

**COMMITTEE REPORT**  
**SENATE**

FURTHER:

4/14/86

Date \_\_\_\_\_

Mr. President

The Committee on FINANCE considered SS SB 220

abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

\_\_\_\_\_  
Chairman recommendation

COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

4/10/86

Date \_\_\_\_\_

Mr. President

The Committee on RESOURCES considered SS SB 220

abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

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Chairman recommendation

COMMITTEE REPORT  
SENATE

FURTHER:

*Resolves*  
FINANCE

3/8/85

Date \_\_\_\_\_

Mr. President

The Committee on HESS considered SB 220

abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

\_\_\_\_\_  
Chairman recommendation

Introduced: 4/10/86  
Referred: Resources  
and Finance

1 IN THE SENATE

BY COGHILL, ABOOD AND DEVRIES

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 220

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act abolishing the Department of Environmental  
7 Conservation, transferring functions to other depart-  
8 ments and repealing the Environmental Procedures  
9 Coordination Act; and providing for an effective  
10 date."

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

12 \* Section 1. AS 03.15.020 is amended to read:

13 Sec. 03.15.020. PURPOSE OF APPROPRIATIONS. Appropriations  
14 available to the department [DEPARTMENT OF NATURAL RESOURCES OR TO THE  
15 DEPARTMENT OF ENVIRONMENTAL CONSERVATION] may be used

16 (1) to buy materials or equipment needed to control agri-  
17 cultural pests when the persons directly affected cannot bear the  
18 total cost and the pest is one that is or may become a public problem;

19 (2) to charter or hire on a custom basis equipment and  
20 operators necessary for pest-control work when the persons directly  
21 affected cannot provide the service and the pest is one that is or may  
22 become a public problem;

23 (3) to match federal indemnity payments to livestock owners  
24 for livestock slaughtered under any cooperating livestock health  
25 program;

26 (4) to maintain a supply of vaccines, serums and chemicals  
27 needed for emergency pest control, that are not commercially available  
28 in the state.

29 \* Sec. 2. AS 03.53.010(c) is amended to read:  
S

1 (c) The following persons are authorized to enforce the provi-  
2 sions of this section:

3 (1) the commissioner [OF ENVIRONMENTAL CONSERVATION];

4 (2) a state employee authorized by the commissioner [OF  
5 ENVIRONMENTAL CONSERVATION].

6 \* Sec. 3. AS 16.10.010 is amended to read:

7 Sec. 16.10.010. INTERFERENCE WITH SALMON SPawning STREAMS AND  
8 WATERS. A person may not

9 (1) obstruct, divert or pollute waters of the state, either  
10 fresh or salt, utilized by salmon in the propagation of the species,  
11 by felling trees or timber in those waters, casting, passing, throwing  
12 or dumping any tree limbs or foliage, underbrush, stumps, rubbish,  
13 earth, stones, rock or other debris, or passing or dumping sawdust,  
14 planer shavings, or other waste or refuse of any kind in those waters;

15 (2) erect a dam, barricade or obstruction to retard, con-  
16 serve, impound or divert these waters to prevent, retard or interfere  
17 with the free ingress or egress of salmon into these waters in the  
18 natural spawning or propagation process;

19 (3) render the waters inaccessible or uninhabitable for  
20 salmon for that purpose without first applying for and obtaining a  
21 permit or license from the Department of Fish and Game; the [ENVIRON-  
22 MENTAL CONSERVATION. THE] application shall set out the name and  
23 style of the person or concern, describe the waters and location, and  
24 state in particular the plans, purpose and intention for which the  
25 application is made.

26 \* Sec. 4. AS 16.10.020 is amended to read:

27 Sec. 16.10.020. GROUNDS FOR PERMIT OR LICENSE. IF in the judg-  
28 ment of the Department of Fish and Game [ENVIRONMENTAL CONSERVATION],  
29 the purpose of the applicant for the permit or license is to develop

1 power, obtain water for civic, domestic, irrigation, manufacturing,  
2 mining or other purposes tending to develop the natural resources of  
3 the state, the department may grant the permit or license and may  
4 require the applicant to construct and maintain adequate fish ladders,  
5 fishways or other means by which fish may pass over, around or through  
6 the dam, obstruction or diversion in the pursuit of the propagation or  
7 spawning process.

8 \* Sec. 5. AS 17.07.200(1) is amended to read:

9 (1) "department" means the Department of Natural Resources  
10 [ENVIRONMENTAL CONSERVATION];

11 \* Sec. 6. AS 17.20 is amended by adding a new section to read:

12 Sec. 17.20.365. ENFORCEMENT AUTHORITY. The commissioner is  
13 responsible for enforcing this chapter and may delegate that authority  
14 as appropriate. This section does not limit the authority of peace  
15 officers.

16 \* Sec. 7. AS 17.20.370 is amended by adding new paragraphs to read:

17 (14) "commissioner" means the commissioner of natural  
18 resources;

19 (15) "department" means the Department of Natural Resources.

20 \* Sec. 8. AS 18.35.365 is amended to read:

21 Sec. 18.35.365. DEFINITIONS. In this chapter, unless the con-  
22 text otherwise requires [AS 18.35.300 - 18.35.365],

23 (1) "commissioner" means commissioner of natural resources  
24 [ENVIRONMENTAL CONSERVATION];

25 (2) "department" means the Department of Natural Resources  
26 [ENVIRONMENTAL CONSERVATION].

