

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

5/24/84

Date: 5-25-84

The Committee on FINANCE has had CS 461 (Res)

"An Act relating to the management and use of water in 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 CS 461 (Res) same title
 new title
- and recommends Individual recommendations
- 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:

CHAIRMAN

Original sponsor: Fahrenkamp

1 IN THE SENATE

BY THE HOUSE SPECIAL
COMMITTEE ON STATE LOANS

2 HOUSE CS FOR CS FOR SENATE BILL NO. 461 (Loans)

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 the management and use of water
7 in mining; and providing for an effective date."

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

9 * Section 1. AS 46 is amended by adding a new chapter to read:

10 CHAPTER 16. MANAGEMENT AND USE OF WATER IN MINING.

11 Sec. 46.16.010. MINING WATER USE REVIEW COMMITTEE ESTABLISHED.

12 The mining water use review committee is established. The review
13 committee is responsible for reviewing and making recommendations on
14 applications for grants under this chapter.

15 Sec. 46.16.020. MEMBERSHIP OF THE REVIEW COMMITTEE. (a) The
16 review committee consists of the commissioner of natural resources,
17 the commissioner of environmental conservation, the dean of the school
18 of mineral industry at the University of Alaska, two individuals
19 appointed by the governor who have placer mining experience, and one
20 public member appointed by the governor.

21 (b) An individual described in (a) of this section who serves ex
22 officio may designate an alternate to serve on the review committee.

23 (c) An individual appointed by the governor serves for a three-
24 year term.

25 Sec. 46.16.030. RESPONSIBILITY OF THE REVIEW COMMITTEE. (a)

26 The review committee shall select a presiding officer and establish
27 procedures necessary to implement its responsibilities.

28 (b) The review committee shall review each application for a
29 grant filed under this chapter and make a recommendation to the

1 commissioner of natural resources or to the commissioner of environ-
2 mental conservation for action on the application.

3 (c) In making its recommendation, the committee shall consider
4 the economic benefits to the placer mining industry, the environmental
5 benefits to the public, and other benefits that each grant may offer.

6 Sec. 46.16.040. RESPONSIBILITY OF COMMISSIONER OF NATURAL RE-
7 SOURCES. The commissioner of natural resources shall administer the
8 innovative gold recovery demonstration grant program established under
9 AS 46.16.070.

10 Sec. 46.16.050. RESPONSIBILITY OF COMMISSIONER OF ENVIRONMENTAL
11 CONSERVATION. The commissioner of environmental conservation shall
12 administer the innovative pollution control demonstration grant
13 program established under AS 46.16.080.

14 Sec. 46.16.060. UNIFORM REGULATIONS. The commissioner of
15 natural resources and the commissioner of environmental conservation
16 shall adopt uniform regulations and administrative procedures to
17 implement the grant program established by this chapter.

18 Sec. 46.16.070. INNOVATIVE GOLD RECOVERY DEMONSTRATION GRANT.
19 (a) The innovative gold recovery demonstration grant program is
20 established as a direct grant program to give a person engaged in
21 placer mining the opportunity to study and test new methods of gold
22 recovery and water use reduction.

23 (b) The commissioner of natural resources may make a grant under
24 this section to a person that has

25 (1) a proven history of successful placer mining in the
26 state;

27 (2) the capability to produce verifiable results; and

28 (3) the capability to study and test new methods of gold
29 recovery and water use reduction under actual operating conditions.

1 (c) The commissioner of natural resources may not make a grant
2 under this section to a person in excess of \$100,000.

3 (d) The commissioner of natural resources shall monitor and
4 evaluate the results of grants made under this section.

5 Sec. 46.16.08C. INNOVATIVE POLLUTION CONTROL DEMONSTRATION
6 PROGRAM. (a) The innovative pollution control demonstration grant
7 program is established as a direct grant program to give a person
8 engaged in placer mining the opportunity to study and test innovative
9 and economically viable mining techniques for waste disposal and
10 pollution control in placer mining.

11 (b) The commissioner of environmental conservation may make
12 grants under this section to a person that has

13 (1) a proven history of successful placer mining in the
14 state;

15 (2) the capability to produce verifiable results; and

16 (3) the capability to study and test innovative and econom-
17 ically viable techniques for waste disposal and pollution control in
18 placer mining.

19 (c) The commissioner of environmental conservation may not make
20 a grant under this section to a person in excess of \$100,000.

21 (d) The commissioner of environmental conservation shall monitor
22 and evaluate the results of grants made under this section.

23 Sec. 46.16.090. ACCESS TO INFORMATION. (a) All information
24 generated as a result of grants made under this chapter is public
25 information. The commissioner of natural resources and the commis-
26 sioner of environmental conservation shall compile, analyze, and
27 distribute the information for the benefit of the placer mining indus-
28 try and the state and federal governments.

29 (b) The contents of an application for a grant are available to

1 the extent permitted under AS 09.25.110 and 09.25.120.

2 Sec. 46.16.100. PATENTS. A person who applies for a grant under
3 this chapter shall assign to the state the right to patent any
4 patentable process developed as a result of a grant under this chap-
5 ter. The department making the grant shall seek to patent any patent-
6 able process developed as a result of a grant under this chapter. The
7 state shall license without cost to a person engaged in placer mining
8 in the state the right to use in the state a patented process that was
9 developed as a result of a grant under this chapter.

