

COMMITTEE REPORT  
HOUSE

(11)

FURTHER:

4/13/64

Date: 5/1/64

The Committee on FINANCE has had SSSB 37 (Res)

"An Act relating to mining; and providing for an effective date."

under consideration and recommends:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for SSSB 37 (Res)  same title  
 new title
- and recommends SSSB 37 (Res)
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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CHAIRMAN

Original sponsors: Fahrenkamp, Faiks  
and Ziegler

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 371 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mining; and providing for an  
7 effective date."

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

9 \* Section 1. AS 38.05.150(c) is amended to read:

10 (c) Where prospecting or exploration work is necessary to deter-  
11 mine the existence or workability of coal deposits in an unclaimed and  
12 undeveloped area, the commissioner may issue to qualified applicants  
13 prospecting permits for a term of three [TWO] years, covering not more  
14 than [EXCEEDING] 5,120 acres with each permit. The commissioner shall  
15 grant a two-year extension of the initial three-year term of the per-  
16 mit if the permittee has conducted reasonably diligent prospecting or  
17 exploration activities in the area covered by the permit, has not been  
18 able to determine the existence and workability of coal deposits in  
19 the area, and wishes to continue prospecting or exploring in the area.  
20 The commissioner may grant up to three two-year extensions of the  
21 initial three-year term of the permit. At any time during the period  
22 of the permit, the permittee is entitled to a lease after submitting a  
23 mining plan satisfactory to the commissioner for that portion of the  
24 land in the permit as is shown to the satisfaction of the commissioner  
25 to contain coal in commercial quantities or to be needed for mining,  
26 reclamation, or processing the coal. [IF WITHIN THE PERIOD OF TWO  
27 YEARS THE PERMITTEE SHOWS TO THE COMMISSIONER THAT THE LAND CONTAINS  
28 COAL IN COMMERCIAL QUANTITIES AND SUBMITS A SATISFACTORY MINING PLAN  
29 FOR THE COAL'S RECOVERY, THE PERMITTEE SHALL BE ENTITLED TO A LEASE

1 FOR ALL OR PART OF THE LAND IN HIS PERMIT. A COAL PROSPECTING PERMIT  
2 MAY BE EXTENDED BY THE COMMISSIONER FOR A PERIOD OF TWO YEARS, IF HE  
3 FINDS THAT THE PERMITTEE HAS BEEN UNABLE, WITH THE EXERCISE OF REASON-  
4 ABLE DILIGENCE, TO DETERMINE THE EXISTENCE OR WORKABILITY OF COAL  
5 DEPOSITS IN THE AREA COVERED BY THE PERMIT AND DESIRES TO PROSECUTE  
6 FURTHER PROSPECTING OR EXPLORATION, OR FOR OTHER REASONS IN THE OPIN-  
7 ION OF THE COMMISSIONER WARRANTING EXTENSION.]

8 \* Sec. 2. AS 38.05.190(a) is amended to read:

9 (a) The right to acquire exploration and mining rights under  
10 AS 38.05.185 - 38.05.280 may be acquired or held only by

11 (1) citizens of the United States at least 18 [19] years of  
12 age;

13 (2) legal guardians or trustees of citizens of the United  
14 States under 18 [19] years of age on behalf of the [SUCH] citizens;

15 (3) persons at least 18 [19] years of age who have declared  
16 their intention to become citizens of the United States;

17 (4) aliens at least 18 [19] years of age if the laws of  
18 their country grant like privileges to citizens of the United States;

19 (5) associations of [SUCH] persons described in (1) - (6)  
20 of this subsection;

21 (6) corporations organized under the laws of the United  
22 States or of any state or territory of the United States and qualified  
23 to do business in this state, except that if more than 50 percent of  
24 the stock of a corporation is owned or controlled by aliens who are  
25 not qualified, the corporation is not qualified to acquire or hold the  
26 [SUCH] rights.

27 \* Sec. 3. AS 38.05.195 is amended to read:

28 Sec. 38.05.195. MINING CLAIMS. Rights to deposits of minerals  
29 subject to AS 38.05.185 - 38.05.280 in or on state land that is (LANDS

1 WHICH ARE] open to claim staking may be acquired by discovery, loca-  
2 tion and filing as prescribed in AS 38.05.185 - 38.05.280. The loca-  
3 tor has the exclusive right of possession and extraction of the [ALL  
4 SUCH] minerals subject to AS 38.05.185 - 38.05.280 lying within the  
5 boundaries of the [HIS] claim. A location may not exceed 1,320 feet  
6 in its longest dimension, and the [ITS] boundaries of a claim located  
7 after the effective date of this section shall run in the four  
8 cardinal directions unless the claim is a fractional claim or the  
9 commissioner determines that staking in compliance with this section  
10 is impractical because of local topography or because of the location  
11 of other claims. A location shall be distinctly marked on the ground  
12 in the manner prescribed by the commissioner and a notice of location  
13 shall be posted on the claim in the manner and containing the informa-  
14 tion required by the commissioner. Within 90 days after the date of  
15 posting the notice of location on the claim, the locator shall file  
16 for record in the recording district where the claim is located a  
17 certificate of location. The certificate of location shall contain  
18 the information required by the commissioner. Locations may be amend-  
19 ed in the manner and with the effect prescribed in AS 38.05.200.  
20 Annual labor shall be performed and statements of annual labor record-  
21 ed as prescribed in AS 38.05.210 - 38.05.235.

22 \* Sec. 4. AS 38.05.210 is amended by adding a new subsection to read:

23 (b) The statement of annual labor required in (a) of this sec-  
24 tion may be amended within two years of the date by which the annual  
25 labor statement was required to be filed. An amended statement shall  
26 be filed for record in the same manner as the original statement.  
27 Additional labor claimed in an amended statement may not be applied  
28 against labor required to be done during a subsequent year.

29 \* Sec. 5. AS 38.05.240 is amended to read:

1           Sec. 38.05.240. LABOR DEFINED FOR AS 38.05.210 - 38.05.235. In  
2 AS 38.05.210 - 38.05.235, "labor" includes [THE TERM "LABOR" WHERE  
3 USED IN SECS. 210 - 235 OF THIS CHAPTER INCLUDES, WITHOUT BEING LIMIT-  
4 ED TO,] geological, geochemical, geophysical, and airborne surveys  
5 conducted by qualified experts and verified by a detailed report filed  
6 in the recording district office in which the claim is located which  
7 sets out fully (1) the location of the work performed in relation to  
8 the point of discovery and boundaries of the claim, (2) the nature,  
9 extent, and cost of it [THEREOF], and (3) the name, address, and  
10 professional background of the person [OR PERSONS] conducting the  
11 work. [BASIC SURVEY FINDS SHALL BE FILED IN THE CENTRAL RECORDING  
12 OFFICE OF THE DEPARTMENT OF NATURAL RESOURCES, BUT KEPT CONFIDENTIAL  
13 AND RELEASED ONLY IF THE CLAIM OR PROSPECTING SITE LAPSES.] The  
14 commissioner, by regulation, shall define the nature of acceptable  
15 survey work and the qualifications of a person competent to perform  
16 this work. The airborne surveys, however, may not be applied as labor  
17 for more than two consecutive years or for more than a total of five  
18 years on any one mining claim, and each of those surveys shall be  
19 nonrepetitive of any previous survey on the same claim.

20 \* Sec. 6. AS 38.05.245(a) is amended to read:

21           (a) Before the discovery of valuable minerals, an exclusive  
22 right to prospect by geophysical, geochemical and similar methods may  
23 be acquired by marking boundaries and posting a notice of location of  
24 a prospecting site in a manner and containing the [SUCH] information  
25 [AS] the commissioner requires. A prospecting site may not exceed  
26 2,640 feet in its longest dimension and its boundaries shall run in  
27 the four cardinal directions. A certificate of location shall be  
28 filed for record in the recording district where the prospecting site  
29 is located within 90 days after posting the notice of location [, AND

1 A COPY OF THE CERTIFICATE SHALL ALSO BE MAILED TO THE DIRECTOR WITHIN  
2 THE 90 DAY PERIOD]. The locator of a prospecting site has the exclu-  
3 sive right to stake mining claims or leasehold locations within the  
4 boundaries of the [HIS] site.

5 \* Sec. 7. AS 38.05.245(c) is amended to read:

6 (c) A [NO] person may not hold [LOCATE] more than eight [SIX]  
7 prospecting sites in one township at one time [CALENDAR YEAR IN ONE  
8 RECORDING DISTRICT]. A prospecting site remains in effect for one  
9 year after the notice of location is posted and may, at the discretion  
10 of the director, be extended for one year periods. During each year,  
11 work of a type compatible with the purpose of this section and accept-  
12 able to the director shall be done. The minimum expenditure for the  
13 work shall be established by the commissioner uniformly for all pros-  
14 pecting sites. Where adjacent prospecting sites are held in common  
15 the expenditure may be made on any one or more locations. If a pros-  
16 pecting site expires, neither the locator nor a [HIS] successor in  
17 interest of the locator may again hold [LOCATE] the same prospecting  
18 site or any portion of it, as a prospecting site, for a period of one  
19 year [TWO YEARS] following the date of expiration or abandonment; nor  
20 may the locator or a successor in interest of the locator [HE], during  
21 the year [TWO YEARS], either directly or indirectly, obtain a benefi-  
22 cial interest in the same prospecting site or a portion of it.