27 \* Sec. 9. AS 38.35.230(2) is amended to read:

28 (2) "coordinate agencies" includes Department of Labor,  
29 Department of Transportation and Public Facilities, Department of Fish

1        and Game (ENVIRONMENTAL CONSERVATION), and the Alaska Public Utilities  
2        Commission;

3        \* Sec. 10. AS 41.17.010 is amended to read:

4                Sec. 41.17.010. DECLARATION OF INTENT. The legislature declares  
5        that

6                (1) the forest resources of Alaska are among the most  
7        valuable natural resources of the state, and furnish timber and wood  
8        products, fish and wildlife, tourism, outdoor recreation, water, soil,  
9        air, minerals, and general health and welfare;

10               (2) economic enterprises and other activities and pursuits  
11        derived from forest resources warrant the continuing recognition and  
12        support of the state;

13               (3) the state has a fundamental obligation to insure that  
14        management of forest resources guarantees perpetual supplies of renew-  
15        able resources, provides nonrenewable resources in a manner consistent  
16        with that obligation, and serves the needs of all Alaska for the many  
17        products, benefits, and services obtained from them;

18               (4) government administration of forest resources should  
19        combine professional management services, regulatory measures, and  
20        economic incentives in a complementary fashion, and should draw upon  
21        the expertise of professional foresters in conjunction with other  
22        disciplines;

23               (5) under the leadership of the Department of Fish and Game  
24        [ENVIRONMENTAL CONSERVATION], the state should exercise its full  
25        responsibility and authority for control of nonpoint source pollution  
26        with respect to the Federal Water Pollution Control Act, as amended;

27               (6) subject to 16 U.S.C. 1456(f) (sec. 307(f) of the  
28        Coastal Zone Management Act of 1972, P.L. 92-583), the provisions of  
29        this chapter shall be the basis for forest management standards,

1 policies, and guidelines developed under the Alaska Coastal Management  
2 Act.

3 \* Sec. 11. AS 41.17.055(d) is amended to read:

4 (d) The commissioner may develop proposed regulations under this  
5 chapter as part of the state program for control of nonpoint source  
6 pollution under the Federal Water Pollution Control Act, as amended,  
7 and shall seek to enter into a cooperative agreement with the commis-  
8 sioner of fish and game [ENVIRONMENTAL CONSERVATION] for that purpose.  
9 However, the Department of Fish and Game [ENVIRONMENTAL CONSERVATION]  
10 is the lead agency for water quality and control of nonpoint source  
11 pollution under that act, and the regulations and cooperative agree-  
12 ment are therefore subject to the advance approval of the commissioner  
13 of fish and game [ENVIRONMENTAL CONSERVATION].

14 \* Sec. 12. AS 41.17.950(2) is amended to read:

15 (2) "broadcast chemicals" includes pesticides, herbicides,  
16 fungicides, fertilizers, poisons, and any other substances

17 (A) used for silvicultural management or related  
18 purposes;

19 (B) not native to the ecosystem in which they are  
20 being applied; and

21 (C) having a foreseeable adverse impact on the welfare  
22 of renewable resources, as determined by the commissioner [OF  
23 ENVIRONMENTAL CONSERVATION];

24 \* Sec. 13. AS 41.21.504(b) is amended to read:

25 (b) Nothing in AS 41.21.500 - 41.21.514 affects the applicabil-  
26 ity of

27 (1) AS 41.99.010 and AS 16 regarding the responsibilities  
28 of the Department of Fish and Game or the Board of Fisheries or the  
29 Board of Game;

1 (2) AS 46.03 regarding the responsibilities of the Depart-  
2 ment of Fish and Game [ENVIRONMENTAL CONSERVATION]; or

3 (3) AS 44.19.145(a)(11) and AS 46.40.100 regarding the  
4 responsibilities of state agencies and municipalities.

5 \* Sec. 14. AS 44.07.140(f) is amended to read:

6 (f) The corporation shall submit the facility procurement pro-  
7 cess schedule to the capital coordinating committee. The committee  
8 consists of the commissioners of transportation and public facilities,  
9 public safety, health and social services, [ENVIRONMENTAL CONSERVA-  
10 TION,] natural resources, fish and game, labor, commerce and economic  
11 development, community and regional affairs, and a representative of  
12 the Office of the Governor. The chairman of the committee shall be  
13 the commissioner of transportation and public facilities. The commit-  
14 tee, with the cooperation of the corporation, shall ensure that sub-  
15 missions made by the corporation as required by statute, codes, and  
16 regulations are processed expeditiously. The committee and the corpo-  
17 ration, or the corporation itself, may propose to the governor revi-  
18 sion of procedures, statutes, codes or regulations when necessary to  
19 expedite the corporation's work.

20 \* Sec. 15. AS 44.37 is amended by adding a new section to read:

21 Sec. 44.37.050. DUTIES OF THE DEPARTMENT WITH RESPECT TO SANITA-  
22 TION. The Department of Natural Resources shall adopt regulations for

23 (1) the prevention and control of public health nuisances;  
24 (2) regulation of sanitation and sanitary practices in the  
25 public health;

26 (3) standards of cleanliness and sanitation in connection  
27 with the construction, operation and maintenance of a camp, cannery,  
28 food handling establishment, food manufacturing plant, mattress manu-  
29 facturing establishment, industrial plant, school, barber shop,

1 hairdressing or cosmetology establishment, soft drink dispensary, and  
2 for other similar establishments in which lack of sanitation may  
3 create a condition causative of disease.

4 \* Sec. 16. AS 44.39.020 is amended by adding a new subsection to read:

5 (b) The department shall

6 (1) have primary responsibility for coordination and devel-  
7 opment of policies, programs and planning related to the environment  
8 of the state and of the various regions of the state;

9 (2) have primary responsibility for the adoption and en-  
10 forcement of regulations setting standards for the prevention and  
11 abatement of all water, land, subsurface land and air pollution, and  
12 other sources or potential sources of pollution of the environment,  
13 including by way of example only, petroleum and natural gas pipelines;

14 (3) promote and develop programs for the protection and  
15 control of the environment of the state;

16 (4) take actions that are necessary and proper to further  
17 the policy declared in AS 46.03.010.