10 * Sec. 2. This Act takes effect July 1, 1984.
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STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: May 24, 1984

REQUEST

Bill/Resolution No.: HCS CSSB 461
Title: Management and Use of (Loans) Water in Mining

FISCAL DETAIL

Agency Affected: Natural Resources
Program Category Affected:

Sponsor: Fahrenkamp
Requestor:
Date of Request:

BRU, Program or Subprogram(s) Affected:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		7.0	7.0			
300 CONTRACTUAL		15.0	15.0			
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		22.0	22.0			
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		22.0	22.0			
FEDERAL FUNDS						
OTHER		22.0	22.0			
TOTAL		22.0	22.0			

POSITIONS:

FULL-TIME		0	0			
PART-TIME		0	0			
TEMPORARY		0	0			

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

general funds

ANALYSIS: Attach a separate page for analysis

Prepared By: Al Adams, Chair
Division: House Finance Committee

Phone: 465-3706
Date: May 24, 1984

Approved by Commissioner:
Agency:

Date:

Distribution (by Agency preparing fiscal note):

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

12/1/83

200. TRAVEL. Travel will be needed for attending review committee meetings and for site inspections.

300. CONTRACTUAL. The department will need contractual funds to perform the necessary sampling, analysis and evaluation to fulfill the monitoring mandated by the legislation.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: May 24, 1984

REQUEST

Bill/Resolution No.: HCS CSSB 461
Title: Management and Use of
Water in Mining
Sponsor: _____
Requestor: _____
Date of Request: _____

FISCAL DETAIL

Agency Affected: Environmental Conservation
Program Category Affected: _____
BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		49.5	52.9	0		
200 TRAVEL		10.0	10.0	0		
300 CONTRACTUAL		18.4	25.0	20		
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		77.9	87.9	20		
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		77.9	87.9	20		
FEDERAL FUNDS						
OTHER						
TOTAL		77.9	87.9	20		

POSITIONS:

FULL-TIME				0		
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Al Adams, Chair *AA* Phone: 465-3706
Division: House Finance Committee Date: May 24, 1984

Approved by Commissioner: _____ Date: _____
Agency: _____

Distribution (by Agency preparing fiscal note):

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- Legislative Sponsor
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12/1/83

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300. CONTRACTUAL. The department will need contractual funds to perform the necessary sampling, analysis and evaluation to fulfill the monitoring mandated by the legislation.

POSITION PAPER

ON

SENATE BILL 461

BY

Richard A. Neve'
Commissioner

Alaska Department of Environmental Conservation

March 22, 1984

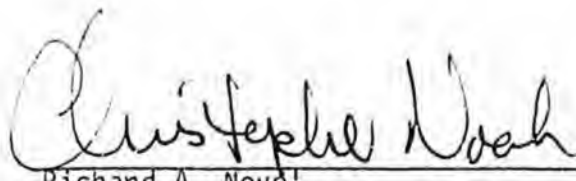
An Act Relating to the Management and Use
of Water in Mining

The Department wholeheartedly, enthusiastically supports this legislation. This bill would demonstrate new ideas in pollution control and increased gold recovery, which suprisingly are often compatible. Archaic sluice box "technology" fails to capture fine gold particles and demands high water use, thus causing costly pumping and waste treatment problems. This bill provides incentive to focus research, money, miners' natural ingenuity, and state laboratory, engineering, and technical resources on broad, innovative schemes to increase gold recovery, reduce water consumption, reduce discharges to streams, and give new thought to decreasing waste generation.

This bill has a meritorious aspect deserving special note: it places the Alaskan miner, with admirable ingenuity and resourcefulness, in the lead role to develop his own ideas and make them work. Government bureaucrats and consultants take a secondary role: that of testing and writing evaluations. It also places DEC and DNR field staff in an enviable positive situation -- that of verifying water reduction and recycling successes and making loan forgiveness an easy matter for the miner.

It's much better to spend time and money on increasing gold recovery and reducing water consumption and discharge than on digging deeper settling ponds. New methods and technology and their applications offer the best solution for the future of placer mining. This bill provides for just that.

The department is unable, however, to support creation of an advisory board. We suggest incorporating the duties and powers of this proposed advisory board into an existing board or creation of a review committee and guidance therefor.


Richard A. Neve'
Commissioner

SECTIONAL ANALYSIS

House CS for CSSB 461 (Loans)

Section 1 of the bill amends Title 46 by adding a Chapter 16, "Management and Use of Water in Mining."

Section 010 establishes a "mining water use review committee." The committee is charged with "reviewing and making recommendations (to the commissioners of DNR and DEC) on applications for grants under this chapter." This committee has all the usual powers of a similarly-established board or commission, and its members are entitled to the usual travel and per diem.

Section 020(a) provides for the membership of the committee: the commissioners of DNR and DEC, the dean of the school of mineral industry at the University, two appointees of the governor who have "placer mining experience", and a public member appointed by the governor.

Section 020(b) permits a member of the committee who serves ex officio to designate an alternate.

Section 020(c) provides that appointees to the committee serve a three year term. Members who serve by virtue of other positions serve so long as they hold those other positions.

Section 030(a) directs the committee to select a presiding officer and to "establish procedures necessary to implement its responsibilities."

Section 030(b) directs the committee to review each application for a grant filed under the chapter to the appropriate commissioner (DNR or DEC) for action on the application.

Section 030(c) establishes the broad goals of the committee in its review of the applications: "the economic benefits to the placer mining industry, the environmental benefits to the public, and other benefits" that each grant would offer.

