

HOUSE BILL NO. 537

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Introduced: 2/29/96

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act renaming the division of geological and geophysical surveys in the
2 Department of Natural Resources as the department's division of mining and
3 geology, and revising the duties of the state geologist within that division; and
4 providing for an effective date."

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

6 * **Section 1.** AS 39.25.110(14) is amended to read:

7 (14) petroleum engineers and petroleum geologists employed in a
8 professional capacity by the Department of Natural Resources and by the Oil and Gas
9 Conservation Commission, except for those employed in the division of **mining and**
10 **geology** [GEOLOGICAL AND GEOPHYSICAL SURVEYS] in the Department of
11 Natural Resources;

12 * **Sec. 2.** AS 41.08.010 is amended to read:

13 Sec. 41.08.010. DIVISION OF **MINING AND GEOLOGY** [GEOLOGICAL
14 AND GEOPHYSICAL SURVEYS]. There is established in the department a division

1 of **mining and geology** [GEOLOGICAL AND GEOPHYSICAL SURVEYS UNDER
2 THE DIRECTION OF THE STATE GEOLOGIST].

3 * **Sec. 3.** AS 41.08.015 is amended to read:

4 Sec. 41.08.015. STATE GEOLOGIST. The commissioner shall appoint the
5 state geologist [, WHO MUST BE QUALIFIED BY EDUCATION AND
6 EXPERIENCE TO DIRECT THE ACTIVITIES OF THE DIVISION].

7 * **Sec. 4.** AS 41.08.020 is amended to read:

8 Sec. 41.08.020. POWERS AND DUTIES. (a) **Under the supervision of the**
9 **director of the division of mining and geology, the** [THE] state geologist shall
10 conduct geological and geophysical surveys to determine the potential of Alaskan land
11 for production of metals, minerals, fuels, and geothermal resources; the locations and
12 supplies of groundwater and construction materials; the potential geologic hazards to
13 buildings, roads, bridges, and other installations and structures; and shall conduct such
14 other surveys and investigations as will advance knowledge of the geology of the state.
15 With the approval of the **director of the division of mining and geology**
16 [COMMISSIONER], the state geologist may acquire, by gift or purchase, geological
17 and geophysical reports, surveys, and similar information.

18 (b) In addition, the division of **mining and geology** [GEOLOGICAL AND
19 GEOPHYSICAL SURVEYS] shall [:]

20 (1) collect, record, evaluate, and distribute data on the quantity, quality,
21 and location of underground, surface, and coastal water of the state;

22 (2) publish or have published data on the water of the state;

23 (3) require the filing with it of the results and findings of surveys of
24 water quality, quantity, and location;

25 (4) require of water well contractors, the filing with it of basic water
26 and aquifer data normally obtained, including but not limited to well location,
27 estimated elevation, well driller's logs, pumping tests and flow measurements, and
28 water quality determinations;

29 (5) accept and spend funds for the purposes of this section,
30 AS 41.08.017, and 41.08.035 and enter into agreements with individuals, public or
31 private agencies, communities, private industry, state agencies, and agencies of the

- 1 federal government;
- 2 (6) collect, evaluate, and distribute geologic data on seismic events and
3 engineering geology of the state;
- 4 (7) identify potential seismic hazards that might affect development in
5 the state;
- 6 (8) inform public officials and industry about potential seismic hazards
7 that might affect development in the state.

8 * **Sec. 5.** AS 41.08.030 is amended to read:

9 Sec. 41.08.030. **PRINTING AND DISTRIBUTION OF REPORTS.** The
10 **division of mining and geology** [STATE GEOLOGIST] shall print and publish an
11 annual report and such other special and topical reports and maps as may be desirable
12 for the benefit of the state, including the printing or reprinting of reports and maps
13 made by other persons or agencies, where authorization to do so is obtained. Reports
14 and maps may be sold and all money received from these sales shall be paid into the
15 general fund.

16 * **Sec. 6.** AS 41.08.040 is amended to read:

17 Sec. 41.08.040. **COOPERATION WITH OTHER AGENCIES.** The state
18 geologist, with the consent of the **director of the division of mining and geology**
19 [COMMISSIONER], may enter into cooperative agreements with federal, state, and
20 local governmental agencies to perform geological and geophysical surveys, studies,
21 investigations, and services.

22 * **Sec. 7.** **TRANSITION.** (a) Litigation, hearings, investigations, and other proceedings
23 pending under a law amended by this Act, or in connection with functions transferred by this
24 Act, continue in effect and may be continued and completed notwithstanding a transfer or
25 amendment provided for in this Act.

26 (b) Regulations adopted by the Department of Natural Resources that refer to the
27 former division of geological and geophysical surveys in that department remain in effect and
28 may be implemented and enforced until the department makes changes to those regulations
29 that reflect this Act.

30 (c) Contracts, rights, liabilities, and obligations created by or under a law amended
31 by this Act and in effect on the effective date of this Act remain in effect notwithstanding this

1 Act's taking effect. Records, equipment, appropriations, and other property of the
2 state whose functions are transferred under this Act shall be transferred to implement the
3 provisions of this Act.

4 * **Sec. 8.** This Act takes effect only if the changes proposed by Executive Order 92 do not
5 take effect.

6 * **Sec. 9.** This Act takes effect July 1, 1996.