18 \* Sec. 17. AS 44.47.130 is amended to read:

19 Sec. 44.47.130. POWERS AND DUTIES. To promote development of  
20 rural areas of the state, the department is authorized to

21 (1) investigate social and economic conditions of rural  
22 areas to determine the need to expand economic opportunities and  
23 improve living conditions;

24 (2) formulate a coordinated program to broaden and diversify  
25 the economic base of rural areas;

26 (3) coordinate administration of emergency relief, surplus  
27 food distribution, or other public assistance programs, except the  
28 regular relief and assistance programs of the federal government in  
29 rural areas;

1 (4) Formulate and conduct a program of construction of  
2 basic facilities to improve health, welfare and economic security and  
3 provide employment and income in the rural areas;

4 (5) promote training and educational programs designed to  
5 expand employment opportunities for residents of rural areas;

6 (6) enter into agreements with other state agencies and  
7 departments to provide for the distribution in rural communities of  
8 surplus electrical power from state-owned power sources located in  
9 those communities and to expend funds for this purpose;

10 (7) make grants to communities for bulk fuel storage facil-  
11 ities;

12 (8) cooperate with the Department of Natural Resources  
13 [ENVIRONMENTAL CONSERVATION] and other agencies to provide technical  
14 assistance to communities in the installation, operation and manage-  
15 ment of bulk fuel storage facilities.

16 \* Sec. 18. AS 44.62.330(a)(27) is amended to read:

17 (27) Department of Health and Social Services and Department  
18 of Natural Resources [ENVIRONMENTAL CONSERVATION] under the Alaska  
19 Food, Drug, and Cosmetic Act (AS 17.20), and Department of Commerce  
20 and Economic Development in connection with the licensing of embalmers  
21 and funeral directors under AS 08.42.

22 \* Sec. 19. AS 44.62.330(a)(30) is amended to read:

23 (30) Department of Natural Resources [ENVIRONMENTAL CONSER-  
24 VATION], under AS 18.35.010 - 18.35.020, concerning the regulation of  
25 tourist and trailer camps, motor courts, and motels

26 \* Sec. 20. AS 44.62.330(a)(44) is amended to read:

27 (44) Department of Fish and Game under AS 46.03 [ENVIRON-  
28 MENTAL CONSERVATION], except to the extent that AS 44.62.360 - 44.62.-  
29 400 are inconsistent with the manner in which proceedings are

1 initiated under that chapter [THE PROVISIONS OF AS 46.03]

2 \* Sec. 21. AS 46.05.060(a) is amended to read:

3 (a) Except for the Department of Health and Social Services, the  
4 Department of Labor, the Department of Natural Resources [ENVIRONMEN-  
5 TAL CONSERVATION], and the Department of Military and Veterans'  
6 Affairs, A [NO] state agency may not

7 (1) contract, other than with the Department of Health and  
8 Social Services, to have services performed which require expertise in  
9 determining or reducing the hazards of radiation; or

10 (2) employ a person whose duties require expertise in  
11 determining or reducing the hazards of radiation.

12 \* Sec. 22. AS 46.04.120(4) is amended to read:

13 (4) "commissioner" means the commissioner of Fish and game  
14 [ENVIRONMENTAL CONSERVATION];

15 \* Sec. 23. AS 46.04.120(5) is amended to read:

16 (5) "department" means the Department of Fish and Game  
17 [ENVIRONMENTAL CONSERVATION];

18 \* Sec. 24. AS 46.06.150(2) is amended to read:

19 (2) "commissioner" means the commissioner of natural re-  
20 sources [ENVIRONMENTAL CONSERVATION];

21 \* Sec. 25. AS 46.06.150(3) is amended to read:

22 (3) "department" means the Department of Natural Resources  
23 [ENVIRONMENTAL CONSERVATION];

24 \* Sec. 26. AS 46.07.080(1) is amended to read:

25 (1) "commissioner" means the commissioner of community and  
26 regional affairs [ENVIRONMENTAL CONSERVATION];

27 \* Sec. 27. AS 46.11.060(b) is amended to read:

28 (b) The Department of Natural Resources [ENVIRONMENTAL CONSERVA-  
29 TION] shall encourage, through cooperative means, the adoption of all

1 available and practicable methods throughout federal, state and local  
2 governments which recycle, reuse and conserve materials.

3 \* Sec. 28. AS 46.15.020(b) is amended to read:

4 (b) The commissioner shall

5 (1) adopt procedural and substantive regulations to carry  
6 out the provisions of this chapter, taking into consideration the  
7 responsibilities of the Department of [ENVIRONMENTAL CONSERVATION  
8 UNDER AS 46.03 AND THE DEPARTMENT OF] Fish and Game under AS 16 and  
9 AS 46.03;

10 (2) keep a public record of all applications for permits  
11 and certificates and other documents filed in the commissioner's [NRS]  
12 office; and shall record all permits and certificates and amendments  
13 and orders affecting them and shall index them in accordance with the  
14 source of the water and the name of the applicant or appropriator;

15 (3) cooperate with, assist, advise and coordinate plans  
16 with the federal, state and local agencies in matters relating to the  
17 appropriation, use, conservation, quality, disposal or control of  
18 waters and activities related thereto;

19 (4) prescribe fees or service charges for any public ser-  
20 vice rendered.

21 \* Sec. 29. AS 46.15.040(c) is amended to read:

22 (c) All applications to the commissioner for a permit to appro-  
23 priate water, filed subsequent to July 1, 1966, and before July 1,  
24 1986, shall be considered as having been simultaneously filed with the  
25 Department of Fish and Game under AS 16 and the Department of Environ-  
26 mental Conservation under AS 46.03. Applications for a permit to  
27 appropriate water, filed on or after July 1, 1986, are considered as  
28 having been simultaneously filed with the Department of Fish and Game  
29 under AS 16.

1 \* Sec. 30. AS 46.15.133(b) is amended to read:

2 (b) The commissioner shall publish the notice at the applicant's  
3 expense in one issue of a newspaper of general distribution in the  
4 area of the state in which the water is to be appropriated. The com-  
5 missioner shall also have notice served personally or by certified  
6 mail upon an appropriator of water or applicant for or holder of a  
7 permit who, according to the records of the Department of Natural  
8 Resources [DIVISION OF LANDS], may be affected by the proposed appro-  
9 priation and may serve notice upon any governmental agency, political  
10 subdivision or person; notice shall also be served upon the Department  
11 of Fish and Game [AND THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION].