Section 040 directs the commissioner of DNR to implement the innovative gold recovery demonstration grant program (sec.070).

Section 050 directs the commissioner of DEC to administer the innovative pollution control demonstration grant program (sec.080).

Section 060 directs the commissioners of DNR and DEC to establish "uniform regulations and administrative procedures" to implement the grant programs established under the chapter.

Section 070(a) establishes the "innovative gold recovery demonstration grant program" as a direct grant program for the study and test of "gold recovery and water use reduction.

Section 070(b) establishes the tests for the commissioner's determination on grant applications after review by the review committee: (1) a history of successful placer mining in the state; (2) the capability to produce verifiable results; and (3) the capability to study and test new methods of gold recovery and water use reduction under actual operating conditions.

Section 070(c) limits grants to \$100,000.00.

Section 070(d) requires the commissioner to monitor and evaluate the results of the grants made under this section.

Section 080(a) establishes the "innovative pollution control demonstration program" as a direct grant program to give a person engaged in placer mining an opportunity to study and test innovative and economically viable mining techniques for waste disposal and pollution control in placer mining.

Section 080(b) establishes the tests for the commissioner's determination on grant applications: (1) a history of successful placer mining in the state; (2) the capability to produce verifiable results; and (3) the capability to study and test new methods of innovative and economically viable techniques for waste disposal and pollution control in placer mining.

Section 080(c) limits grants to \$100,000.00.

Section 080(d) requires the commissioner to monitor and evaluate the results of grants made under the section.

Section 090(a) provides that the "information gathered and obtained from grants made under this chapter" is public information. The commissioners are directed to compile, analyze and distribute broadly the information gathered.

Section 090(b) provides that the contents of the applications for grants under the chapter are available for public inspection to the extent permitted under AS 09.25.110 and AS 09.25.120 (attached).

Section 100 provides that a person who applies for and receives a grant under these programs must assign to the State any patentable process developed as a result of a grant under this chapter. The State shall seek to patent any patentable process and must make the patentable process available to any placer miner in the state without cost.

Section 2 of the bill provides an effective date of July 1, 1984.

Sec. 09.25.110. Inspection and copies of public records. Unless specifically provided otherwise the books, records, papers, files, accounts, writings, and transactions of all agencies and departments are public records and are open to inspection by the public under reasonable rules during regular office hours. The public officer having the custody of public records shall give on request and payment of costs a certified copy of the public record. (§ 3.22 ch 101 SLA 1962)

Sec. 09.25.120. Inspection and copying of public records. Every person has a right to inspect a public writing or record in the state, including public writings and records in recorders' offices except (1) records of vital statistics and adoption proceedings which shall be treated in the manner required by AS 18.50; (2) records pertaining to juveniles, (3) medical and related public health records; (4) records required to be kept confidential by a federal law or regulation or by state law. Every public officer having the custody of records not included in the exceptions shall permit the inspection, and give on demand and on payment of the legal fees therefor a certified copy of the writing or record, and the copy shall in all cases be evidence of the original. Recordors shall permit memoranda, transcripts, and copies of the public writings and records in their offices to be made by photography or otherwise for the purpose of examining titles to real estate described in the public writings and records, making abstracts of title or guaranteeing or insuring the titles of the real estate, or building and maintaining title and abstract plants; and shall furnish proper and reasonable facilities to persons having lawful occasion for access to the public writings and records for those purposes, subject to reasonable rules and regulations, in conformity to the direction of the court, as are necessary for the protection of the writings and records and to prevent interference with the regular discharge of the duties of the recordors and their employees. (§ 3.23 ch 101 SLA 1962)

Original sponsor: Fahrenkamp

1 IN THE SENATE

BY THE HOUSE SPECIAL
COMMITTEE ON STATE LOANS

2 HOUSE CS FOR CS FOR SENATE BILL NO. 461 (Loans)

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 the management and use of water
7 in mining; and providing for an effective date."

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

9 * Section 1. AS 4, is amended by adding a new chapter to read:

10 CHAPTER 16. MANAGEMENT AND USE OF WATER IN MINING.

11 Sec. 46.16.010. MINING WATER USE REVIEW COMMITTEE ESTABLISHED.

12 The mining water use review committee is established. The review
13 committee is responsible for reviewing and making recommendations on
14 applications for grants under this chapter.

15 Sec. 46.16.020. MEMBERSHIP OF THE REVIEW COMMITTEE. (a) The
16 review committee consists of the commissioner of natural resources,
17 the commissioner of environmental conservation, the dean of the school
18 of mineral industry at the University of Alaska, two individuals
19 appointed by the governor who have placer mining experience, and one
20 public member appointed by the governor.

21 (b) An individual described in (a) of this section who serves ex
22 officio may designate an alternate to serve on the review committee.

23 (c) An individual appointed by the governor serves for a three-
24 year term.

25 Sec. 46.16.030. RESPONSIBILITY OF THE REVIEW COMMITTEE. (a)
26 The review committee shall select a presiding officer and establish
27 procedures necessary to implement its responsibilities.

28 (b) The review committee shall review each application for a
29 grant filed under this chapter and make a recommendation to the

1 commissioner of natural resources or to the commissioner of environ-
2 mental conservation for action on the application.

3 (c) In making its recommendation, the committee shall consider
4 the economic benefits to the placer mining industry, the environmental
5 benefits to the public, and other benefits that each grant may offer.

6 Sec. 46.16.040. RESPONSIBILITY OF COMMISSIONER OF NATURAL RE-
7 SOURCES. The commissioner of natural resources shall administer the
8 innovative gold recovery demonstration grant program established under
9 AS 46.16.070.