23 \* Sec. 8. AS 38.05.250(a) is amended to read:

24 (a) The exclusive right to prospect for deposits of minerals  
25 subject to AS 38.05.185 - 38.05.275 in or on tide and submerged state  
26 land [LANDS] may be granted by a permit issued by the director. Per-  
27 mits shall be granted to the first qualified applicant. No permit may  
28 include an area larger than 2,560 acres, subject to the rule of ap-  
29 proximation. Land [LANDS] subject to a prospecting permit shall be as

compact in form as possible taking into consideration the area involved. The term of the permit shall be 10 [SEVEN] years. Prospecting permits shall be conditioned upon payment of rental against which credit shall be given for useful expenditures on land covered by the permit or group of contiguous permits under common ownership or assignment. Excess expenditures may be applied against rentals due for the following four [TWO] years. The rental shall be \$6 [\$3] per acre for the first two-year period of the permit, payable on the second anniversary of the permit and \$3 per acre for each following year, payable annually on the anniversary date of the permit [AT THE END OF EACH YEAR]. No minerals from land [LANDS] under a prospecting permit may be mined and marketed or used, except for limited amounts necessary for sampling or testing. No person may take or hold prospecting permits for minerals on state land under this section exceeding in the aggregate 100,000 acres. No person may take or hold leases for minerals on state land under this section exceeding in the aggregate 46,080 acres.

\* Sec. 9. AS 38.05.250(a) is amended to read:

(a) The exclusive right to prospect for deposits of minerals subject to AS 38.05.185 - 38.05.275 in or on tide and submerged state land may be granted by a permit issued by the director. Permits shall be granted to the first qualified applicant. No permit may include an area larger than 2,560 acres, subject to the rule of approximation. Lands subject to a prospecting permit shall be as compact in form as possible taking into consideration the area involved. The term of the permit shall be 10 years. Prospecting permits shall be conditioned upon payment of rental against which credit shall be given for useful expenditures on land covered by the permit or group of contiguous permits under common ownership or assignment. Excess expenditures may

1 be applied against rentals due for the following four years. The  
2 rental shall be \$6 per acre for the first two-year period of the  
3 permit, payable on the second anniversary of the permit and \$3 per  
4 acre for each following year, payable annually on the anniversary date  
5 of the permit. No minerals from land under a prospecting permit may  
6 be mined and marketed or used, except for limited amounts necessary  
7 for sampling or testing. No person may take or hold prospecting  
8 permits for minerals on state land under this section exceeding in the  
9 aggregate 300,000 [100,000] acres. No person may take or hold leases  
10 for minerals on state land under this section exceeding in the aggre-  
11 gate 100,000 [46,080] acres.

12 \* Sec. 10. AS 38.05.250(b) is amended to read:

13 (b) (UPON DISCOVERY, THE RIGHT TO POSSESS AND EXTRACT THE MINER-  
14 ALS MAY BE ACQUIRED BY NONCOMPETITIVE LEASE.) A noncompetitive lease  
15 shall be granted to a holder of a prospecting permit for so much of  
16 the land subject to the permit as is shown to the satisfaction of the  
17 director to contain workable mineral deposits. Submerged land [LANDS]  
18 containing known deposits of minerals subject to AS 38.05.185 - 38.-  
19 05.275 may, in the discretion of the director, be offered by con-  
20 petitive bid. The land [THESE LANDS] shall be leased to the [RESPONS-  
21 IBLE] qualified person offering the highest amount of cash bonus.

22 \* Sec. 11. AS 38.05.250(c) is amended to read:

23 (c) Leases for submerged land [LANDS] shall be conditioned upon  
24 payment of an annual rental of \$3 an acre. Expenditures on or for the  
25 benefit of the leasehold may be credited against the rental. Rent  
26 shall be paid or a statement of annual labor shall be filed within 90  
27 days after each anniversary date of the lease. All submerged land  
28 mining leases shall be for a period of up to 20 [10] years, and for so  
29 long as there is production in paying quantities from the leased area.

1 The commissioner may make reasonable adjustments of the rental rate at  
2 the end of each 10-year period, based upon changed conditions in  
3 production costs and market.

4 \* Sec. 12. AS 38.05.250 is amended by adding a new subsection to read:

5 (d) The commissioner may, for the purpose of encouraging the  
6 greatest ultimate recovery of minerals under this section and in the  
7 interest of conservation, on the request of the lessee, assent to the  
8 suspension of operation and production under a lease whenever in the  
9 judgment of the commissioner the suspension is necessary to promote  
10 development of the lease or the lease cannot be successfully operated  
11 under its terms. The payment of acreage rental may be suspended  
12 during the period of suspension of operation and production. The  
13 suspension of the lease shall extend the term of the lease by adding  
14 the period of suspension to the lease. The commissioner may extend  
15 the term of a nonproducing lease on an application by the lessee  
16 accompanied by a showing that the lessee is reasonably close to  
17 attaining production and that, despite diligent good faith efforts by  
18 the lessee, the lessee is not able to produce due to force majeure,  
19 depressed market conditions, or other situations beyond the reasonable  
20 control of the lessee.

21 \* Sec. 13. AS 38.05.265 is amended to read:

22 Sec. 38.05.265. ABANDONMENT. Failure to (1) properly file for  
23 record a certificate of location or a statement of annual labor, or  
24 (2) file with the director within the time prescribed a lease applica-  
25 tion [OR A COPY OF A PROSPECTING SITE LOCATION CERTIFICATE], or (3)  
26 pay rental or receive credit for rental, or (4) keep location bound-  
27 aries clearly marked, all as required by AS 38.05.185 - 38.05.280 and  
28 by regulations adopted under these sections, constitutes abandonment  
29 of all rights acquired under the mining lease, location, or site in-

1        volved, and it is subject to relocation by others. If a location is  
2        not relocated by another person within [WITH] one year after the  
3        [SUCH] failure, [OR, IN THE CASE OF A PROSPECTING SITE, TWO YEARS,]  
4        the locator or claimant of the abandoned location, or a [HIS] succes-  
5        sor in interest, may return to relocate it as though it had never been  
6        located. A statement of annual labor which does not accurately set  
7        out the essential facts is void and of no effect.

8        \* Sec. 14. AS 38.05.275 is amended to read:

9            Sec. 38.05.275.        RECOGNITION OF LOCATIONS. Mining locations  
10        made on state land [LANDS], including shorelands, tidelands or sub-  
11        merged land [LANDS,] or state selected land [LANDS], under AS 36.05.-  
12        185 - 38.05.280 or in the manner described in AS 27.10 acquire for the  
13        locator mining rights under AS 38.05.185 - 38.05.280, subject to  
14        existing claims and to any denial of or restriction in the tentative  
15        approval of state selection or [OF THE] patent of the land [LANDS] to  
16        the state. If shorelands, tidelands or submerged land is [LANDS ARE]  
17        included in a mining location or within the projected boundaries of a  
18        mining location made in accordance with this section, the locator  
19        shall [IS REQUIRED TO] file a certificate of location under [WITH THE  
20        DIVISION OF LANDS WITHIN 90 DAYS FOLLOWING THE DATE OF POSTING THE  
21        NOTICE OF LOCATION, IN ADDITION TO FILING A CERTIFICATE OF LOCATION AS  
22        REQUIRED BY] AS 38.05.195. The certificate of location must identify  
23        the position of the mining location in the system of rectangular or  
24        protracted surveys. If the mining location is made in the manner  
25        described in AS 27.10, the commissioner may require that the locator  
26        amend the mining location to conform with AS 38.05.185 - 38.05.280 and  
27        thereafter to comply with the requirements of AS 38.05.185 -  
28        38.05.280.

29        \* Sec. 15. AS 27.05.080 is amended to read:

1           Sec. 27.05.080. PUBLIC ASSAY OFFICES. The department shall, for  
2 the purpose of aiding bona fide miners and prospectors and stimulating  
3 mineral discoveries, establish a [AT LEAST ONE] public assay office  
4 [IN EACH OF THE FOUR JUDICIAL DISTRICTS]. The department may adopt  
5 regulations and establish procedures considered necessary and expedi-  
6 ent to carry out this section and AS 27.05.090.

7 \* Sec. 16. AS 27.05.180 - 27.05.210 and AS 27.15.010 are repealed.

