

HB213

HOUSE COMMITTEE REPORT

(11)

Date Referred: March 13, 1991

FURTHER REFERRALS:

Date of Committee Action: 3/25/91

The FINANCE Committee considered:

HB 213

HOUSE BILL NO. 213

EXXON VALDEZ SETTLEMENT

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

RECOMMENDATIONS:

be replaced with CS HB 213 (FIN) the same title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal impact _____

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eileen P. McLean</i> McLean	X	<i>George Phillips</i> Phillips		✓	
<i>Mike Navarre</i> Navarre	X	<i>Barbara Barnes</i> Barnes		✓	
<i>Mark Boyer</i> Boyer	X	<i>Bob Sharp</i> Sharp		✓	
<i>Jacko</i> Jacko	X	<i>Harold Larson</i> Larson		X	
<i>Brown</i> Brown	X				

Mike Navarre
CHAIRMAN'S SIGNATURE
Navarre

Eileen P. McLean
McLean

7-LS0949D
Gaguine
3/22/91

CS FOR HOUSE BILL NO. 213 (FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GRUENBERG, Koponen, Moyer, MacLean, Ulmer, Brown, B.Davis, Bruckman,
Lincoln

A BILL

FOR AN ACT ENTITLED

1 "An Act providing for legislative review and approval of current and future proposed
2 settlements of the state's claims against the Exxon Corporation and its subsidiaries arising
3 out of the Exxon Valdez oil spill; requiring the governor to notify the legislature about
4 ongoing settlement negotiations; relating to the confidentiality of information relevant to
5 proposed settlements; 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 actual and potential claims against the Exxon
9 Corporation and its subsidiaries arising from the Exxon Valdez oil spill would have far-reaching effects
10 on the welfare of the people of the state, the disposition of state funds, and the status of large areas of
11 state land;

12 (2) it is of paramount importance to the state's interests that any settlement proposal
13 regarding these claims be submitted to the legislature for review, that the state not bind itself with regard

1 to any settlement until the legislature has had an opportunity to review the proposal, and that the
2 legislature be given the opportunity to prevent any settlement that is not in the public interest; and

3 (3) the present administration has submitted a proposed settlement to the legislature for
4 public review and approval.

5 * Sec. 2. The state may not bind itself with regard to the proposed settlement described in sec. 1(3)
6 of this Act unless the legislature gives its assent to that settlement. The state may bind itself with regard
7 to that settlement if both houses of the legislature pass a concurrent resolution giving assent.

8 * Sec. 3. The governor or the governor's designee shall keep the legislature, through the president
9 of the senate and the speaker of the house or their designees, informed, on a daily basis if possible, of
10 any ongoing settlement negotiations of the actual or potential claims described in sec. 1(1) of this Act,
11 including settlement negotiations that occur while the legislature is reviewing a proposed settlement
12 under this Act.

13 * Sec. 4. (a) Before the state binds itself with regard to any proposed settlement to resolve the actual
14 or potential claims described in sec. 1(1) of this Act, the governor shall submit the settlement to the
15 president of the senate and the speaker of the house.

16 (b) If a proposed settlement of claims described in (a) of this section is submitted to the
17 legislature, the state may not bind itself with regard to that settlement unless the legislature by concurrent
18 resolution either waives its right to review the settlement or assents to it.

19 * Sec. 5. (a) Information relevant to any proposed settlement submitted to the legislature under sec. 2
20 or 4 of this Act, including the terms of the settlement, is not confidential, except as required by law.

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

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

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO: HB 213

Revision Date: _____
Title: "An Act requiring the governor to notify the legislature... negotiations on Exxon oil spill claims..."
Sponsor: Representative Gruenberg
Requestor: House Finance

Department Affected: Legislative Affairs Agency
BRU: Legislative Council

Component: Session Expenses
Salaries & Allowances

COMPONENT SERIAL NO: 782 & 776

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

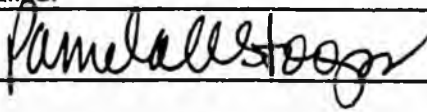
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

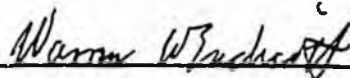
HB 213 requires the Governor to notify the Legislature regarding settlement negotiations on Exxon Valdez oil spill claims. A section in the bill says the Governor may not enter into the settlement until the Governor has convened the Legislature in Special Session, or the Legislature has convened itself into Special Session. The estimated cost of a Special Session is as follows: \$30,000 for travel and \$20,000 per day for limited floor staff & other personal services, per diem, contractual, supplies, etc. There is no fiscal impact unless a Special Session is called.

Prepared By: Pamela A. Stoops, Director
Division: Administrative Services



Phone: 465-3850
Date: 3/14/91

Approved By: Warren W. Endicott, Executive Director
Agency: Legislative Affairs Agency



Date: 3/14/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

State of Alaska

Committees

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VICE-CHAIR, HOUSE LABOR AND COMMERCE
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Representative Max F. Gruenberg, Jr.
District 11
Spennard, Upper Midtown Anchorage

MEMORANDUM

TO: Members of the House Finance Committee
FROM: Representative Max Gruenberg *MG*
DATE: March 15, 1991
RE: HB 213, the oil spill settlement oversight bill

I would very much appreciate your support of HB 213, the oil spill settlement oversight bill.

This bill provides for legislative review of any settlement of the Exxon Valdez oil spill litigation between the state and Exxon by:

1. requiring the governor to submit any settlement to the legislature, and
2. allowing time for the legislature to review and, if necessary, reject the settlement.

The administration has indicated that they intend to submit the settlement to the legislature for review. This bill sets up the procedure for that review process. Hopefully, its passage will provide the public assurance that the process will be open for public input and legislative review.

If you have any questions concerning HB 213, please contact me or my Legislative Assistant, Mark Handley, at ext. 4968.

Thank you.