

Amended: 4/27/90
Offered: 4/20/90
Referred: Rules

go0679hJ

Original sponsor(s): Rules/Governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 55 (Judiciary) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Oil and Gas Conserva-
7 tion Commission."

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

9 * Section 1. AS 31.05.027 is amended to read:

10 Sec. 31.05.027. LAND SUBJECT TO COMMISSION'S AUTHORITY. The
11 authority of the commission applies to all land in the state lawfully
12 subject to its police powers, including [. IT APPLIES TO] land of the
13 United States and [OR TO] land subject to the jurisdiction of the
14 United States [ONLY TO THE EXTENT THAT CONTROL AND SUPERVISION OF
15 CONSERVATION OF OIL AND GAS AND PREVENTION OF WASTE BY THE UNITED
16 STATES ON ITS LAND FAILS TO CARRY OUT THE INTENT AND PURPOSES OF THIS
17 CHAPTER, AND OTHERWISE APPLIES TO FEDERAL LAND SO FAR AS AN OFFICER OF
18 THE UNITED STATES HAVING JURISDICTION, OR AN AUTHORIZED REPRESENTA-
19 TIVE, SHALL APPROVE ANY OF THE PROVISIONS OF THIS CHAPTER OR ORDERS
20 OF THE COMMISSION WHICH AFFECT LAND]. The authority of the commission
21 further applies to all land included in a voluntary cooperative or
22 unit plan of development or operation entered into in accordance with
23 AS 38.05.180(p).

24 * Sec. 2. AS 31.05.150(a) is amended to read:

25 (a) A person who negligently [WILFULLY] violates a provision of
26 this chapter, or a regulation or order of the commission adopted under
27 this chapter, is liable for [SUBJECT TO] a civil penalty of no [NOT]
28 more than \$5,000 a day [\$1,000] for each day [ACT] of violation [AND
29 FOR EACH DAY THAT THE VIOLATION CONTINUES], unless the penalty for

1 violation is otherwise provided for and made exclusive in this chap-
2 ter.

3 * Sec. 3. AS 31.05.150(b) is amended to read:

4 (b) A [IF A] person who, for the purpose of evading this chapter
5 [,] or any regulation or order of the commission adopted under this
6 chapter, knowingly commits an act specified in AS 11.46.630(a) is
7 guilty of a class A misdemeanor [WILFULLY MAKES OR HAS MADE A FALSE
8 ENTRY IN A RECORD, ACCOUNT OR MEMORANDUM REQUIRED BY THIS CHAPTER, OR
9 BY A REGULATION OR ORDER, OR WILFULLY OMITTS, OR CAUSES TO BE OMITTED,
10 FROM A RECORD, ACCOUNT OR MEMORANDUM, FULL, TRUE AND CORRECT ENTRIES
11 AS REQUIRED BY THIS CHAPTER, OR BY A REGULATION OR ORDER, OR REMOVES
12 FROM THE STATE OR DESTROYS, MUTILATES, ALTERS OR FALSIFIES SUCH RE-
13 CORD, ACCOUNT OR MEMORANDUM, THE PERSON IS GUILTY OF A MISDEMEANOR,
14 AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$5,000,
15 OR BY IMPRISONMENT IN JAIL FOR NOT MORE THAN SIX MONTHS, OR BY BOTH].

16 * Sec. 4. AS 31.05.150 is amended by adding a new subsection to read:

17 (f) A person who knowingly violates a regulation or order of the
18 commission is guilty of a misdemeanor punishable by a fine of no more
19 than \$5,000 a day for each day of violation.