12 \* Sec. 31. AS 46.15.190 is amended to read:

13 Sec. 46.15.190. THE WATER RESOURCES BOARD. There is created the  
14 Water Resources Board composed of seven members having a general  
15 knowledge of the use and requirements for use of the waters of the  
16 state and the conservation and protection thereof. The [, AND THE]  
17 commissioner of fish and game [ENVIRONMENTAL CONSERVATION] or the com-  
18 missioner's [HIS] designee shall serve as an additional, ex officio  
19 member serving without a vote. The commissioner of natural resources  
20 shall act as the executive secretary of the board, and shall provide  
21 clerical staff for the board. Members of the board are appointed by  
22 the governor, subject to confirmation by a majority of the members of  
23 the legislature in joint session.

24 \* Sec. 32. AS 46.45.020 is amended to read:

25 Sec. 46.45.020. IMPLEMENTATION. The commissioner of natural  
26 resources [ENVIRONMENTAL CONSERVATION] may adopt regulations and do  
27 all things necessary or incidental to the carrying out of the  
28 Northwest Interstate Compact on Low-Level Radioactive Waste Manage-  
29 ment.

1 \* Sec. 33. TRANSFER OF FUNCTIONS TO THE DEPARTMENT OF NATURAL RE-  
2 SOURCES. The inspection and enforcement functions currently being per-  
3 formed by the Department of Environmental Conservation under AS 03.05,  
4 AS 03.45, AS 17.05, AS 17.20, AS 18.35, AS 18.45, and AS 46.06 are trans-  
5 ferred to the Department of Natural Resources.

6 \* Sec. 34. TRANSFER OF FUNCTIONS TO DEPARTMENT OF FISH AND GAME. The  
7 inspection and enforcement functions currently being performed by the  
8 Department of Environmental Conservation under AS 41.17, AS 46.03, AS 46.-  
9 15, and AS 46.16 are transferred to the Department of Fish and Game.

10 \* Sec. 35. TRANSFER OF FUNCTIONS TO DEPARTMENT OF COMMUNITY AND REGION-  
11 AL AFFAIRS. The inspection and enforcement functions currently being  
12 performed by the Department of Environmental Conservation under AS 45.30  
13 are transferred to the Department of Community and Regional Affairs.

14 \* Sec. 36. TRANSITION. All litigation, hearings, investigations and  
15 other proceedings pending under a law amended or repealed by this Act, or  
16 in connection with functions transferred by this Act, continue in effect  
17 and may be continued and completed notwithstanding a transfer or amendment  
18 or repeal provided for in this Act. Certificates, orders, and regulations  
19 issued or adopted under authority of a law amended or repealed by this Act  
20 remain in effect for the term issued, or until revoked, vacated, or other-  
21 wise modified under the provisions of this Act. All contracts, rights,  
22 liabilities, and obligations created by or under a law amended or repealed  
23 by this Act, and in effect on July 1, 1936, remain in effect notwithstand-  
24 ing this Act's taking effect. Records, equipment, and other property of  
25 agencies of the state whose functions are transferred under this Act shall  
26 be transferred commensurate with the provisions of this Act.

27 \* Sec. 37. NAME CHANGE. To be consistent with the changes made by this  
28 Act, wherever in the Alaska Statutes and in regulations adopted under those  
29 statutes "Department of Environmental Conservation" and other terms

1 identifying the department are used, they must be read as referring to the  
2 appropriate department under the provisions of this Act. Under AS 01.05.-  
3 031, the revisor of statutes shall implement this section in the statutes  
4 and under AS 44.62.125(b)(6), the regulations attorney shall implement this  
5 section in the administrative regulations.

6 \* Sec. 38. The following are repealed: AS 03.05.020(b), 03.05.035(d),  
7 03.05.040(b), 03.05.050(b), 03.05.060(b), 03.05.070(b), 03.05.080(b);  
8 AS 03.25.250; AS 17.20.072, 17.20.075, 17.20.135, 17.20.152, 17.20.155,  
9 17.20.172, 17.20.175, 17.20.290(b), 17.20.290(c); AS 18.35.090(2), 18.35.-  
10 230(1); AS 44.17.005(16); AS 44.19.155(a)(2)(D); AS 44.46; and AS 46.35.

11 \* Sec. 39. This Act takes effect July 1, 1986.  
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ALASKA STATE LEGISLATURE

1935 Legislature .. FIRST Session

SENATE BILL..... NO. 220...

By .. WENTZEL, ANCHORAGE, DISTRICT 1..

"An Act abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; and providing for an effective date."

Introduced in the Senate 3/27/35, 1935

HISTORY IN THE SENATE

19 35

Read first time and referred to Committee on

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1 14

RESERVED FOR  
Reconsidered 3/11-2nd  
Reported back with recommendation that *pass*  
*FIN*

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed  
Signed by President  
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed  
Signed by Speaker  
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No. ....

STATE OF ALASKA 1985 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: SB 220  
 Title: An Act Abolishing the Dept. of Environmental Conservation  
 Sponsor: Coghill, Abood, & Devries  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: Health and Social Services  
 Program Category Affected: Health  
 BRU, Program or Subprogram(s) Affected: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<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>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Assuming that the FY86 Governor's recommended funding for the transferred programs is available to this department, no additional funds would be needed.

Prepared By: Robert I. Fraser, M.D. Phone: 465-3090  
 Division: Public Health Date: March 20, 1985

Approved by Commissioner: J. A. Goff Date: 3/26/85 JCC  
 Agency: Department of Health & Social Services

Distribution (by Agency preparing fiscal note):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

POSITION PAPER

SENATE BILL NO. 220

For: "An Act abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; and providing for an effective date."

Senate Bill No. 220 would dissolve the Department of Environmental Conservation and transfer these responsibilities to the Department of Natural Resources and Health and Social Services.

