

**HOUSE BILL NO. 69**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES KOHRING, Masek, Chenault, Harris, Gatto, Stoltze, Heinze, Morgan, Rokeberg, Anderson, Wilson, Hawker, Foster, Croft, Dahlstrom**

**Introduced: 1/29/03**

**Referred: House Special Committee on Oil and Gas, Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to regulation of shallow natural gas leasing and closely related energy**  
2 **projects; and providing for an effective date."**

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

4 **\* Section 1.** AS 31.05.060 is amended by adding a new subsection to read:

5 (c) Notwithstanding the requirements of (a) and (b) of this section that relate  
6 to fixing a date for a hearing and causing notice of the hearing to be given, for an  
7 action under this chapter that involves the exploration for or development of shallow  
8 natural gas or coal bed methane and that has application to a single well or a single  
9 field, upon the request of a lessee or operator, a member of the professional staff of the  
10 commission designated by the commission may, where operations might be unduly  
11 delayed, approve a variance from the commission's regulations that apply to the well  
12 or field without conforming to requirements of (b) of this section. In the exercise of  
13 its authority to issue the variance,

14 (1) the professional staff member or the commission may approve the

1 variance if

2 (A) the approval provides at least an equally effective means of  
3 accomplishing the requirement set out in the commission's regulation; or

4 (B) the professional staff member or the commission  
5 determines that the request is more appropriate to the proposed operation than  
6 compliance with the requirement of the regulation; and

7 (2) the terms of the approval of the variance may include exempting  
8 the lessee or operator from a requirement of a regulation if the professional staff  
9 member or the commission determines that the requirement is not necessary or not  
10 suited to the well or field taking into consideration

11 (A) the nature of the operation involved;

12 (B) the characteristics of the well or field for which the  
13 variance is sought; and

14 (C) the reasonably anticipated risks of the exemption from the  
15 requirement to human safety and the environment.

16 \* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).