10 Sec. 46.16.050. RESPONSIBILITY OF COMMISSIONER OF ENVIRONMENTAL
11 CONSERVATION. The commissioner of environmental conservation shall
12 administer the innovative pollution control demonstration grant
13 program established under AS 46.16.080.

14 Sec. 46.16.060. UNIFORM REGULATIONS. The commissioner of
15 natural resources and the commissioner of environmental conservation
16 shall adopt uniform regulations and administrative procedures to
17 implement the grant program established by this chapter.

18 Sec. 46.16.070. INNOVATIVE GOLD RECOVERY DEMONSTRATION GRANT.
19 (a) The innovative gold recovery demonstration grant program is
20 established as a direct grant program to give a person engaged in
21 placer mining the opportunity to study and test new methods of gold
22 recovery and water use reduction.

23 (b) The commissioner of natural resources may make a grant under
24 this section to a person that has

25 (1) a proven history of successful placer mining in the
26 state;

27 (2) the capability to produce verifiable results; and

28 (3) the capability to study and test new methods of gold
29 recovery and water use reduction under actual operating conditions.

1 (c) The commissioner of natural resources may not make a grant
2 under this section to a person in excess of \$100,000.

3 (d) The commissioner of natural resources shall monitor and
4 evaluate the results of grants made under this section.

5 Sec. 46.16.080. INNOVATIVE POLLUTION CONTROL DEMONSTRATION
6 PROGRAM. (a) The innovative pollution control demonstration grant
7 program is established as a direct grant program to give a person
8 engaged in placer mining the opportunity to study and test innovative
9 and economically viable mining techniques for waste disposal and
10 pollution control in placer mining.

11 (b) The commissioner of environmental conservation may make
12 grants under this section to a person that has

13 (1) a proven history of successful placer mining in the
14 state;

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17 ically viable techniques for waste disposal and pollution control in
18 placer mining.

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20 a grant under this section to a person in excess of \$100,000.

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24 generated as a result of grants made under this chapter is public
25 information. The commissioner of natural resources and the commis-
26 sioner of environmental conservation shall compile, analyze, and
27 distribute the information for the benefit of the placer mining indus-
28 try and the state and federal governments.

29 (b) The contents of an application for a grant are available to

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the extent permitted under AS 09.25.110 and 09.25.120.

Sec. 46.16.100. PATENTS. A person who applies for a grant under this chapter shall assign to the state the right to patent any patentable process developed as a result of a grant under this chapter. The department making the grant shall seek to patent any patentable process developed as a result of a grant under this chapter. The state shall license without cost to a person engaged in placer mining in the state the right to use in the state a patented process that was developed as a result of a grant under this chapter.

* Sec. 2. This Act takes effect July 1, 1984.

CHAIRMAN
HOUSE SPECIAL COMMITTEE
ON STATE LOANS
VICE-CHAIRMAN
HOUSE RESOURCES COMMITTEE
HOUSE LABOR AND COMMERCE COMMITTEE
MEMBER
JOINT OIL & GAS COMMITTEE
HOUSE FINANCE SUBCOMMITTEE ON
ADMINISTRATION, REVENUE
AND THE GOVERNOR'S OFFICE

Alaska State Legislature



House of Representatives

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MEMORANDUM

Date: May 22 1984
To: Members, House Special Committee On State Loans
From: Rep. Rick Uehling, Chairman
Subject: Loans Committee Substitute for SB461

I have staff to prepare a comparison of the proposed Committee Substitute I have had prepared for SB461 " An Act relating to the management and use of water in mining; and providing for an effective date".

Placer Miners in this State are facing increasing difficulties in meeting State and Federal Water Quality Standards. The intent of this Legislation is to help Placer Miners develop new technology to meet the challenge of the upcoming years and to insure that Placer Mining remains a part of the Alaskan Economy. Senate Bill 461 as it left the House Resources Committee established a total of four new programs for this purpose. During the House Resources hearing on this legislation, a great many questions were raised about the advisability of establishing four different programs, two of which were Grant Programs and two of which were Loan/Grant Programs. After discussions with the Prime sponsor, Senator Fahrenkamp it was determined that the purposes of the legislation could be adequately addressed with the establishment of the two grant programs only.

The following details the changes made to the House Resources Committee Substitute by the proposed Loans Committee Substitute.

Section 1 - no change

Section 010- no change

Section 020- no change

Section 030- page two line 5 under subsection (c) Deletes "or loan "

Page Two

Section 040- page two line 10 deletes " and the placer mining water reduction loan program established under AS46.16.080. "

Section 050- page two line 15 deletes " and the placer mining water recycling loan program established under AS 46.16.100. "

Section 060- page two line 20 deletes " loan and".

Section 070- no change.

Section 080- This section is deleted (page three lines 7 thru page four line five).

Section 090- no change (this is renumbered Section 080).

Section 100- This section is deleted (page four line 23 thru page five line 20).

Section 110- Page five, line 22 deletes " loans and " line 27 deletes "or a loan" (this is renumbered Section 090).

New Section 100- This section has been added in order to clarify that patents for new technology will remain with the State.

Section 2- no change.