Protection of the Alaskan environment including the protection of and control of Public Health nuisances; regulation of sanitation and sanitary practices; and standards of cleanliness and sanitation in food establishments and plants is of the utmost importance. The Department of Environmental Conservation has conscientiously performed these duties. The responsibilities are appropriately placed at this time.

The Department of Health and Social Services does not support Senate Bill No. 220.

Recommended by: Robert I. Fraser  
Robert I. Fraser, M.D.  
Director  
Division of Public Health

Date: 3/26/85

Approved by: John R. Pugh  
John R. Pugh  
Commissioner  
Department of Health and  
Social Services

Date: 3/26/85

SB 220

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : SS SB No. 220  
 Title : An Act Abolishing the Dept. of Environmental Conservation....  
 Sponsor : Resources and Finance  
 Requestor : Coghill, Abood & DeVries  
 Date of Request : 4/22/86

**FISCAL DETAIL**

Agency Affected : Dept. of Health & Social Services  
 BRU : Health Services  
 Components : \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS :**

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

**ANALYSIS :** Attach a separate page if necessary

Prepared by : Elizabeth Ward, M.N., Director *E. Ward* Phone : 465-3090  
 Division : Public Health Date : April 22, 1986  
 Approved by Commissioner : *John R. Py* Date : 4/20/86  
 Agency : Department of Health and Social Services *JCC*

Distribution (by Agency preparing fiscal note) :

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

POSITION PAPER

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 220

For an Act entitled: "An Act Abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; and Providing for an Effective Date."

This Bill abolishes the Department of Environmental Conservation and reassigns its functions to other departments of government.

As stated in the original position paper, the Department of Health and Social Services does not support Senate Bill No. 220. However, should the legislature decide to enact this Bill, a change in the sponsor substitute version is requested. Section 33 of the sponsor substitute transfers a number of inspection and enforcement functions to the Department of Natural Resources. Included in these are AS 17.05 (Standards of Sale for Food or Drink), AS 17.20 (Alaska Food, Drug and Cosmetic Act) and AS 18.35 (Public Accommodations and Facilities).

These statutes are designed to protect public health through setting of standards, inspections to monitor compliance with standards, surveillance for disease occurrence and institution of control measures should an outbreak of disease due to food, drink, drugs or cosmetics occur. Close cooperation between the field staff responsible for inspections, public education and monitoring and the epidemiology staff in this department is required since the epidemiology staff is involved in determining the existence of a health problem, in designing appropriate investigative techniques, analysis of the results of field investigation and selection of control measures where necessary. For this reason, if this Bill is enacted, the responsibility for inspection and enforcement in AS 17.05, AS 17.20 and AS 18.35 should be assigned to the Department of Health and Social Services and the resources devoted to these duties within the Department of Environmental Conservation should be returned to the Department.

Recommended by: Elizabeth H. Ward  
Elizabeth Ward, M.N.  
Director  
Division of Public Health

Date: 4/22/86

Approved by: John R. Pugh  
John R. Pugh  
Commissioner  
Department of Health  
and Social Services

Date: 4/25/86

Introduced: 4/10/86  
Referred: Resources  
and Finance

1 IN THE SENATE BY COGHILL, ABOOD AND DEVRIES  
2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 220  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act abolishing the Department of Environmental  
7 Conservation, transferring functions to other depart-  
8 ments and repealing the Environmental Procedures  
9 Coordination Act; and providing for an effective  
10 date."

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

12 \* Section 1. AS 03.15.020 is amended to read:

13 Sec. 03.15.020. PURPOSE OF APPROPRIATIONS. Appropriations  
14 available to the department [DEPARTMENT OF NATURAL RESOURCES OR TO THE  
15 DEPARTMENT OF ENVIRONMENTAL CONSERVATION] may be used

16 (1) to buy materials or equipment needed to control agri-  
17 cultural pests when the persons directly affected cannot bear the  
18 total cost and the pest is one that is or may become a public problem;

19 (2) to charter or hire on a custom basis equipment and  
20 operators necessary for pest-control work when the persons directly  
21 affected cannot provide the service and the pest is one that is or may  
22 become a public problem;

23 (3) to match federal indemnity payments to livestock owners  
24 for livestock slaughtered under any cooperating livestock health  
25 program;

26 (4) to maintain a supply of vaccines, serums and chemicals  
27 needed for emergency pest control, that are not commercially available  
28 in the state.

29 \* Sec. 2. AS 03.53.010(c) is amended to read:

1           (c) The following persons are authorized to enforce the provi-  
2 sions of this section:

3           (1) the commissioner [OF ENVIRONMENTAL CONSERVATION];

4           (2) a state employee authorized by the commissioner [OF  
5 ENVIRONMENTAL CONSERVATION].

6 \* Sec. 3. AS 16.10.010 is amended to read:

7           Sec. 16.10.010. INTERFERENCE WITH SALMON SPAWNING STREAMS AND  
8 WATERS. A person may not

9           (1) obstruct, divert or pollute waters of the state, either  
10 fresh or salt, utilized by salmon in the propagation of the species,  
11 by felling trees or timber in those waters, casting, passing, throwing  
12 or dumping any tree limbs or foliage, underbrush, stumps, rubbish,  
13 earth, stones, rock or other debris, or passing or dumping sawdust,  
14 planer shavings, or other waste or refuse of any kind in those waters;

15           (2) erect a dam, barricade or obstruction to retard, con-  
16 serve, impound or divert these waters to prevent, retard or interfere  
17 with the free ingress or egress of salmon into these waters in the  
18 natural spawning or propagation process;

19           (3) render the waters inaccessible or uninhabitable for  
20 salmon for that purpose without first applying for and obtaining a  
21 permit or license from the Department of Fish and Game; the [ENVIRON-  
22 MENTAL CONSERVATION. THE] application shall set out the name and  
23 style of the person or concern, describe the waters and location, and  
24 state in particular the plans, purpose and intention for which the  
25 application is made.