8 \* Sec. 17. Sections 3 and 9 of this Act take effect January 1, 1985.  
9 Sections 6 and 14 of this Act take effect September 1, 1984. Sections 1 -  
10 2, 4 - 5, 7 - 8, 10 - 13, and 15 - 16 of this Act take effect July 1, 1984.  
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STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/9/84

REQUEST

Bill/Resolution No. HCSCSB 371 (Fin)  
Title: relating to mining

FISCAL DETAIL

Agency Affected: Natural Resources  
Program Category Affected: NRMEC

Sponsor: Fahrenkamp  
Requestor: Senate Resources Committee  
Date of Request: 2/7/84

BRU, Program or Subprogram(s) Affected:  
Minerals and Energy Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Nea Farquhar Phone: 465-2400  
Division: Commissioner's Office Date: 2/9/84

Approved by Commissioner: Alvin D. Arnold Deputy Date: 2/9/84  
Agency: Department of Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

POUCH M  
JUNEAU, ALASKA 99811  
PHONE: 907-465-2400



April 23, 1984

The Honorable Al Adams  
Chairman  
House Committee on Finance  
Pouch V  
Juneau, AK 99811

Dear Representative Adams:

I am writing about HCS CSSB 371 (Res), the Title 38 mining bill that has recently been passed out by the House Committee on Resources. Although we have worked closely with legislative staff in the drafting of this bill and generally support it, the Department has two concerns with the bill in its present form.

The bill was drafted to clean up the mining statutes, but amendments along the way have had a more substantive character. I urge the consideration of two amendments that would restore the bill's original character.

Our first concern is with Section 12 of the House CS. The Senate Resources Committee added this section to allow the Commissioner to suspend mining leases under some conditions. However, some critical wording that had been agreed to by the Department and the Alaska Miners Association was left out of the amendment. This wording, shown in the proposed amendment to Section 12 on the attached page, would set certain guidelines for the Commissioner's consideration of an application for a mining lease suspension. Similar language is found in our other leasing statutes and should be incorporated here. I have been assured that this wording is not controversial.

Our second concern is that the Resources Committee eliminated the first year's rental on offshore prospecting permits. At this time, expenses are chargeable against the annual rental anyway, and it is my belief that removal of the first year's rental will do nothing to encourage diligence on the part of the prospector. The fiscal impact on the state will be practically nil because prospectors almost uniformly either prospect their permits and charge their costs against the rental or drop the permit prior to the second anniversary date, when rental for the first two years would fall due under this bill. We are not sure what rental charge would be most equitable to the prospector and the

The Honorable Al Adams

-2-

April 23, 1984

resource, but we are convinced that the already existing rental charge of \$6/acre in the first two years is much more likely to encourage diligence than the new \$3/acre rental adopted in the House Resources Committee Substitute. Our proposed amendment to Section 8 is also attached.

Please contact me if you have any questions about the Department's position on this bill.

Sincerely,

*B. W. Arnold, Deputy*  
† Esther C. Wunnicke  
Commissioner

cc: Senator Bettye Fahrenkamp  
Representative John Ringstad

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/9/84

REQUEST

Bill/Resolution No.: <sup>HCS</sup> SB 371 (RES)  
Title: relating to mining

FISCAL DETAIL

Agency Affected: Natural Resources  
Program Category Affected: NRMEC

Sponsor: Fahrenkamp  
Requestor: Senate Resources Committee  
Date of Request: 2/7/84

BRU, Program or Subprogram(s) Affected:  
Minerals and Energy Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Ned Farquhar Phone: 465-2400  
Division: Commissioner's Office Date: 2/9/84

Approved by Commissioner: William D. Adams Deputy Date: 2/9/84  
Agency: Department of Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
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- Impacted Agency(ies)

# Alaska State Legislature

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BOB MULCAHY  
ARLISS STURGULEWSKI



POUCH V  
STATE CAPITAL  
JUNEAU, ALASKA 99811  
(907) 465-3834  
(907) 465-3835

## Senate

### Committee on Resources

April 19, 1984

Representative Al Adams  
Chairman, House Finance Committee  
Pouch V  
Juneau, AK 99802

Dear Al:

HCS CS SB 371 (Res), an Act relating to mining, is currently in the House Finance Committee.

Over the last several months the Senate Resources Committee has undertaken a comprehensive review of Title 38, the State's land statutes. SB 371, which clarifies and revises current law governing mining, is the product of a thorough public comment process including public hearings in Fairbanks, Anchorage and Juneau. The changes proposed will allow for more efficient implementation of mining law, and have no fiscal impact.

I would appreciate your scheduling a hearing on SB 371, and am willing to discuss the bill with you at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Bettye".

Bettye Fahrenkamp  
Chairman

BF:ss

# Alaska State Legislature

BETTYE FAHRENKAMP, Chairman  
ROBERT H. ZIEGLER, SR., Vice Chairman  
DICK ELIASON  
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## Senate

### Committee on Resources

April 18, 1984

#### SUMMARY OF MAJOR PROVISIONS OF HCS CSSB 371 (Res)

CURRENT STATUTE

SB 371

#### Coal Prospecting Permits

AS 38.05.150(c) establishes the term of a coal prospecting permit as 2 years with one 2-year extension.

( An extension is granted if the Commissioner determines that diligent exploration activities have been conducted. Prior to expiration of a permit, a lease will be granted if the permittee shows that the land contains coal in commercial quantities and submits a mining plan.)

Section 1 would extend the coal prospecting permit term to 3 years with three 2-year extensions.

#### Statements of Annual Labor

AS 38.05.210-.240 governs the performance of annual labor on mining claims on State land. A report of labor performed must be filed annually with DNR.

Section 4 would allow affidavits of annual labor to be corrected by amendment.

### Survey Finds

Under AS 38.05.240, to satisfy annual labor requirements, geological, geochemical, geophysical, and airborne surveys conducted on mining claims are reported to DNR. Basic survey finds must also be filed with DNR, and are kept confidential and released only if the claim lapses.

Section 5 would delete the provision that basic survey finds be filed with DNR.

### Prospecting Sites

Under AS 38.05.245, the locator of a prospecting site has the exclusive right to stake mining claims of leasehold locations within the boundaries of his site. No person may locate more than 6 prospecting sites in one calendar year in one recording district.

Section 7 amends the number of prospecting sites allowed to 8 held in one township at one time.

AS 38.05.265 establishes the waiting period for relocation of mining locations and prospecting sites following abandonment as one year for mining locations and two years for prospecting sites. (Abandonment is defined as failure to pay rental; to file a certificate of location, a statement of annual labor, or a prospecting site certificate; or to keep boundaries marked.)

Section 10 would shorten the waiting period following abandonment of a prospecting site from 2 years to 1 year.

## Offshore Prospecting

The exclusive right to prospect for minerals in or on tide and submerged lands may be granted under AS 38.05.250. .250(a) governs offshore prospecting permits. The permit term is set at 7 years; the annual rental is set at \$3/acre, with expenditures applying against rentals for the following 2 years. The acreage limitation is established at 100,000 acres.

Upon discovery, a non-competitive lease may be acquired under AS 38.05.250(b). The lease term is set at 10 years; the acreage limitation is established at 46,080 acres.

AS 38.05.250(c) specifies that a submerged land mining lease is valid only as long as there is production in paying quantities from the leased area.

Section 8 increases the permit term to ten years, delays rental payments for the first year, and allows expenditures to be applied against the following 4 years. The acreage limitation is increased to 300,000 acres.

Section 11 increases the lease term to 20 years; Section 8 increases the acreage limitation to 100,000 acres.

Section 11 authorizes the commissioner to assent to suspension of operations and production without affecting the validity of the lease if certain conditions are present.

# Alaska State Legislature

BETTYE FAHRENKAMP, Chairman  
ROBERT H. ZIEGLER, SR., Vice Chairman  
DICK ELIASON  
PAUL FISCHER  
VIC FISCHER  
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## Senate

### Committee on Resources

April 18, 1984

#### AN ACT RELATING TO MINING HCS CSSB 371 (Res)

Sec. 1 Because of the lengthy time involved for coal exploration, extends the coal prospecting permit term from 2 years with one 2-year extension to 3 years with three 2-year extensions.

Sec. 2 Lowers the minimum age of eligibility for acquiring exploratory and mining rights from 19 to 18 to be consistent with the current age of majority for most activities in Alaska.

Sec. 3 Amends the requirement that mining claims be staked in the four cardinal directions to not apply to fractional claims or where the commissioner determines such staking is impractical.

Sec. 4 Allows affidavits of annual labor to be corrected by amendment thus providing a legal mechanism for correcting errors.

Sec. 5 Deletes the provision that basic survey finds be filed with DNR as it can result in the "leaking" of proprietary information, and the information is often of mixed quality.

Sec. 6 Deletes the requirement to file a certificate of mining location with DNR. This is duplicative language, as the certificate must be filed with the District Recorder's Office, which is within DNR.

Sec. 7 Increases the number of prospecting sites allowed from "six located in one calendar year in one recorder district" to "eight held in one township at one time". This will encourage the use of prospecting sites where discovery hasn't been made, and address a loophole whereby employees of large companies locate sites and quitclaim deed them to the company.

Sec. 8 Increases the term of an offshore prospecting permit from 7 to 10 years. Eliminates the acreage rental for the first year to allow time to become operational. Increases the time during which excess expenditures may be applied against rentals from 2 to 4 years. Clarifies that the rental year for a prospecting permit on tide or submerged lands expires on the anniversary of issuance, not the end of the calendar year.

Sec. 9 Effective 1/1/85, increases the acreage that may be held under an offshore prospecting permit from 100,000 to 300,000 acres, and under a lease from 46,080 to 100,000 acres.

Sec. 10 Clarifies that a prospecting permit is required before a noncompetitive lease can be issued for mineral extraction on submerged lands.