Offered: 5/22/84
Referred: House Special Committee on
State Loans and Finance

Original sponsor: Fahrenkamp

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 461 (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 the management and use of water
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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 46 is amended by adding a new chapter to read:
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11 Sec. 46.16.010. MINING WATER USE REVIEW COMMITTEE ESTABLISHED.
12 The mining water use review committee is established. The review
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14 applications for grants and loans under this chapter.
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16 review committee consists of the commissioner of natural resources,
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19 appointed by the governor who have placer mining experience, and one
20 public member appointed by the governor.
21 (b) An individual described in (a) of this section who serves ex
22 officio may designate an alternate to serve on the review committee.
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25 Sec. 46.16.030. RESPONSIBILITY OF THE REVIEW COMMITTEE. (a)
26 The review committee shall select a presiding officer and establish
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29 grant or a loan filed under this chapter and make a recommendation to

1 the commissioner of natural resources or to the commissioner of en-
2 vironmental conservation for action on the application.

3 (c) In making its recommendation, the committee shall consider
4 the economic benefits to the placer mining industry, the environmental
5 benefits to the public, and other benefits that each grant or loan may
6 offer.

7 Sec. 46.16.040. RESPONSIBILITY OF COMMISSIONER OF NATURAL RE-
8 SOURCES. The commissioner of natural resources shall administer the
9 innovative gold recovery demonstration grant program established under
10 AS 46.16.070 and the placer mining water reduction loan program estab-
11 lished under AS 46.16.080.

12 Sec. 46.16.050. RESPONSIBILITY OF COMMISSIONER OF ENVIRONMENTAL
13 CONSERVATION. The commissioner of environmental conservation shall
14 administer the innovative pollution control demonstration grant estab-
15 lished under AS 46.16.090 and the placer mining water recycling loan
16 program established under AS 46.16.100.

17 Sec. 46.16.060. UNIFORM REGULATIONS. The commissioner of
18 natural resources and the commissioner of environmental conservation
19 shall adopt uniform regulations and administrative procedures to
20 implement the loan and grant program established by this chapter.

21 Sec. 46.16.070. INNOVATIVE GOLD RECOVERY DEMONSTRATION GRANT.
22 (a) The innovative gold recovery demonstration grant program is
23 established as a direct grant program to give a person engaged in
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26 (b) The commissioner of natural resources may make a grant under
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- 28 (1) a proven history of successful placer mining;
29 (2) the capability to produce verifiable results; and

1 (3) the capability to study and test new methods of gold
2 recovery and water use reduction under actual operating conditions.

3 (c) The commissioner of natural resources may not make a grant
4 under this section to a person in excess of \$100,000.

5 (d) The commissioner of natural resources shall monitor and
6 evaluate the results of grants made under this section.

7 Sec. 46.16.080. PLACER MINING WATER REDUCTION LOAN AND GRANT.

8 (a) The placer mining water reduction program is established as a
9 loan and grant program.

10 (b) A person whose primary source of income is derived from
11 placer mining may apply for a loan to purchase and test equipment that
12 reasonably offers the possibility of a reduction in the amount of
13 water used in placer mining.

14 (c) If a loan applicant demonstrates to the satisfaction of the
15 review committee that the loan applicant has developed and will use on
16 a continuing basis a practical method that will result in a 50 percent
17 reduction in the amount of water used in the placer mining operation,
18 the review committee may recommend to the commissioner of natural
19 resources that 50 percent of the loan be considered a grant to the
20 loan applicant.

21 (d) If a loan applicant demonstrates to the satisfaction of the
22 review committee that the loan applicant has developed and will use on
23 a continuing basis a practical method that will result in an 80 per-
24 cent reduction in the amount of water used in the placer mining opera-
25 tion, the review committee may recommend to the commissioner of natu-
26 ral resources that the entire loan be considered a grant to the appli-
27 cant.

28 (e) A loan under this section may not

29 (1) exceed \$50,000;

- 1 (2) exceed a term of 10 years;
2 (3) have an interest rate exceeding 10 percent per annum;
3 or
4 (4) have a repayment schedule requiring payments within one
5 year after the loan was disbursed to the applicant.

6 Sec. 46.16.090. INNOVATIVE POLLUTION CONTROL DEMONSTRATION
7 PROGRAM. (a) The innovative pollution control demonstration grant
8 program is established as a direct grant program to give a person
9 engaged in placer mining the opportunity to study and test innovative
10 and economically viable mining techniques for waste disposal and
11 pollution control in placer mining.

12 (b) The commissioner of environmental conservation may make
13 grants under this section to a person that has

- 14 (1) a proven history of successful placer mining;
15 (2) the capability to produce verifiable results; and
16 (3) the capability to study and test innovative and econom-
17 ically viable techniques for waste disposal and pollution control in
18 placer mining.

19 (c) The commissioner of environmental conservation may not make
20 a grant under this section to a person in excess of \$100,000.

21 (d) The commissioner of environmental conservation shall monitor
22 and evaluate the results of grants made under this section.

23 Sec. 46.16.100. PLACER MINING WATER RECYCLING LOAN AND GRANT
24 PROGRAM. (a) The placer mining water recycling program is estab-
25 lished as a loan and grant program.

26 (b) A person whose primary source of income is derived from
27 placer mining may apply for a loan to purchase and test equipment that
28 reasonably offers the possibility of recycling the water used in
29 placer mining.

1 (c) If a loan applicant demonstrates to the satisfaction of the
2 review committee that the loan applicant has developed and will use on
3 a continuing basis a practical method that will result in recycling 50
4 percent of the water used in the placer mining operation, the review
5 committee may recommend to the commissioner of environmental conserva-
6 tion that 50 percent of the loan be considered a grant to the loan
7 applicant.