26 \* Sec. 4. AS 16.10.020 is amended to read:

27           Sec. 16.10.020. GROUNDS FOR PERMIT OR LICENSE. If in the judg-  
28 ment of the Department of Fish and Game [ENVIRONMENTAL CONSERVATION],  
29 the purpose of the applicant for the permit or license is to develop

1 power, obtain water for civic, domestic, irrigation, manufacturing,  
2 mining or other purposes tending to develop the natural resources of  
3 the state, the department may grant the permit or license and may  
4 require the applicant to construct and maintain adequate fish ladders,  
5 fishways or other means by which fish may pass over, around or through  
6 the dam, obstruction or diversion in the pursuit of the propagation or  
7 spawning process.

8 \* Sec. 5. AS 17.07.200(1) is amended to read:

9 (1) "department" means the Department of Natural Resources  
10 [ENVIRONMENTAL CONSERVATION];

11 \* Sec. 6. AS 17.20 is amended by adding a new section to read:

12 Sec. 17.20.365. ENFORCEMENT AUTHORITY. The commissioner is  
13 responsible for enforcing this chapter and may delegate that authority  
14 as appropriate. This section does not limit the authority of peace  
15 officers.

16 \* Sec. 7. AS 17.20.370 is amended by adding new paragraphs to read:

17 (14) "commissioner" means the commissioner of natural  
18 resources;

19 (15) "department" means the Department of Natural Resources.

20 \* Sec. 8. AS 18.35.365 is amended to read:

21 Sec. 18.35.365. DEFINITIONS. In this chapter, unless the con-  
22 text otherwise requires [AS 18.35.300 - 18.35.365],

23 (1) "commissioner" means commissioner of natural resources  
24 [ENVIRONMENTAL CONSERVATION];

25 (2) "department" means the Department of Natural Resources  
26 [ENVIRONMENTAL CONSERVATION].

27 \* Sec. 9. AS 38.35.230(2) is amended to read:

28 (2) "coordinate agencies" includes Department of Labor,  
29 Department of Transportation and Public Facilities, Department of Fish

1        and Game [ENVIRONMENTAL CONSERVATION], and the Alaska Public Utilities  
2        Commission;

3        \* Sec. 10. AS 41.17.010 is amended to read:

4                Sec. 41.17.010. DECLARATION OF INTENT. The legislature declares  
5        that

6                (1) the forest resources of Alaska are among the most  
7        valuable natural resources of the state, and furnish timber and wood  
8        products, fish and wildlife, tourism, outdoor recreation, water, soil,  
9        air, minerals, and general health and welfare;

10               (2) economic enterprises and other activities and pursuits  
11        derived from forest resources warrant the continuing recognition and  
12        support of the state;

13               (3) the state has a fundamental obligation to insure that  
14        management of forest resources guarantees perpetual supplies of renew-  
15        able resources, provides nonrenewable resources in a manner consistent  
16        with that obligation, and serves the needs of all Alaska for the many  
17        products, benefits, and services obtained from them;

18               (4) government administration of forest resources should  
19        combine professional management services, regulatory measures, and  
20        economic incentives in a complementary fashion, and should draw upon  
21        the expertise of professional foresters in conjunction with other  
22        disciplines;

23               (5) under the leadership of the Department of Fish and Game  
24        [ENVIRONMENTAL CONSERVATION], the state should exercise its full  
25        responsibility and authority for control of nonpoint source pollution  
26        with respect to the Federal Water Pollution Control Act, as amended;

27               (6) subject to 16 U.S.C. 1456(f) (sec. 307(f) of the  
28        Coastal Zone Management Act of 1972, P.L. 92-583), the provisions of  
29        this chapter shall be the basis for forest management standards,

1 policies, and guidelines developed under the Alaska Coastal Management  
2 Act.

3 \* Sec. 11. AS 41.17.055(d) is amended to read:

4 (d) The commissioner may develop proposed regulations under this  
5 chapter as part of the state program for control of nonpoint source  
6 pollution under the Federal Water Pollution Control Act, as amended,  
7 and shall seek to enter into a cooperative agreement with the commis-  
8 sioner of fish and game [ENVIRONMENTAL CONSERVATION] for that purpose.  
9 However, the Department of Fish and Game [ENVIRONMENTAL CONSERVATION]  
10 is the lead agency for water quality and control of nonpoint source  
11 pollution under that act, and the regulations and cooperative agree-  
12 ment are therefore subject to the advance approval of the commissioner  
13 of fish and game [ENVIRONMENTAL CONSERVATION].

14 \* Sec. 12. AS 41.17.950(2) is amended to read:

15 (2) "broadcast chemicals" includes pesticides, herbicides,  
16 fungicides, fertilizers, poisons, and any other substances

17 (A) used for silvicultural management or related  
18 purposes;

19 (B) not native to the ecosystem in which they are  
20 being applied; and

21 (C) having a foreseeable adverse impact on the welfare  
22 of renewable resources, as determined by the commissioner [OF  
23 ENVIRONMENTAL CONSERVATION];

24 \* Sec. 13. AS 41.21.504(b) is amended to read:

25 (b) Nothing in AS 41.21.500 - 41.21.514 affects the applicabil-  
26 ity of

27 (1) AS 41.99.010 and AS 16 regarding the responsibilities  
28 of the Department of Fish and Game or the Board of Fisheries or the  
29 Board of Game;

1 (2) AS 46.03 regarding the responsibilities of the Depart-  
2 ment of Fish and Game [ENVIRONMENTAL CONSERVATION]; or

3 (3) AS 44.19.145(a)(11) and AS 46.40.100 regarding the  
4 responsibilities of state agencies and municipalities.

5 \* Sec. 14. AS 44.07.140(f) is amended to read:

6 (f) The corporation shall submit the facility procurement pro-  
7 cess schedule to the capital coordinating committee. The committee  
8 consists of the commissioners of transportation and public facilities,  
9 public safety, health and social services, [ENVIRONMENTAL CONSERVA-  
10 TION,] natural resources, fish and game, labor, commerce and economic  
11 development, community and regional affairs, and a representative of  
12 the Office of the Governor. The chairman of the committee shall be  
13 the commissioner of transportation and public facilities. The commit-  
14 tee, with the cooperation of the corporation, shall ensure that sub-  
15 missions made by the corporation as required by statute, codes, and  
16 regulations are processed expeditiously. The committee and the corpo-  
17 ration, or the corporation itself, may propose to the governor revi-  
18 sion of procedures, statutes, codes or regulations when necessary to  
19 expedite the corporation's work.

