley Lake hydroelectric project - \$3,000,000);

11 (5) AS 44.83.420, repealed by sec. 318, ch. 171, SLA 1984 (Bradley Lake hydroelectric
12 project);

13 (6) sec. 5, ch. 41, SLA 1986 (Bradley Lake hydroelectric project - \$50,000,000);

14 (7) sec. 3, ch. 128, SLA 1986, page 8, line 7, as amended by sec. 1, ch. 96, SLA 1987
15 (Alaska Power Authority, Bradley Lake hydroelectric project - \$50,000,000);

16 (8) sec. 6, ch. 172, SLA 1988 (Bradley Lake power project - \$7,000,000).

17 * Sec. 5. The appropriations made by secs. 3 and 4 of this Act are for a capital project and are
18 subject to lapse under AS 37.25.020.

19 * Sec. 6. The unexpended and unobligated balance of the appropriation made by sec. 2 of this Act
20 lapses into the general fund December 31, 1991.

21 * Sec. 7. (a) Sections 1 - 6 of this Act are repealed January 1, 1992, unless the Department of
22 Natural Resources has, before January 1, 1992, entered into agreements with the Seldovia Native
23 Association for the sale of the inholdings of the association, the Timber Trading Company for the sale
24 of timber rights of the company, and the Cook Inlet Region, Inc., for the sale of inholdings of the
25 corporation, for a total that is equal to or less than \$22,000,000.

26 (b) The Department of Natural Resources shall file a declaration with the lieutenant governor
27 and the revisor of statutes by January 2, 1992, stating whether the agreements set out in (a) of this
28 section were entered into by the parties described in (a) of this section before January 1, 1992.

29 * Sec. 8. Except for sec. 4 of this Act, this Act takes effect on the later of

30 (1) the date that the Department of Natural Resources files a declaration with the
31 lieutenant governor and the revisor of statutes that the department has entered into agreements with

1 Seldovia Native Association for the sale of the inholdings of the association, the Timber Trading
2 Company for the sale of timber rights of the company, and the Cook Inlet Region, Inc., for the sale of
3 inholdings of the corporation, for a total that is equal to or less than \$22,000,000; or

4 (2) July 1, 1991.

5 * Sec. 9. Section 4 of this Act takes effect on the later of

6 (1) the date that the Department of Natural Resources files a declaration with the
7 lieutenant governor and the revisor of statutes that the department has entered into agreements with
8 Seldovia Native Association for the sale of the inholdings of the association, the Timber Trading
9 Company for the sale of timber rights of the company, and the Cook Inlet Region, Inc., for the sale of
10 inholdings of the corporation, for a total that is equal to or less than \$22,000,000; or

11 (2) the date that the Alaska Energy Authority files a declaration with the lieutenant
12 governor and the revisor of statutes that the Bradley Lake hydroelectric project has been completed.