8 (d) If a loan applicant demonstrates to the satisfaction of the
9 review committee that the loan applicant has developed and will use on
10 a continuing basis a practical method that will result in recycling 80
11 percent of the water used in the placer mining operation, the review
12 committee may recommend to the commissioner of environmental conserva-
13 tion that the entire loan be considered a grant to the applicant.

14 (e) A loan under this section may not

- 15 (1) exceed \$50,000;
16 (2) exceed a term of 10 years;
17 (3) have an interest rate exceeding 10 percent per annum;

18 or

19 (4) have a repayment schedule requiring payments within one
20 year after the loan was disbursed to the applicant.

21 Sec. 46.16.110. ACCESS TO INFORMATION. (a) All information
22 generated as a result of loans and grants made under this chapter is
23 public information. The commissioner of natural resources and the
24 commissioner of environmental conservation shall compile, analyze, and
25 distribute the information for the benefit of the placer mining indus-
26 try and the state and federal governments.

27 (b) The contents of an application for a grant or a loan are
28 available to the extent permitted under AS 09.25.110 and 09.25.120.

29 * Sec. 2. This Act takes effect July 1, 1984.

Offered: 3/30/84
Referred: Finance

Original sponsor: Fahrenkamp

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 461 (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 the management and use of water
7 in mining; and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 46 is amended by adding a new chapter to read:
10 CHAPTER 16. MANAGEMENT AND USE OF WATER IN MINING.
11 Sec. 46.16.010. MINING WATER USE REVIEW COMMITTEE ESTABLISHED.
12 The mining water use review committee is established. The review
13 committee is responsible for reviewing and making recommendations on
14 applications for grants and loans under this chapter.
15 Sec. 46.16.020. MEMBERSHIP OF THE REVIEW COMMITTEE. (a) The
16 review committee consists of the commissioner of natural resources,
17 the commissioner of environmental conservation, the dean of the school
18 of mineral industry at the University of Alaska, two individuals
19 appointed by the governor who have placer mining experience, and one
20 public member appointed by the governor.
21 (b) An individual described in (a) of this section who serves ex
22 officio may designate an alternate to serve on the review committee.
23 (c) An individual appointed by the governor serves for a three-
24 year term.
25 Sec. 46.16.030. RESPONSIBILITY OF THE REVIEW COMMITTEE. (a)
26 The review committee shall select a presiding officer and establish
27 procedures necessary to implement its responsibilities.
28 (b) The review committee shall review each application for a
29 grant or a loan filed under this chapter and make a recommendation to

1 the commissioner of natural resources or to the commissioner of en-
2 vironmental conservation for action on the application.

3 (c) In making its recommendation, the committee shall consider
4 the economic benefits to the placer mining industry, the environmental
5 benefits to the public, and other benefits that each grant or loan may
6 offer.

7 Sec. 46.16.040. RESPONSIBILITY OF COMMISSIONER OF NATURAL RE-
8 SOURCES. The commissioner of natural resources shall administer the
9 innovative gold recovery demonstration grant program established under
10 AS 46.16.070 and the placer mining water reduction loan program estab-
11 lished under AS 46.16.080.

12 Sec. 46.16.050. RESPONSIBILITY OF COMMISSIONER OF ENVIRONMENTAL
13 CONSERVATION. The commissioner of environmental conservation shall
14 administer the innovative pollution control demonstration grant estab-
15 lished under AS 46.16.090 and the placer mining water recycling loan
16 program established under AS 46.16.100.

17 Sec. 46.16.060. UNIFORM REGULATIONS. The commissioner of
18 natural resources and the commissioner of environmental conservation
19 shall adopt uniform regulations and administrative procedures to
20 implement the loan and grant program established by this chapter.

21 Sec. 46.16.070. INNOVATIVE GOLD RECOVERY DEMONSTRATION GRANT.
22 (a) The innovative gold recovery demonstration grant program is
23 established as a direct grant program to give a person engaged in
24 placer mining the opportunity to study and test new methods of gold
25 recovery and water use reduction.

26 (b) The commissioner of natural resources may make a grant under
27 this section to a person that has

- 28 (1) a proven history of successful placer mining;
29 (2) the capability to produce verifiable results; and

1 (3) the capability to study and test new methods of gold
2 recovery and water use reduction under actual operating conditions.

3 (c) The commissioner of natural resources may not make a grant
4 under this section to a person in excess of \$100,000.

5 (d) The commissioner of natural resources shall monitor and
6 evaluate the results of grants made under this section.

7 Sec. 46.16.080. PLACER MINING WATER REDUCTION LOAN AND GRANT.

8 (a) The placer mining water reduction program is established as a
9 loan and grant program.

10 (b) A person whose primary source of income is derived from
11 placer mining may apply for a loan to purchase and test equipment that
12 reasonably offers the possibility of a reduction in the amount of
13 water used in placer mining.

14 (c) If a loan applicant offers evidence reasonably believed by
15 the review committee to indicate a 50 percent reduction in the amount
16 of water used in the placer mining operation, the review committee may
17 recommend to the commissioner of natural resources that 50 percent of
18 the loan be considered a grant to the loan applicant.

19 (d) If a loan applicant offers evidence reasonably believed by
20 the review committee to indicate an 80 percent reduction in the amount
21 of water used in the placer mining operation, the review committee may
22 recommend to the commissioner of natural resources that the entire
23 loan be considered a grant to the applicant.