Sec. 11 Extends the term of a submerged lands lease from 10 to 20 years.

Sec. 12 Authorizes the Commissioner to assent to the suspension of operations and production on submerged lands without affecting the integrity of the lease if certain conditions are present.

Sec. 13 Changes the length of time following the abandonment of a prospecting site that the former owner must wait before acquiring any beneficial interest in the site from 2 years to 1. This is consistent with the waiting period for claims that have been staked or located.

Sec. 14 Deletes the requirement to file a certificate of mining location on shorelands, tidelands, or submerged lands with the DNR, as this is duplicative language (see Sec. 6). Clarifies that claims on state land must be staked according to state, not federal methods.

Sec. 15 The state maintains only one assay lab (on the U.A.F. campus). Deletes the requirement that a public assay office be located in each of the 4 judicial districts, to reflect the reality of the situation.

Sec. 16 Repeals the mineral prospecting equipment loan program. DNR no longer conducts such a program. Repeals the requirement that "grubstaking" contracts be in writing. This is the only provision in Title 27 dealing specifically with mining on state-owned lands, and is not necessary as most people realize that contracts should be in writing.

Sec. 17 Effective dates are intended to lessen disruption of field operations and DNR's ongoing offshore prospecting permitting process.

Offered: 2/24/84  
Referred: Finance

Original sponsors: Fahrenkamp, Faiks  
and Ziegler

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE BILL NO. 371 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mining; and providing for an  
7 effective date."

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

9 \* Section 1. AS 38.05.150(c) is amended to read:

10 (c) Where prospecting or exploration work is necessary to deter-  
11 mine the existence or workability of coal deposits in an unclaimed and  
12 undeveloped area, the commissioner may issue to qualified applicants  
13 prospecting permits for a term of three [TWO] years; covering not more  
14 than [EXCEEDING] 5,120 acres with each permit. The commissioner shall  
15 grant a two-year extension of the initial three-year term of the per-  
16 mit if the permittee has conducted reasonably diligent prospecting or  
17 exploration activities in the area covered by the permit, has not been  
18 able to determine the existence and workability of coal deposits in  
19 the area, and wishes to continue prospecting or exploring in the area.  
20 The commissioner may grant up to three two-year extensions of the  
21 initial three-year term of the permit. At any time during the period  
22 of the permit, the permittee is entitled to a lease after submitting a  
23 mining plan satisfactory to the commissioner for that portion of the  
24 land in the permit as is shown to the satisfaction of the commissioner  
25 to contain coal in commercial quantities or to be needed for mining,  
26 reclamation, or processing the coal. [IF WITHIN THE PERIOD OF TWO  
27 YEARS THE PERMITTEE SHOWS TO THE COMMISSIONER THAT THE LAND CONTAINS  
28 COAL IN COMMERCIAL QUANTITIES AND SUBMITS A SATISFACTORY MINING PLAN  
29 FOR THE COAL'S RECOVERY, THE PERMITTEE SHALL BE ENTITLED TO A LEASE

1 FOR ALL OR PART OF THE LAND IN HIS PERMIT. A COAL PROSPECTING PERMIT  
2 MAY BE EXTENDED BY THE COMMISSIONER FOR A PERIOD OF TWO YEARS, IF HE  
3 FINDS THAT THE PERMITTEE HAS BEEN UNABLE, WITH THE EXERCISE OF REASON-  
4 ABLE DILIGENCE, TO DETERMINE THE EXISTENCE OR WORKABILITY OF COAL  
5 DEPOSITS IN THE AREA COVERED BY THE PERMIT AND DESIRES TO PROSECUTE  
6 FURTHER PROSPECTING OR EXPLORATION, OR FOR OTHER REASONS IN THE OPIN-  
7 ION OF THE COMMISSIONER WARRANTING EXTENSION.]

8 \* Sec. 2. AS 38.05.190(a) is amended to read:

9 (a) The right to acquire exploration and mining rights under  
10 AS 38.05.185 - 38.05.280 may be acquired or held only by

11 (1) citizens of the United States at least 18 [19] years of  
12 age;

13 (2) legal guardians or trustees of citizens of the United  
14 States under 18 [19] years of age on behalf of the [SUCH] citizens;

15 (3) persons at least 18 [19] years of age who have declared  
16 their intention to become citizens of the United States;

17 (4) aliens at least 18 [19] years of age if the laws of  
18 their country grant like privileges to citizens of the United States;

19 (5) associations of [SUCH] persons described in (1) - (4)  
20 of this subsection;

21 (6) corporations organized under the laws of the United  
22 States or of any state or territory of the United States and qualified  
23 to do business in this state, except that if more than 50 percent of  
24 the stock of a corporation is owned or controlled by aliens who are  
25 not qualified, the corporation is not qualified to acquire or hold the  
26 [SUCH] rights.

27 \* Sec. 3. AS 38.05.195 is amended to read:

28 Sec. 38.05.195. MINING CLAIMS. Rights to deposits of minerals  
29 subject to AS 38.05.185 - 38.05.280 in or on state land that is [LANDS

1 WHICH ARE] open to claim staking may be acquired by discovery,  
2 location and filing as prescribed in AS 38.05.185 - 38.05.280. The  
3 locator has the exclusive right of possession and extraction of the  
4 [ALL SUCH] minerals subject to AS 38.05.185 - 38.05.280 lying within  
5 the boundaries of the [HIS] claim. A location may not exceed 1,320  
6 feet in its longest dimension, and the [ITS] boundaries of a claim  
7 located after the effective date of this section shall run in the four  
8 cardinal directions unless the claim is a fractional claim or the  
9 commissioner determines that staking in compliance with this section  
10 is impractical because of local topography or because of the location  
11 of other claims. A location shall be distinctly marked on the ground  
12 in the manner prescribed by the commissioner and a notice of location  
13 shall be posted on the claim in the manner and containing the informa-  
14 tion required by the commissioner. Within 90 days after the date of  
15 posting the notice of location on the claim, the locator shall file  
16 for record in the recording district where the claim is located a  
17 certificate of location. The certificate of location shall contain  
18 the information required by the commissioner. Locations may be amend-  
19 ed in the manner and with the effect prescribed in AS 38.05.200.  
20 Annual labor shall be performed and statements of annual labor record-  
21 ed as prescribed in AS 38.05.210 - 38.05.235.

22 \* Sec. 4. AS 38.05.210 is amended by adding a new subsection to read:

23 (b) The statement of annual labor required in (a) of this sec-  
24 tion may be amended within two years of the date by which the annual  
25 labor statement was required to be filed. An amended statement shall  
26 be filed for record in the same manner as the original statement.  
27 Additional labor claimed in an amended statement may not be applied  
28 against labor required to be done during a subsequent year.

29 \* Sec. 5. AS 38.05.240 is amended to read:

1           Sec. 38.05.240. LABOR DEFINED FOR AS 38.05.210 - 38.05.235. In  
2           AS 38.05.210 - 38.05.235, "labor" includes [THE TERM "LABOR" WHERE  
3           USED IN SECS. 210 - 235 OF THIS CHAPTER INCLUDES, WITHOUT BEING LIMIT-  
4           ED TO,] geological, geochemical, geophysical, and airborne surveys  
5           conducted by qualified experts and verified by a detailed report filed  
6           in the recording district office in which the claim is located which  
7           sets out fully (1) the location of the work performed in relation to  
8           the point of discovery and boundaries of the claim, (2) the nature,  
9           extent, and cost of it [THEREOF], and (3) the name, address, and  
10          professional background of the person [OR PERSONS] conducting the  
11          work. [BASIC SURVEY FINDS SHALL BE FILED IN THE CENTRAL RECORDING  
12          OFFICE OF THE DEPARTMENT OF NATURAL RESOURCES, BUT KEPT CONFIDENTIAL  
13          AND RELEASED ONLY IF THE CLAIM OR PROSPECTING SITE LAPSES.] The  
14          commissioner, by regulation, shall define the nature of acceptable  
15          survey work and the qualifications of a person competent to perform  
16          this work. The airborne surveys, however, may not be applied as labor  
17          for more than two consecutive years or for more than a total of five  
18          years on any one mining claim, and each of those surveys shall be  
19          nonrepetitive of any previous survey on the same claim.

20       \* Sec. 6. AS 38.05.245(a) is amended to read:

21           (a) Before the discovery of valuable minerals, an exclusive  
22           right to prospect by geophysical, geochemical and similar methods may  
23           be acquired by marking boundaries and posting a notice of location of  
24           a prospecting site in a manner and containing the [SUCH] information  
25           [AS] the commissioner requires. A prospecting site may not exceed  
26           2,640 feet in its longest dimension and its boundaries shall run in  
27           the four cardinal directions. A certificate of location shall be  
28           filed for record in the recording district where the prospecting site  
29           is located within 90 days after posting the notice of location [, AND

1 A COPY OF THE CERTIFICATE SHALL ALSO BE MAILED TO THE DIRECTOR WITHIN  
2 THE 90 DAY PERIOD]. The locator of a prospecting site has the exclu-  
3 sive right to stake mining claims or leasehold locations within the  
4 boundaries of the [HIS] site.

