

HB508

HOUSE COMMITTEE REPORT

(11)

Date Referred: 2/28/92

FURTHER REFERRALS:

Date of Committee Action: 3/11/92

The FINANCE Committee considered:

HB 508

HOUSE BILL NO. 508

BUSINESS PARK WETLANDS SPECIAL MGT AREA

"An Act relating to the establishment of the Business Park Wetlands Special Management Area; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS HB 508 (FIN) the same title

a new 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 _____ fish game

zero fiscal note(s) _____ DNR 2-28-92

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<u>Mike Navarre</u> NAVARRE	✓	<u>EP Machean</u> Machean		✓	
<u>Mark Boyer</u> Boyer	✓	<u>Boyd Sharp</u> Sharp		✓	
<u>Tan Brown</u> BROWN	✓				
<u>Koponen</u> Koponen	✓				
<u>Phillips</u> Phillips	x				
<u>JACKO</u> JACKO	x				
<u>BARNES</u> BARNES	x				

Mike Navarre NAVARRE
EP Machean Machean
 CHAIRMAN'S SIGNATURE

**STATE OF ALASKA
1992 LEGISLATIVE SESSION**

No. 1
Version: CSHB 508 (RES)
Publish Date: 2-28-92

Revision Date: _____ Department Affected: Natural Resources
 Title: Business Park Wetlands Special BRU: Land Management
Management Area Component: Land Management
 Sponsor: Rep. Gruenberg
 Requestor: House Resources COMPONENT SERIAL NO.

4	2	3
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						

REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

All management, upkeep, development, etc. costs for this area will be borne by the Business Park Wetlands Coalition or its successor.

Prepared By: Carol J. Wilson Phone: 465-2400
 Division: Commissioner's Office Date: 2-26-92
 Approved by Commissioner: Harold C. Hainze *HC 2/26/92*
 Agency: Natural Resources Date: 2-26-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB508

Revision Date: 2/25/92

Department Affected: Fish and Game

Title: Business Park Wetland

BRU: Habitat

Management Area _____

Component: Habitat

Sponsor: Gruenberg, Ellis, Donley

Requestor: House Resources Committee

COMPONENT SERIAL NO.

	4	8	5
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
TOTAL OPERATING	0					

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

GENERAL FUND	0					
FEDERAL FUNDS	0					
OTHER FUND SOURCE:	0					
TOTAL	0					

POSITIONS:

FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

Estimate of current year impact: No impact on current year.

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Frank Rue, Director

Phone: 465-4105

Division: Habitat

Date: 2/25/92

Approved by Commissioner: Rose Somerville

Agency: Department of Fish and Game

Date: 2/25/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. OSC., & Impacted Agency(ies).

7-LS2048M
Luckhaupt
3/10/92

CS FOR HOUSE BILL NO. 508 (FIV)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GRUENBERG, Ellis, Donley, Leman

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the establishment of the Business Park Wetlands Special Management
2 Area; and providing for an effective date."

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

4 * Section 1. AS 41.21 is amended by adding new sections to read:

5 Sec. 41.21.518. BUSINESS PARK WETLANDS SPECIAL MANAGEMENT AREA
6 ESTABLISHED. The present and future state-owned land and water within the parcels described
7 in this section, are designated as the Business Park Wetlands Special Management Area. The
8 special management area is established to protect and preserve this land and water for its unique
9 and exceptional fishery and wildlife resources and habitat and recreational and scenic resource
10 values, and to designate it as a special purpose site in accordance with art. VIII, sec. 7, of the
11 Constitution of the State of Alaska. The state-owned land and water within the following parcels
12 is reserved from all uses incompatible with its primary function as a special management area,
13 except for utility easements, and is assigned to the department:

14 Township 13 North, Range 3 West, Seward Meridian

1 Section 31: N1/2SW1/4NW1/4 Parcel 25
 2 N1/2SE1/4NW1/4 Tract A Doubletree Center Subdivision
 3 N1/2S1/2NW1/4NW1/4 Parcel 28
 4 South 375 feet of Government Lot 1 except that portion included within
 5 the boundaries of the Pyhala Subdivision according to plat P - 197.

6 Sec. 41.21.520. INCOMPATIBLE USES. (a) The commissioner may designate by
 7 regulation incompatible uses for the state-owned land and water within the Business Park
 8 Wetlands Special Management Area in accordance with the requirements of AS 41.21.518 -
 9 41.21.522.