24 (e) A loan under this section may not

25 (1) exceed \$50,000;

26 (2) exceed a term of 10 years;

27 (3) have an interest rate exceeding 10 percent per annum;

28 or

29 (4) have a repayment schedule requiring payments within one

1 year after the loan was disbursed to the applicant.

2 Sec. 46.16.090. INNOVATIVE POLLUTION CONTROL DEMONSTRATION
3 PROGRAM. (a) The innovative pollution control demonstration grant
4 program is established as a direct grant program to give a person
5 engaged in placer mining the opportunity to study and test innovative
6 and economically viable mining techniques for waste disposal and
7 pollution control in placer mining.

8 (b) The commissioner of environmental conservation may make
9 grants under this section to a person that has

10 (1) a proven history of successful placer mining;

11 (2) the capability to produce verifiable results; and

12 (3) the capability to study and test innovative and
13 economically viable techniques for waste disposal and pollution con-
14 trol in placer mining.

15 (c) The commissioner of environmental conservation may not make
16 a grant under this section to a person in excess of \$100,000.

17 (d) The commissioner of environmental conservation shall monitor
18 and evaluate the results of grants made under this section.

19 Sec. 46.16.100. PLACER MINING WATER RECYCLING LOAN AND GRANT
20 PROGRAM. (a) The placer mining water recycling program is estab-
21 lished as a loan and grant program.

22 (b) A person whose primary source of income is derived from
23 placer mining may apply for a loan to purchase and test equipment that
24 reasonably offers the possibility of recycling the water used in
25 placer mining.

26 (c) If a loan applicant offers evidence reasonably believed by
27 the review committee to indicate that the loan applicant has recycled
28 50 percent of the water used in the placer mining operation, the
29 review committee may recommend to the commissioner of environmental

1 conservation that 50 percent of the loan be considered a grant to the
2 loan applicant.

3 (d) If a loan applicant offers evidence reasonably believed by
4 the review committee to indicate that the loan applicant has recycled
5 80 percent of the water used in the placer mining operation, the
6 review committee may recommend to the commissioner of environmental
7 conservation that the entire loan be considered a grant to the appli-
8 cant.

9 (e) A loan under this section may not

10 (1) exceed \$50,000;

11 (2) exceed a term of 10 years;

12 (3) have an interest rate exceeding 10 percent per annum;

13 or

14 (4) have a repayment schedule requiring payments within one
15 year after the loan was disbursed to the applicant.

16 Sec. 46.16.110. ACCESS TO INFORMATION. (a) The information
17 gathered and obtained from loans and grants made under this chapter is
18 public information. The commissioner of natural resources and the
19 commissioner of environmental conservation shall compile, analyze, and
20 distribute the information for the benefit of the placer mining indus-
21 try and the state and federal governments.

22 (b) The contents of an application for a grant or a loan re
23 available to the extent permitted under AS 09.25.110 and 09.25.120.

24 * Sec. 2. This Act takes effect July 1, 1984.

Introduced: 2/13/84
Referred: Resources

1 IN THE SENATE

BY FAHRENKAMP

2

SENATE BILL NO. 61

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 the management and use of water

7

in mining; and providing for an effective date."

8

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

9

* Section 1. AS 46 is amended by adding a new chapter to read:

10

CHAPTER 32. MANAGEMENT AND USE OF WATER IN MINING.

11

Sec. 46.32.010. MINING WATER USE BOARD ESTABLISHED. The mining

12

water use board is established. The board is responsible for the

13

implementation of this chapter.

14

Sec. 46.32.020. MEMBERSHIP AND PRESIDING OFFICER OF THE BOARD.

15

(a) The board consists of the commissioner of environmental conserva-

16

tion, the commissioner of natural resources, the commissioner of

17

commerce and economic development, the dean of the school of mineral

18

industry at the University of Alaska, and two individuals appointed by

19

the governor who are familiar with the mining industry.

20

(b) An individual described in (a) of this section who serves ex

21

officio may designate an alternate to serve on the board.

22

(c) The governor may designate the presiding officer of the

23

board.

24

(d) An individual appointed by the governor serves for a three-

25

year term.

26

Sec. 46.32.030. RESPONSIBILITY OF THE BOARD. (a) The board

27

shall review and may approve applications filed with the board for

28

grants or loans filed under this chapter.

29

(b) The board may adopt regulations necessary to implement this

1 chapter.

2 Sec. 46.32.040. RESPONSIBILITY OF COMMISSIONER OF NATURAL RE-
3 SOURCES. (a) The commissioner of natural resources shall administer
4 the innovative gold recovery demonstration grant program established
5 under AS 46.32.050 and the placer mining water reduction loan program
6 established under AS 46.32.060.

7 (b) The commissioner of natural resources may adopt regulations
8 necessary to implement this section.

9 Sec. 46.32.050. INNOVATIVE GOLD RECOVERY DEMONSTRATION GRANT.

10 (a) The innovative gold recovery demonstration grant program is
11 established as a direct grant program to give an individual placer
12 miner and a business engaged in placer mining the opportunity to study
13 and test new methods of gold recovery.

14 (b) The commissioner of natural resources shall monitor and
15 evaluate the results of grants made under this section.

16 Sec. 46.32.060. PLACER MINING WATER REDUCTION LOAN AND GRANT.

17 (a) The placer mining water reduction program is established as a
18 loan and grant program.