5 \* Sec. 7. AS 38.05.245(c) is amended to read:

6 (c) A [NO] person may not hold [LOCATE] more than eight [SIX]  
7 prospecting sites in one township at one time [CALENDAR YEAR IN ONE  
8 RECORDING DISTRICT]. A prospecting site remains in effect for one  
9 year after the notice of location is posted and may, at the discretion  
10 of the director, be extended for one year periods. During each year,  
11 work of a type compatible with the purpose of this section and accept-  
12 able to the director shall be done. The minimum expenditure for the  
13 work shall be established by the commissioner uniformly for all pros-  
14 pecting sites. Where adjacent prospecting sites are held in common  
15 the expenditure may be made on any one or more locations. If a pros-  
16 pecting site expires, neither the locator nor a [HIS] successor in  
17 interest of the locator may again hold [LOCATE] the same prospecting  
18 site or any portion of it, as a prospecting site, for a period of one  
19 year [TWO YEARS] following the date of expiration or abandonment; nor  
20 may the locator or a successor in interest of the locator [HE], during  
21 the year [TWO YEARS], either directly or indirectly, obtain a benefi-  
22 cial interest in the same prospecting site or a portion of it.

23 \* Sec. 8. AS 38.05.250(a) is amended to read:

24 (a) The exclusive right to prospect for deposits of minerals  
25 subject to AS 38.05.185 - 38.05.275 in or on tide and submerged state  
26 land [LANDS] may be granted by a permit issued by the director. Per-  
27 mits shall be granted to the first qualified applicant. No permit may  
28 include an area larger than 2,560 acres, subject to the rule of ap-  
29 proximation. Land [LANDS] subject to a prospecting permit shall be as

1 compact in form as possible taking into consideration the area  
2 involved. The term of the permit shall be 10 [SEVEN] years. Pros-  
3 pecting permits shall be conditioned upon payment of rental against  
4 which credit shall be given for useful expenditures on land covered by  
5 the permit or group of contiguous permits under common ownership or  
6 assignment. Excess expenditures may be applied against rentals due  
7 for the following four [TWO] years. The rental shall be \$6 [\$3] per  
8 acre for the first two-year period of the permit, payable on the  
9 second anniversary of the permit and \$3 per acre for each following  
10 year, payable annually on the anniversary date of the permit [AT THE  
11 END OF EACH YEAR]. No minerals from land [LANDS] under a prospecting  
12 permit may be mined and marketed or used, except for limited amounts  
13 necessary for sampling or testing. No person may take or hold pros-  
14 pecting permits for minerals on state land under this section exceed-  
15 ing in the aggregate 100,000 acres. No person may take or hold leases  
16 for minerals on state land under this section exceeding in the aggre-  
17 gate 46,080 acres.

18 \* Sec. 9. AS 38.05.250(a) is amended to read:

19 (a) The exclusive right to prospect for deposits of minerals  
20 subject to AS 38.05.185 - 38.05.275 in or on tide and submerged state  
21 land may be granted by a permit issued by the director. Permits shall  
22 be granted to the first qualified applicant. No permit may include an  
23 area larger than 2,560 acres, subject to the rule of approximation.  
24 Lands subject to a prospecting permit shall be as compact in form as  
25 possible taking into consideration the area involved. The term of the  
26 permit shall be 10 years. Prospecting permits shall be conditioned  
27 upon payment of rental against which credit shall be given for useful  
28 expenditures on land covered by the permit or group of contiguous  
29 permits under common ownership or assignment. Excess expenditures may

1 be applied against rentals due for the following four years. The  
2 rental shall be \$6 per acre for the first two-year period of the  
3 permit, payable on the second anniversary of the permit and \$3 per  
4 acre for each following year, payable annually on the anniversary date  
5 of the permit. No minerals from land under a prospecting permit may  
6 be mined and marketed or used, except for limited amounts necessary  
7 for sampling or testing. No person may take or hold prospecting  
8 permits for minerals on state land under this section exceeding in the  
9 aggregate 300,000 [100,000] acres. No person may take or hold leases  
10 for minerals on state land under this section exceeding in the aggre-  
11 gate 100,000 [46,080] acres.

12 \* Sec. 10. AS 38.05.250(b) is amended to read:

13 (b) [UPON DISCOVERY, THE RIGHT TO POSSESS AND EXTRACT THE MINER-  
14 ALS MAY BE ACQUIRED BY NONCOMPETITIVE LEASE.] A noncompetitive lease  
15 shall be granted to a holder of a prospecting permit for so much of  
16 the land subject to the permit as is shown to the satisfaction of the  
17 director to contain workable mineral deposits. Submerged land [LANDS]  
18 containing known deposits of minerals subject to AS 38.05.185 - 38.-  
19 05.275 may, in the discretion of the director, be offered by com-  
20 petitive bid. The land [THESE LANDS] shall be leased to the [RESPONS-  
21 IBLE] qualified person offering the highest amount of cash bonus.

22 \* Sec. 11. AS 38.05.250 is amended by adding a new subsection to read:

23 (d) The commissioner may, on the request of the lessee, assent  
24 to the suspension of operation and production under a lease whenever  
25 in the judgment of the commissioner the suspension is necessary to  
26 promote development of the lease or the lease cannot be successfully  
27 operated under its terms. The payment of acreage rental may be sus-  
28 pended during the period of suspension of operation and production.  
29 The suspension of the lease shall extend the term of the lease by

1 adding the period of suspension to the lease. The commissioner may  
2 extend the term of a nonproducing lease on an application by the  
3 lessee accompanied by a showing that the lessee is reasonably close to  
4 attaining production and that, despite diligent good faith efforts by  
5 the lessee, the lessee is not able to produce due to force majeure,  
6 depressed market conditions, or other situations beyond the reason-  
7 able control of the lessee.

8 \* Sec. 12. AS 38.05.265 is amended to read:

9 Sec. 38.05.265. ABANDONMENT. Failure to (1) properly file for  
10 record a certificate of location or a statement of annual labor, or  
11 (2) file with the director within the time prescribed a lease applica-  
12 tion [OR A COPY OF A PROSPECTING SITE LOCATION CERTIFICATE], or (3)  
13 pay rental or receive credit for rental, or (4) keep location bound-  
14 aries clearly marked, all as required by AS 38.05.185 - 38.05.280 and  
15 by regulations adopted under these sections, constitutes abandonment  
16 of all rights acquired under the mining lease, location, or site in-  
17 volved, and it is subject to relocation by others. If a location is  
18 not relocated by another person within [WITH] one year after the  
19 [SUCH] failure, [OR, IN THE CASE OF A PROSPECTING SITE, TWO YEARS,]  
20 the locator or claimant of the abandoned location, or a [HIS] succes-  
21 sor in interest, may return to relocate it as though it had never been  
22 located. A statement of annual labor which does not accurately set  
23 out the essential facts is void and of no effect.

24 \* Sec. 13. AS 38.05.275 is amended to read:

25 Sec. 38.05.275. RECOGNITION OF LOCATIONS. Mining locations  
26 made on state land [LANDS], including shorelands, tidelands or sub-  
27 merged land [LANDS,] or state selected land [LANDS], under AS 38.05.-  
28 185 - 38.05.280 [OR IN THE MANNER DESCRIBED IN AS 27.10] acquire for  
29 the locator mining rights under AS 38.05.185 - 38.05.280, subject to

1 existing claims and to any denial of or restriction in the tentative  
2 approval of state selection of the patent of the land [LANDS] to the  
3 state. If shorelands, tidelands or submerged land is [LANDS ARE]  
4 included in a mining location or within the projected boundaries of a  
5 mining location made in accordance with this section, the locator  
6 shall [IS REQUIRED TO] file a certificate of location under [WITH THE  
7 DIVISION OF LANDS WITHIN 90 DAYS FOLLOWING THE DATE OF POSTING THE  
8 NOTICE OF LOCATION, IN ADDITION TO FILING A CERTIFICATE OF LOCATION AS  
9 REQUIRED BY] AS 38.05.195. The certificate of location must identify  
10 the position of the mining location in the system of rectangular or  
11 protracted surveys.

12 \* Sec. 14. AS 27.05.080 is amended to read:

13 Sec. 27.05.080. PUBLIC ASSAY OFFICES. The department shall, for  
14 the purpose of aiding bona fide miners and prospectors and stimulating  
15 mineral discoveries, establish a [AT LEAST ONE] public assay office  
16 [IN EACH OF THE FOUR JUDICIAL DISTRICTS]. The department may adopt  
17 regulations and establish procedures considered necessary and expedi-  
18 ent to carry out this section and AS 27.05.090.

19 \* Sec. 15. AS 27.05.180 - 27.05.210 and AS 27.15.010 are repealed.

20 \* Sec. 16. Sections 3 and 9 of this Act take effect January 1, 1985.  
21 Sections 6 and 13 of this Act take effect September 1, 1984. Sections 1 -  
22 2, 4 - 5, 7 - 8, 10 - 12, and 14 - 15 of this Act take effect July 1, 1984.

Introduced: 1/24/84  
Referred: Resources and  
Finance

1 IN THE SENATE

BY FAHRENKAMP

2

SENATE BILL NO. 371

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to mining; and providing for an  
7 effective date."