20 \* Sec. 15. AS 44.37 is amended by adding a new section to read:

21 Sec. 44.37.050. DUTIES OF THE DEPARTMENT WITH RESPECT TO SANITA-  
22 TION. The Department of Natural Resources shall adopt regulations for

23 (1) the prevention and control of public health nuisances;

24 (2) regulation of sanitation and sanitary practices in the  
25 public health;

26 (3) standards of cleanliness and sanitation in connection  
27 with the construction, operation and maintenance of a camp, cannery,  
28 food handling establishment, food manufacturing plant, mattress manu-  
29 facturing establishment, industrial plant, school, barber shop,

1       hairdressing or cosmetology establishment, soft drink dispensary, and  
2       for other similar establishments in which lack of sanitation may  
3       create a condition causative of disease.

4       \* Sec. 16. AS 44.39.020 is amended by adding a new subsection to read:

5               (b) The department shall

6                       (1) have primary responsibility for coordination and devel-  
7       opment of policies, programs and planning related to the environment  
8       of the state and of the various regions of the state;

9                       (2) have primary responsibility for the adoption and en-  
10      forcement of regulations setting standards for the prevention and  
11      abatement of all water, land, subsurface land and air pollution, and  
12      other sources or potential sources of pollution of the environment,  
13      including by way of example only, petroleum and natural gas pipelines;

14                      (3) promote and develop programs for the protection and  
15      control of the environment of the state;

16                      (4) take actions that are necessary and proper to further  
17      the policy declared in AS 46.03.010.

18      \* Sec. 17. AS 44.47.130 is amended to read:

19               Sec. 44.47.130. POWERS AND DUTIES. To promote development of  
20      rural areas of the state, the department is authorized to

21                      (1) investigate social and economic conditions of rural  
22      areas to determine the need to expand economic opportunities and  
23      improve living conditions;

24                      (2) formulate a coordinated program to broaden and diversi-  
25      fy the economic base of rural areas;

26                      (3) coordinate administration of emergency relief, surplus  
27      food distribution, or other public assistance programs, except the  
28      regular relief and assistance programs of the federal government in  
29      rural areas;

1 (4) formulate and conduct a program of construction of  
2 basic facilities to improve health, welfare and economic security and  
3 provide employment and income in the rural areas;

4 (5) promote training and educational programs designed to  
5 expand employment opportunities for residents of rural areas;

6 (6) enter into agreements with other state agencies and  
7 departments to provide for the distribution in rural communities of  
8 surplus electrical power from state-owned power sources located in  
9 those communities and to expend funds for this purpose;

10 (7) make grants to communities for bulk fuel storage facil-  
11 ities;

12 (8) cooperate with the Department of Natural Resources  
13 [ENVIRONMENTAL CONSERVATION] and other agencies to provide technical  
14 assistance to communities in the installation, operation and manage-  
15 ment of bulk fuel storage facilities.

16 \* Sec. 18. AS 44.62.330(a)(27) is amended to read:

17 (27) Department of Health and Social Services and Department  
18 of Natural Resources [ENVIRONMENTAL CONSERVATION] under the Alaska  
19 Food, Drug, and Cosmetic Act (AS 17.20), and Department of Commerce  
20 and Economic Development in connection with the licensing of embalmers  
21 and funeral directors under AS 08.42.

22 \* Sec. 19. AS 44.62.330(a)(30) is amended to read:

23 (30) Department of Natural Resources [ENVIRONMENTAL CONSER-  
24 VATION], under AS 18.35.010 - 18.35.090, concerning the regulation of  
25 tourist and trailer camps, motor courts, and motels

26 \* Sec. 20. AS 44.62.330(a)(44) is amended to read:

27 (44) Department of Fish and Game under AS 46.03 [ENVIRON-  
28 MENTAL CONSERVATION], except to the extent that AS 44.62.360 - 44.62.-  
29 400 are inconsistent with the manner in which proceedings are

1 initiated under that chapter [THE PROVISIONS OF AS 46.03]

2 \* Sec. 21. AS 44.65.060(a) is amended to read:

3 (a) Except for the Department of Health and Social Services, the  
4 Department of Labor, the Department of Natural Resources [ENVIRONMEN-  
5 TAL CONSERVATION], and the Department of Military and Veterans'  
6 Affairs, A [NO] state agency may not

7 (1) contract, other than with the Department of Health and  
8 Social Services, to have services performed which require expertise in  
9 determining or reducing the hazards of radiation; or

10 (2) employ a person whose duties require expertise in  
11 determining or reducing the hazards of radiation.

12 \* Sec. 22. AS 46.04.120(4) is amended to read:

13 (4) "commissioner" means the commissioner of fish and game  
14 [ENVIRONMENTAL CONSERVATION];

15 \* Sec. 23. AS 46.04.120(6) is amended to read:

16 (6) "department" means the Department of Fish and Game  
17 [ENVIRONMENTAL CONSERVATION];

18 \* Sec. 24. AS 46.06.150(2) is amended to read:

19 (2) "commissioner" means the commissioner of natural re-  
20 sources [ENVIRONMENTAL CONSERVATION];

21 \* Sec. 25. AS 46.06.150(3) is amended to read:

22 (3) "department" means the Department of Natural Resources  
23 [ENVIRONMENTAL CONSERVATION];

24 \* Sec. 26. AS 46.07.080(1) is amended to read:

25 (1) "commissioner" means the commissioner of community and  
26 regional affairs [ENVIRONMENTAL CONSERVATION];

27 \* Sec. 27. AS 46.11.060(b) is amended to read:

28 (b) The Department of Natural Resources [ENVIRONMENTAL CONSERVA-  
29 TION] shall encourage, through cooperative means, the adoption of all

1 available and practicable methods throughout federal, state and local  
2 governments which recycle, reuse and conserve materials.