10 (b) In designating incompatible uses by regulation under (a) of this section, the
 11 commissioner shall consult with the public, the Business Park Wetlands Coalition, or any
 12 successor organization.

13 Sec. 41.21.522. ACQUISITIONS AUTHORIZED; EMINENT DOMAIN PROHIBITED.
 14 The commissioner may acquire by gift or purchase in the name of the state title to or interest in
 15 real property within the Business Park Wetlands Special Management Area. The state may not
 16 acquire by eminent domain privately owned land for inclusion in the Business Park Wetlands
 17 Special Management Area.

18 * Sec. 2. ACQUISITION BY AGREEMENT. The commissioner of natural resources may enter
 19 into agreements with the Business Park Wetlands Coalition or any successor organization regarding the
 20 maintenance of the land described in AS 41.21.518, as added by sec. 1 of this Act. Notwithstanding
 21 AS 36, and AS 41.21.010 - 41.21.040, in the agreement the commissioner may provide that the Business
 22 Park Wetlands Coalition or any successor organization may be responsible for maintaining the Business
 23 Park Wetlands Special Management Area as directed by the commissioner.

24 * Sec. 3. Section 2 of this Act takes effect immediately under AS 01.10.070(c).

25 * Sec. 4. Section 1 of this Act takes effect when (1) the initial agreement is reached under sec.
 26 2 of this Act between the commissioner of natural resources and the Business Park Wetlands Coalition
 27 concerning the maintenance of the state land and water as described in AS 41.21.518; and (2) the state
 28 has taken title to any land and water described within AS 41.21.518. The commissioner of natural
 29 resources shall give notice of the date on which the conditions of this section are met to the lieutenant
 30 governor and the revisor of statutes.

State of Alaska

House Majority Leader
COMMITTEES
HOUSE JUDICIARY
HOUSE RULES
HOUSE STATE AFFAIRS
SPECIAL COMMITTEE
MILITARY AND VET. AFFAIRS
LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

P.O. Box V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

MEMORANDUM

TO: Members of the House Finance Committee

FROM: Representative Max Gruenberg *Max*

DATE: March 4, 1992

RE: Support for HB 508, "The Business Park Wetlands Bill"

I would very much appreciate your support for HB 508.

HB 508 creates the the Business Park Wetlands Special Use Area (approximately 30 acres). The Business Park Wetlands are an incredibly productive nesting area for waterfowl in central Anchorage. Funds for the purchase of the property inside the Business Park Wetlands have been donated by groups such as Ducks Unlimited and Exxon Corporation.

HB 508 is somewhat similar to HB 200, which the governor vetoed last summer. However, it contains improvements worked out with the governors office, the Municipality of Anchorage, and the Business Park Wetlands Coalition. We have been informed that this new concept has the support of all of these interests.

If you have any questions or comments please contact my legislative assistant, Mark Handley at 465-4968.

Thank you very much.

Enclosures.

HB508.SUP\MTH

STATE OF ALASKA

ALTER J. HICKEL, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400
FACSIMILE: (907) 586-2754

February 26, 1992

The Honorable Cliff Davidson, Chair
House Resources Committee
State Capitol
Juneau, AK 99811-1182

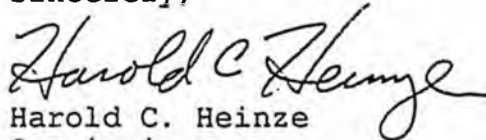
Dear Representative Davidson:

Subject: CSHB 508 (Res), establishing the Business Park Wetlands Special Management Area.

Position: The Department of Natural Resources does not object to receiving title to this special area, as long as the land is free of hazardous waste and the agreement referred to in Section 2 of the bill assures that all management, development, and operating expenses for the site will be borne by a private sector organization. Should that organization terminate the agreement, the state would not have the funds to actively manage the area and needs the flexibility to close it until another organization assumes responsibility.

Background: The mid-town Anchorage area to be included in the Business Park Wetlands Special Management Area currently contains no state-owned land. The Municipality of Anchorage is willing to donate land it owns in the area to the state (approximately 5 acres), and the Business Park Wetlands Coalition is willing to purchase other acreage at the site and donate that land to the state. The Coalition is also willing to maintain and manage the area at no cost to the state.

Sincerely,



Harold C. Heinze
Commissioner

cc: Committee Members
Representative Gruenberg
Representative Ellis
Representative Donley
Paul Fuhs, Legislative Liaison, Office of the Governor
Ron Swanson, Division of Land