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

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18 existence and workability of coal deposits in the area, and wishes to  
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20 grant up to three two-year extensions of the initial three-year term  
21 of the permit. The permittee is entitled to a lease for all or part  
22 of the land in the permit if, at any time during the effective period  
23 of the permit which may not exceed nine years, the permittee shows to  
24 the commissioner that the land contains coal in commercial quantities  
25 and the permittee submits a satisfactory mining plan for the recovery  
26 of the coal. The commissioner may lease additional land determined  
27 necessary for a mining reclamation or processing operation. [IF WITH-  
28 IN THE PERIOD OF TWO YEARS THE PERMITTEE SHOWS TO THE COMMISSIONER  
29 THAT THE LAND CONTAINS COAL IN COMMERCIAL QUANTITIES AND SUBMITS A

1 SATISFACTORY MINING PLAN FOR THE COAL'S RECOVERY, THE PERMITTEE SHALL  
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12 shall be posted on the claim in the manner and containing the  
13 information required by the commissioner. Within 90 days after the  
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11 OFFICE OF THE DEPARTMENT OF NATURAL RESOURCES, BUT KEPT CONFIDENTIAL  
12 AND RELEASED ONLY IF THE CLAIM OR PROSPECTING SITE LAPSES.] The  
13 commissioner, by regulation, shall define the nature of acceptable  
14 survey work and the qualifications of a person competent to perform  
15 this work. The airborne surveys, however, may not be applied as labor  
16 for more than two consecutive years or for more than a total of five  
17 years on any one mining claim, and each of those surveys shall be  
18 nonrepetitive of any previous survey on the same claim.

19 \* Sec. 6. AS 38.05.245(a) is amended to read:

20 (a) Before the discovery of valuable minerals, an exclusive  
21 right to prospect by geophysical, geochemical and similar methods may  
22 be acquired by marking boundaries and posting a notice of location of  
23 a prospecting site in a manner and containing the [SUCH] information  
24 [AS] the commissioner requires. A prospecting site may not exceed  
25 2,640 feet in its longest dimension and its boundaries shall run in  
26 the four cardinal directions. A certificate of location shall be  
27 filed for record in the recording district where the prospecting site  
28 is located within 90 days after posting the notice of location [, AND  
29 A COPY OF THE CERTIFICATE SHALL ALSO BE MAILED TO THE DIRECTOR WITHIN

1 THE 90 DAY PERIOD]. The locator of a prospecting site has the exclu-  
2 sive right to stake mining claims or leasehold locations within the  
3 boundaries of the [HIS] site.

4 \* Sec. 7. AS 38.05.245(c) is amended to read:

5 (c) A [NO] person may not hold [LOCATE] more than eight [SIX]  
6 prospecting sites in one township at one time [CALENDAR YEAR IN ONE  
7 RECORDING DISTRICT]. A prospecting site remains in effect for one  
8 year after the notice of location is posted and may, at the discretion  
9 of the director, be extended for one year periods. During each year,  
10 work of a type compatible with the purpose of this section and accept-  
11 able to the director shall be done. The minimum expenditure for the  
12 work shall be established by the commissioner uniformly for all pros-  
13 pecting sites. Where adjacent prospecting sites are held in common  
14 the expenditure may be made on any one or more locations. If a pros-  
15 pecting site expires, neither the locator nor a [HIS] successor in  
16 interest of the locator may again hold [LOCATE] the same prospecting  
17 site or any portion of it, as a prospecting site, for a period of one  
18 year [TWO YEARS] following the date of expiration or abandonment; nor  
19 may the locator [HE], during the year [TWO YEARS], either directly or  
20 indirectly, obtain a beneficial interest in the same prospecting site  
21 or a portion of it.

22 \* Sec 8. AS 38.05.250(a) is amended to read:

23 (a) The exclusive right to prospect for deposits of minerals  
24 subject to AS 38.05.185 - 38.05.275 in or on tide and submerged state  
25 land [LANDS] may be granted by a permit issued by the director. Per-  
26 mits shall be granted to the first qualified applicant. No permit may  
27 include an area larger than 2,560 acres, subject to the rule of ap-  
28 proximation. Land [LANDS] subject to a prospecting permit shall be as  
29 compact in form as possible taking into consideration the area

1 involved. The term of the permit shall be seven years. Prospecting  
2 permits shall be conditioned upon payment of rental against which  
3 credit shall be given for useful expenditures on land covered by the  
4 permit or group of contiguous permits under common ownership or assign-  
5 ment. Excess expenditures may be applied against rentals due for the  
6 following two years. The rental shall be \$3 per acre for each year,  
7 payable annually on the anniversary date of the permit [AT THE END OF  
8 EACH YEAR]. No minerals from land [LANDS] under a prospecting permit  
9 may be mined and marketed or used, except for limited amounts neces-  
10 sary for sampling or testing. No person may take or hold prospecting  
11 permits for minerals on state land under this section exceeding in the  
12 aggregate 100,000 acres. No person may take or hold leases for miner-  
13 als on state land under this section exceeding in the aggregate 46,080  
14 acres.

15 \* Sec. 9. AS 38.05.250(b) is amended to read:

16 (b) [UPON DISCOVERY, THE RIGHT TO POSSESS AND EXTRACT THE MINER-  
17 ALS MAY BE ACQUIRED BY NONCOMPETITIVE LEASE.] A noncompetitive lease  
18 shall be granted to a holder of a prospecting permit for so much of  
19 the land subject to the permit as is shown to the satisfaction of the  
20 director to contain workable mineral deposits. Submerged land [LANDS]  
21 containing known deposits of minerals subject to AS 38.05.185 - 38.-  
22 05.275 may, in the discretion of the director, be offered by com-  
23 petitive bid. The land [THESE LANDS] shall be leased to the responsi-  
24 ble qualified person offering the highest amount of cash bonus.

25 \* Sec. 10. AS 38.05.265 is amended to read:

26 Sec. 38.05.265. ABANDONMENT. Failure to (1) properly file for  
27 record a certificate of location or a statement of annual labor, or  
28 (2) file with the director within the time prescribed a lease applica-  
29 tion or a copy of a prospecting site location certificate, or (3) pay

1 rental or receive credit for rental, or (4) keep location boundaries  
2 clearly marked, all as required by AS 38.05.185 - 38.05.280 and by  
3 regulations adopted under these sections, constitutes abandonment of  
4 all rights acquired under the mining lease, location, or site in-  
5 volved, and it is subject to relocation by others. If a location is  
6 not relocated by another person within [WITH] one year after the  
7 [SUCH] failure, [OR, IN THE CASE OF A PROSPECTING SITE, TWO YEARS,]  
8 the locator or claimant of the abandoned location, or a [HIS] succes-  
9 sor in interest, may return to relocate it as though it had never been  
10 located. A statement of annual labor which does not accurately set  
11 out the essential facts is void and of no effect.

12 \* Sec. 11. AS 38.05.275 is amended to read:

13 Sec. 38.05.275. RECOGNITION OF LOCATIONS. Mining locations  
14 made on state land [LANDS], including shorelands, tidelands or sub-  
15 merged land [LANDS,] or state selected land [LANDS], under AS 38.05.-  
16 185 - 38.05.280 or in the manner described in AS 27.10 acquire for the  
17 locator mining rights under AS 38.05.185 - 38.05.280, subject to  
18 existing claims and to any denial of or restriction in the tentative  
19 approval of state selection of the patent of the land [LANDS] to the  
20 state. If shorelands, tidelands or submerged land is [LANDS ARE]  
21 included in a mining location or within the projected boundaries of a  
22 mining location made in accordance with this section, the locator  
23 shall [IS REQUIRED TO] file a certificate of location under [WITH THE  
24 DIVISION OF LANDS WITHIN 90 DAYS FOLLOWING THE DATE OF POSTING THE  
25 NOTICE OF LOCATION, IN ADDITION TO FILING A CERTIFICATE OF LOCATION AS  
26 REQUIRED BY] AS 38.05.195. The certificate of location must identify  
27 the position of the mining location in the system of rectangular or  
28 protracted surveys.

29 \* Sec. 12. AS 27.05.080 is amended to read:

1           Sec. 27.05.080. PUBLIC ASSAY OFFICES. The department shall, for  
2 the purpose of aiding bona fide miners and prospectors and stimulating  
3 mineral discoveries, establish a [AT LEAST ONE] public assay office  
4 [IN EACH OF THE FOUR JUDICIAL DISTRICTS]. The department may adopt  
5 regulations and establish procedures considered necessary and expedi-  
6 ent to carry out this section and AS 27.05.090.

7 \* Sec. 13. AS 27.05.180 - 27.05.210 and AS 27.15.010 are repealed.

8 \* Sec. 14. This Act takes effect July 1, 1984.

Offered: 2/24/84  
Referred: Finance

Original sponsors: Fahrenkamp, Faiks  
and Ziegler

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 371 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mining; and providing for an  
7 effective date."