19 (b) A placer miner may apply for a loan to study technology that
20 reasonably offers the possibility of a reduction in the amount of
21 water used in placer mining. The board shall review and may approve
22 an application for the study of a proposal that the board believes to
23 offer a reasonable possibility of a reduction in the amount of water
24 used in placer mining.

25 (c) If a loan applicant offers evidence that the commissioner of
26 natural resources reasonably believes has reduced the amount of water
27 used in the placer mining operation by 50 percent, the commissioner
28 may recommend to the board that 50 percent of the loan be considered a
29 grant to the loan applicant.

1 (d) If a loan applicant offers evidence that the commissioner of
2 natural resources reasonably believes has reduced the amount of water
3 used in the placer mining operation by 80 percent, the commissioner
4 may recommend to the board that the entire loan be considered a grant
5 to the applicant.

6 Sec. 46.32.070. RESPONSIBILITY OF COMMISSIONER OF ENVIRONMENTAL
7 CONSERVATION. (a) The commissioner of environmental conservation
8 shall administer the innovative pollution control demonstration grant
9 established under AS 46.32.080 and the placer mining water recycling
10 loan program established under AS 46.32.090.

11 (b) The commissioner of environmental conservation may adopt
12 regulations necessary to implement this section.

13 Sec. 46.32.080. INNOVATIVE POLLUTION CONTROL DEMONSTRATION
14 PROGRAM. (a) The innovative pollution control demonstration grant
15 program is established as a direct grant program to give an individual
16 placer miner and a business engaged in placer mining the opportunity
17 to study and test innovative and economically viable mining techniques
18 for waste disposal and pollution control in placer mining.

19 (b) The commissioner of environmental conservation shall monitor
20 and evaluate the results of grants made under this section.

21 Sec. 46.32.090. PLACER MINING WATER RECYCLING LOAN AND GRANT
22 PROGRAM. (a) The placer mining water recycling program is estab-
23 lished as a loan and grant program.

24 (b) A placer miner may apply for a loan to study technology that
25 reasonably offers the possibility of recycling the water used in
26 placer mining. The board shall review and may approve an application
27 for the purchase of water recycling pumps and other equipment that the
28 board believes will offer a reasonable possibility of recycling the
29 water used in placer mining.

1 (c) If a loan applicant offers evidence that the commissioner of
2 environmental conservation reasonably believes has recycled 50 percent
3 of ~~the~~ water used in the placer mining operation, the commissioner may
4 ~~recomm~~end to the board that 50 percent of the loan be considered a
5 grant to the loan applicant.

6 (d) If a loan applicant offers evidence that the commissioner of
7 environmental conservation reasonably believes has recycled 80 percent
8 of the water used in the placer mining operation, the commissioner may
9 recommend to the board that the entire loan be considered a grant to
10 the applicant.

11 * Sec. 2. This Act takes effect July 1, 1984.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revised 5/22/84

Revision Date: 5/21/84

REQUEST

Bill/Resolution No.: CSSB 461 (Res)
Title: Management and Use of Water
in Mining

Sponsor: Sen. Fahrenkamp
Requestor:
Date of Request:

FISCAL DETAIL

Agency Affected: DNR
Program Category Affected: NRMEC

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			78.1	125.7	132.0	138.6
200 TRAVEL			20.0	22.1	23.2	24.4
300 CONTRACTUAL			65.0	35.0	36.0	37.1
400 SUPPLIES			4	6	6	6
500 EQUIPMENT			1.5	7	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	165.0	184.1	191.8	200.7
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND			165.0	184.1	191.8	200.7
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME			2	3	3	3
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Laurel Murphy Phone: 265-4184
Division: Mining Date: 5/21/84

Approved by Commissioner: *William J. Amundson* Date:
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

DNR BACKUP FOR FISCAL NOTE
FOR CS SB 461 (Res)

	FY 86	FY 87	FY 88	FY 89
100:	78.1	125.7	132.0	138.6

In the first year, the Department will assign a mining engineer (52.9) to supervise the loan fund and begin preparing for the disbursement of loans from the fund. This will require assignment of contractors for items shown under line 300, as well as preliminary evaluation of technologies and demand for loans. A Clerk-Typist III (25.2) will assist the supervising mining engineer and the review committee.

After the first year, the Department will add a Loan Examiner II (41.6) to monitor and check compliance on loans.

200:	20.0	22.1	23.2	24.4
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Travel for regulation hearings, interagency coordination and briefing, inspection of operations.

300:	65.0	35.0	36.0	37.1
------	------	------	------	------

Development of loan and grant regulations, forms, and procedures; accounting procedures; analysis and preparation of testing and compliance procedures; inspection and other reports; audit; air charter; legal counsel; training; office overhead; printing; noticing; computer time.

400:	.4	.6	.6	.6
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Miscellaneous office supplies (\$200 per position).

500:	1.5	.7	0	0
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Office equipment for new positions.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Rec'd 5/23/84

Revision Date: May 21, 1984

REQUEST

Bill/Resolution No.: CSSB 461
 Title: Management and use of
water in mining
 Sponsor: Fahrenkamp
 Requestor: House Resources
 Date of Request: May 18, 1984

FISCAL DETAIL

Agency Affected: Environmental Conservation
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

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:

ANALYSIS: Attach a separate page for analysis

Prepared By: Billie Trent Phone: 465-2600
 Division: Office of Commissioner Date: 5/21/84
 Approved by Commissioner: Richard A. Nevil Date: 5/21/84
 Agency: Environmental Conservation

Distribution (by Agency preparing fiscal note):

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

12/1/83