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

9 \* Section 1. AS 38.05.150(c) is amended to read:

10 (c) Where prospecting or exploration work is necessary to deter-  
11 mine the existence or workability of coal deposits in an unclaimed and  
12 undeveloped area, the commissioner may issue to qualified applicants  
13 prospecting permits for a term of three [TWO] years, covering not more  
14 than [EXCEEDING] 5,120 acres with each permit. The commissioner shall  
15 grant a two-year extension of the initial three-year term of the per-  
16 mit if the permittee has conducted reasonably diligent prospecting or  
17 exploration activities in the area covered by the permit, has not been  
18 able to determine the existence and workability of coal deposits in  
19 the area, and wishes to continue prospecting or exploring in the area.  
20 The commissioner may grant up to three two-year extensions of the  
21 initial three-year term of the permit. At any time during the period  
22 of the permit, the permittee is entitled to a lease after submitting a  
23 mining plan satisfactory to the commissioner for that portion of the  
24 land in the permit as is shown to the satisfaction of the commissioner  
25 to contain coal in commercial quantities or to be needed for mining,  
26 reclamation, or processing the coal. [IF WITHIN THE PERIOD OF TWO  
27 YEARS THE PERMITTEE SHOWS TO THE COMMISSIONER THAT THE LAND CONTAINS  
28 COAL IN COMMERCIAL QUANTITIES AND SUBMITS A SATISFACTORY MINING PLAN  
29 FOR THE COAL'S RECOVERY, THE PERMITTEE SHALL BE ENTITLED TO A LEASE

1 FOR ALL OR PART OF THE LAND IN HIS PERMIT. A COAL PROSPECTING PERMIT  
2 MAY BE EXTENDED BY THE COMMISSIONER FOR A PERIOD OF TWO YEARS, IF HE  
3 FINDS THAT THE PERMITTEE HAS BEEN UNABLE, WITH THE EXERCISE OF REASON-  
4 ABLE DILIGENCE, TO DETERMINE THE EXISTENCE OR WORKABILITY OF COAL  
5 DEPOSITS IN THE AREA COVERED BY THE PERMIT AND DESIRES TO PROSECUTE  
6 FURTHER PROSPECTING OR EXPLORATION, OR FOR OTHER REASONS IN THE OPIN-  
7 ION OF THE COMMISSIONER WARRANTING EXTENSION.]

8 \* Sec. 2. AS 38.05.190(a) is amended to read:

9 (a) The right to acquire exploration and mining rights under  
10 AS 38.05.185 - 38.05.280 may be acquired or held only by

11 (1) citizens of the United States at least 18 [19] years of  
12 age;

13 (2) legal guardians or trustees of citizens of the United  
14 States under 18 [19] years of age on behalf of the [SUCH] citizens;

15 (3) persons at least 18 [19] years of age who have declared  
16 their intention to become citizens of the United States;

17 (4) aliens at least 18 [19] years of age if the laws of  
18 their country grant like privileges to citizens of the United States;

19 (5) associations of [SUCH] persons described in (1) - (4)  
20 of this subsection;

21 (6) corporations organized under the laws of the United  
22 States or of any state or territory of the United States and qualified  
23 to do business in this state, except that if more than 50 percent of  
24 the stock of a corporation is owned or controlled by aliens who are  
25 not qualified, the corporation is not qualified to acquire or hold the  
26 [SUCH] rights.

27 \* Sec. 3. AS 38.05.195 is amended to read:

28 Sec. 38.05.195. MINING CLAIMS. Rights to deposits of minerals  
29 subject to AS 38.05.185 - 38.05.280 in or on state land that is [LANDS

1 WHICH ARE] open to claim staking may be acquired by discovery,  
2 location and filing as prescribed in AS 38.05.185 - 38.05.280. The  
3 locator has the exclusive right of possession and extraction of the  
4 [ALL SUCH] minerals subject to AS 38.05.185 - 38.05.280 lying within  
5 the boundaries of the [HIS] claim. A location may not exceed 1,320  
6 feet in its longest dimension, and the [ITS] boundaries of a claim  
7 located after the effective date of this section shall run in the four  
8 cardinal directions unless the claim is a fractional claim or the  
9 commissioner determines that staking in compliance with this section  
10 is impractical because of local topography or because of the location  
11 of other claims. A location shall be distinctly marked on the ground  
12 in the manner prescribed by the commissioner and a notice of location  
13 shall be posted on the claim in the manner and containing the informa-  
14 tion required by the commissioner. Within 90 days after the date of  
15 posting the notice of location on the claim, the locator shall file  
16 for record in the recording district where the claim is located a  
17 certificate of location. The certificate of location shall contain  
18 the information required by the commissioner. Locations may be amend-  
19 ed in the manner and with the effect prescribed in AS 38.05.200.  
20 Annual labor shall be performed and statements of annual labor record-  
21 ed as prescribed in AS 38.05.210 - 38.05.235.

22 \* Sec. 4. AS 38.05.210 is amended by adding a new subsection to read:

23 (b) The statement of annual labor required in (a) of this sec-  
24 tion may be amended within two years of the date by which the annual  
25 labor statement was required to be filed. An amended statement shall  
26 be filed for record in the same manner as the original statement.  
27 Additional labor claimed in an amended statement may not be applied  
28 against labor required to be done during a subsequent year.

29 \* Sec. 5. AS 38.05.240 is amended to read:

1           Sec. 38.05.240. LABOR DEFINED FOR AS 38.05.210 - 38.05.235. In  
2   AS 38.05.210 - 38.05.235, "labor" includes [THE TERM "LABOR" WHERE  
3   USED IN SECS. 210 - 235 OF THIS CHAPTER INCLUDES, WITHOUT BEING LIMIT-  
4   ED TO,] geological, geochemical, geophysical, and airborne surveys  
5   conducted by qualified experts and verified by a detailed report filed  
6   in the recording district office in which the claim is located which  
7   sets out fully (1) the location of the work performed in relation to  
8   the point of discovery and boundaries of the claim, (2) the nature,  
9   extent, and cost of it [THEREOF], and (3) the name, address, and  
10   professional background of the person [OR PERSONS] conducting the  
11   work. [BASIC SURVEY FINDS SHALL BE FILED IN THE CENTRAL RECORDING  
12   OFFICE OF THE DEPARTMENT OF NATURAL RESOURCES, BUT KEPT CONFIDENTIAL  
13   AND RELEASED ONLY IF THE CLAIM OR PROSPECTING SITE LAPSES.] The  
14   commissioner, by regulation, shall define the nature of acceptable  
15   survey work and the qualifications of a person competent to perform  
16   this work. The airborne surveys, however, may not be applied as labor  
17   for more than two consecutive years or for more than a total of five  
18   years on any one mining claim, and each of those surveys shall be  
19   nonrepetitive of any previous survey on the same claim.

20   \* Sec. 6. AS 38.05.245(a) is amended to read:

21           (a) Before the discovery of valuable minerals, an exclusive  
22   right to prospect by geophysical, geochemical and similar methods may  
23   be acquired by marking boundaries and posting a notice of location of  
24   a prospecting site in a manner and containing the [SUCH] information  
25   [AS] the commissioner requires. A prospecting site may not exceed  
26   2,640 feet in its longest dimension and its boundaries shall run in  
27   the four cardinal directions. A certificate of location shall be  
28   filed for record in the recording district where the prospecting site  
29   is located within 90 days after posting the notice of location [, AND

1 A COPY OF THE CERTIFICATE SHALL ALSO BE MAILED TO THE DIRECTOR WITHIN  
2 THE 90 DAY PERIOD]. The locator of a prospecting site has the exclu-  
3 sive right to stake mining claims or leasehold locations within the  
4 boundaries of the [HIS] site.

5 \* Sec. 7. AS 38.05.245(c) is amended to read:

6 (c) A [NO] person may not hold [LOCATE] more than eight [SIX]  
7 prospecting sites in one township at one time [CALENDAR YEAR IN ONE  
8 RECORDING DISTRICT]. A prospecting site remains in effect for one  
9 year after the notice of location is posted and may, at the discretion  
10 of the director, be extended for one year periods. During each year,  
11 work of a type compatible with the purpose of this section and accept-  
12 able to the director shall be done. The minimum expenditure for the  
13 work shall be established by the commissioner uniformly for all pros-  
14 pecting sites. Where adjacent prospecting sites are held in common  
15 the expenditure may be made on any one or more locations. If a pros-  
16 pecting site expires, neither the locator nor a [HIS] successor in  
17 interest of the locator may again hold [LOCATE] the same prospecting  
18 site or any portion of it, as a prospecting site, for a period of one  
19 year [TWO YEARS] following the date of expiration or abandonment; nor  
20 may the locator or a successor in interest of the locator [HE], during  
21 the year [TWO YEARS], either directly or indirectly, obtain a benefi-  
22 cial interest in the same prospecting site or a portion of it.

23 \* Sec. 8. AS 38.05.250(a) is amended to read:

24 (a) The exclusive right to prospect for deposits of minerals  
25 subject to AS 38.05.185 - 38.05.275 in or on tide and submerged state  
26 land [LANDS] may be granted by a permit issued by the director. Per-  
27 mits shall be granted to the first qualified applicant. No permit may  
28 include an area larger than 2,560 acres, subject to the rule of ap-  
29 proximation. Land [LANDS] subject to a prospecting permit shall be as

1 compact in form as possible taking into consideration the area  
2 involved. The term of the permit shall be 10 [SEVEN] years. Pros-  
3 pecting permits shall be conditioned upon payment of rental against  
4 which credit shall be given for useful expenditures on land covered by  
5 the permit or group of contiguous permits under common ownership or  
6 assignment. Excess expenditures may be applied against rentals due  
7 for the following four [TWO] years. The rental shall be \$6 [\$3] per  
8 acre for the first two-year period of the permit, payable on the  
9 second anniversary of the permit and \$3 per acre for each following  
10 year, payable annually on the anniversary date of the permit [AT THE  
11 END OF EACH YEAR]. No minerals from land [LANDS] under a prospecting  
12 permit may be mined and marketed or used, except for limited amounts  
13 necessary for sampling or testing. No person may take or hold pros-  
14 pecting permits for minerals on state land under this section exceed-  
15 ing in the aggregate 100,000 acres. No person may take or hold leases  
16 for minerals on state land under this section exceeding in the aggre-  
17 gate 46,080 acres.

18 \* Sec. 9. AS 38.05.250(a) is amended to read:

19 (a) The exclusive right to prospect for deposits of minerals  
20 subject to AS 38.05.185 - 38.05.275 in or on tide and submerged state  
21 land may be granted by a permit issued by the director. Permits shall  
22 be granted to the first qualified applicant. No permit may include an  
23 area larger than 2,560 acres, subject to the rule of approximation.  
24 Lands subject to a prospecting permit shall be as compact in form as  
25 possible taking into consideration the area involved. The term of the  
26 permit shall be 10 years. Prospecting permits shall be conditioned  
27 upon payment of rental against which credit shall be given for useful  
28 expenditures on land covered by the permit or group of contiguous  
29 permits under common ownership or assignment. Excess expenditures may

1 be applied against rentals due for the following four years. The  
2 rental shall be \$6 per acre for the first two-year period of the  
3 permit, payable on the second anniversary of the permit and \$3 per  
4 acre for each following year, payable annually on the anniversary date  
5 of the permit. No minerals from land under a prospecting permit may  
6 be mined and marketed or used, except for limited amounts necessary  
7 for sampling or testing. No person may take or hold prospecting  
8 permits for minerals on state land under this section exceeding in the  
9 aggregate 300,000 [100,000] acres. No person may take or hold leases  
10 for minerals on state land under this section exceeding in the aggre-  
11 gate 100,000 [46,080] acres.

12 \* Sec. 10. AS 38.05.250(b) is amended to read:

13 (b) [UPON DISCOVERY, THE RIGHT TO POSSESS AND EXTRACT THE MINER-  
14 ALS MAY BE ACQUIRED BY NONCOMPETITIVE LEASE.] A noncompetitive lease  
15 shall be granted to a holder of a prospecting permit for so much of  
16 the land subject to the permit as is shown to the satisfaction of the  
17 director to contain workable mineral deposits. Submerged land [LANDS]  
18 containing known deposits of minerals subject to AS 38.05.185 - 38.-  
19 05.275 may, in the discretion of the director, be offered by com-  
20 petitive bid. The land [THESE LANDS] shall be leased to the [RESPONS-  
21 IBLE] qualified person offering the highest amount of cash bonus.

22 \* Sec. 11. AS 38.05.250 is amended by adding a new subsection to read:

23 (d) The commissioner may, on the request of the lessee, assent  
24 to the suspension of operation and production under a lease whenever  
25 in the judgment of the commissioner the suspension is necessary to  
26 promote development of the lease or the lease cannot be successfully  
27 operated under its terms. The payment of acreage rental may be sus-  
28 pended during the period of suspension of operation and production.  
29 The suspension of the lease shall extend the term of the lease by

1 adding the period of suspension to the lease. The commissioner may  
2 extend the term of a nonproducing lease on an application by the  
3 lessee accompanied by a showing that the lessee is reasonably close to  
4 attaining production and that, despite diligent good faith efforts by  
5 the lessee, the lessee is not able to produce due to force majeure,  
6 depressed market conditions, or other situations beyond the reason-  
7 able control of the lessee.

8 \* Sec. 12. AS 38.05.265 is amended to read:

9 Sec. 38.05.265. ABANDONMENT. Failure to (1) properly file for  
10 record a certificate of location or a statement of annual labor, or  
11 (2) file with the director within the time prescribed a lease applica-  
12 tion [OR A COPY OF A PROSPECTING SITE LOCATION CERTIFICATE], or (3)  
13 pay rental or receive credit for rental, or (4) keep location bound-  
14 aries clearly marked, all as required by AS 38.05.185 - 38.05.280 and  
15 by regulations adopted under these sections, constitutes abandonment  
16 of all rights acquired under the mining lease, location, or site in-  
17 volved, and it is subject to relocation by others. If a location is  
18 not relocated by another person within [WITH] one year after the  
19 [SUCH] failure, [OR, IN THE CASE OF A PROSPECTING SITE, TWO YEARS,]  
20 the locator or claimant of the abandoned location, or a [HIS] succes-  
21 sor in interest, may return to relocate it as though it had never been  
22 located. A statement of annual labor which does not accurately set  
23 out the essential facts is void and of no effect.

24 \* Sec. 13. AS 38.05.275 is amended to read:

25 Sec. 38.05.275. RECOGNITION OF LOCATIONS. Mining locations  
26 made on state land [LANDS], including shorelands, tidelands or sub-  
27 merged land [LANDS,] or state selected land [LANDS], under AS 38.05.-  
28 185 - 38.05.280 [OR IN THE MANNER DESCRIBED IN AS 27.10] acquire for  
29 the locator mining rights under AS 38.05.185 - 38.05.280, subject to

1 existing claims and to any denial of or restriction in the tentative  
2 approval of state selection of the patent of the land [LANDS] to the  
3 state. If shorelands, tidelands or submerged land is [LANDS ARE]  
4 included in a mining location or within the projected boundaries of a  
5 mining location made in accordance with this section, the locator  
6 shall [IS REQUIRED TO] file a certificate of location under [WITH THE  
7 DIVISION OF LANDS WITHIN 90 DAYS FOLLOWING THE DATE OF POSTING THE  
8 NOTICE OF LOCATION, IN ADDITION TO FILING A CERTIFICATE OF LOCATION AS  
9 REQUIRED BY] AS 38.05.195. The certificate of location must identify  
10 the position of the mining location in the system of rectangular or  
11 protracted surveys.

12 \* Sec. 14. AS 27.05.080 is amended to read:

13 Sec. 27.05.080. PUBLIC ASSAY OFFICES. The department shall, for  
14 the purpose of aiding bona fide miners and prospectors and stimulating  
15 mineral discoveries, establish a [AT LEAST ONE] public assay office  
16 [IN EACH OF THE FOUR JUDICIAL DISTRICTS]. The department may adopt  
17 regulations and establish procedures considered necessary and expedi-  
18 ent to carry out this section and AS 27.05.090.

19 \* Sec. 15. AS 27.05.180 - 27.05.210 and AS 27.15.010 are repealed.

20 \* Sec. 16. Sections 3 and 9 of this Act take effect January 1, 1985.  
21 Sections 6 and 13 of this Act take effect September 1, 1984. Sections 1 -  
22 2, 4 - 5, 7 - 8, 10 - 12, and 14 - 15 of this Act take effect July 1, 1984.

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/29/84

REQUEST

Bill/Resolution No.: CSSB 371(Res)  
Title: An Act relating to mining

FISCAL DETAIL

Agency Affected: DNR  
Program Category Affected: NRMEC

Sponsor: Resources Committee  
Requestor: Committee  
Date of Request: \_\_\_\_\_

BRU, Program or Subprogram(s) Affected: Minerals and Energy Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

No Funding Necessary

ANALYSIS: Attach a separate page for analysis

Prepared By: Ned Farquhar NF Phone: 465-2400  
Division: Commissioners' Office Date: 2/29/84

HA Approved by Commissioner: Wm D Small Deputy Date: 2/29/84  
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/29/84

REQUEST

Bill/Resolution No.: CSSB 371(Res)  
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	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

No Funding Necessary

ANALYSIS: Attach a separate page for analysis

Prepared By: Ned Farquhar NF Phone: 465-2400  
Division: Commissioners' Office Date: 2/29/84

HA Approved by Commissioner: Wm. D. Arnold Deputy Date: 2/29/84  
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/9/84

REQUEST

Bill/Resolution No.: SB 371  
Title: relating to mining

FISCAL DETAIL

Agency Affected: Natural Resources  
Program Category Affected: NRMEC

Sponsor: Fahrenkamp  
Requestor: Senate Resources Committee  
Date of Request: 2/7/84

BRU, Program or Subprogram(s) Affected:  
Minerals and Energy Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Ned Farquhar Phone: 465-2400  
Division: Commissioner's Office Date: 2/9/84

Approved by Commissioner: *William D. Arnold Deputy* Date: 2/9/84  
Agency: Department of Natural Resources

Distribution (by Agency preparing fiscal note):

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- Legislative Sponsor
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12/1/83