3 \* Sec. 28. AS 46.15.020(b) is amended to read:

4 (b) The commissioner shall

5 (1) adopt procedural and substantive regulations to carry  
6 out the provisions of this chapter, taking into consideration the  
7 responsibilities of the Department of [ENVIRONMENTAL CONSERVATION  
8 UNDER AS 46.03 AND THE DEPARTMENT OF] Fish and Game under AS 16 and  
9 AS 46.03;

10 (2) keep a public record of all applications for permits  
11 and certificates and other documents filed in the commissioner's [HIS]  
12 office; and shall record all permits and certificates and amendments  
13 and orders affecting them and shall index them in accordance with the  
14 source of the water and the name of the applicant or appropriator;

15 (3) cooperate with, assist, advise and coordinate plans  
16 with the federal, state and local agencies in matters relating to the  
17 appropriation, use, conservation, quality, disposal or control of  
18 waters and activities related thereto;

19 (4) prescribe fees or service charges for any public ser-  
20 vice rendered.

21 \* Sec. 29. AS 46.15.040(c) is amended to read:

22 (c) All applications to the commissioner for a permit to appro-  
23 priate water, filed subsequent to July 1, 1966, and before July 1,  
24 1986, shall be considered as having been simultaneously filed with the  
25 Department of Fish and Game under AS 16 and the Department of Environ-  
26 mental Conservation under AS 46.03. Applications for a permit to  
27 appropriate water, filed on or after July 1, 1986, are considered as  
28 having been simultaneously filed with the Department of Fish and Game  
29 under AS 16.

1 \* Sec. 30. AS 46.15.133(b) is amended to read:

2 (b) The commissioner shall publish the notice at the applicant's  
3 expense in one issue of a newspaper of general distribution in the  
4 area of the state in which the water is to be appropriated. The com-  
5 missioner shall also have notice served personally or by certified  
6 mail upon an appropriator of water or applicant for or holder of a  
7 permit who, according to the records of the Department of Natural  
8 Resources [DIVISION OF LANDS], may be affected by the proposed appro-  
9 priation and may serve notice upon any governmental agency, political  
10 subdivision or person; notice shall also be served upon the Department  
11 of Fish and Game [AND THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION].

12 \* Sec. 31. AS 46.15.190 is amended to read:

13 Sec. 46.15.190. THE WATER RESOURCES BOARD. There is created the  
14 Water Resources Board composed of seven members having a general  
15 knowledge of the use and requirements for use of the waters of the  
16 state and the conservation and protection thereof. The [, AND THE]  
17 commissioner of fish and game [ENVIRONMENTAL CONSERVATION] or the com-  
18 missioner's [HIS] designee shall serve as an additional, ex officio  
19 member serving without a vote. The commissioner of natural resources  
20 shall act as the executive secretary of the board, and shall provide  
21 clerical staff for the board. Members of the board are appointed by  
22 the governor, subject to confirmation by a majority of the members of  
23 the legislature in joint session.

24 \* Sec. 32. AS 46.45.020 is amended to read:

25 Sec. 46.45.020. IMPLEMENTATION. The commissioner of natural  
26 resources [ENVIRONMENTAL CONSERVATION] may adopt regulations and do  
27 all things necessary or incidental to the carrying out of the  
28 Northwest Interstate Compact on Low-Level Radioactive Waste Manage-  
29 ment.

1       \* Sec. 33. TRANSFER OF FUNCTIONS TO THE DEPARTMENT OF NATURAL RE-  
2 SOURCES. The inspection and enforcement functions currently being per-  
3 formed by the Department of Environmental Conservation under AS 03.05,  
4 AS 03.45, AS 17.05, AS 17.20, AS 18.35, AS 18.45, and AS 46.06 are trans-  
5 ferred to the Department of Natural Resources.

6       \* Sec. 34. TRANSFER OF FUNCTIONS TO DEPARTMENT OF FISH AND GAME. The  
7 inspection and enforcement functions currently being performed by the  
8 Department of Environmental Conservation under AS 41.17, AS 46.03, AS 46.-  
9 15, and AS 46.16 are transferred to the Department of Fish and Game.

10       \* Sec. 35. TRANSFER OF FUNCTIONS TO DEPARTMENT OF COMMUNITY AND REGION-  
11 AL AFFAIRS. The inspection and enforcement functions currently being  
12 performed by the Department of Environmental Conservation under AS 46.30  
13 are transferred to the Department of Community and Regional Affairs.

14       \* Sec. 36. TRANSITION. All litigation, hearings, investigations and  
15 other proceedings pending under a law amended or repealed by this Act, or  
16 in connection with functions transferred by this Act, continue in effect  
17 and may be continued and completed notwithstanding a transfer or amendment  
18 or repeal provided for in this Act. Certificates, orders, and regulations  
19 issued or adopted under authority of a law amended or repealed by this Act  
20 remain in effect for the term issued, or until revoked, vacated, or other-  
21 wise modified under the provisions of this Act. All contracts, rights,  
22 liabilities, and obligations created by or under a law amended or repealed  
23 by this Act, and in effect on July 1, 1986, remain in effect notwithstand-  
24 ing this Act's taking effect. Records, equipment, and other property of  
25 agencies of the state whose functions are transferred under this Act shall  
26 be transferred commensurate with the provisions of this Act.

27       \* Sec. 37. NAME CHANGE. To be consistent with the changes made by this  
28 Act, wherever in the Alaska Statutes and in regulations adopted under those  
29 statutes "Department of Environmental Conservation" and other terms

1 identifying the department are used, they must be read as referring to the  
2 appropriate department under the provisions of this Act. Under AS 01.05.-  
3 031, the revisor of statutes shall implement this section in the statutes  
4 and under AS 44.62.125(b)(6), the regulations attorney shall implement this  
5 section in the administrative regulations.

6 \* Sec. 38. The following are repealed: AS 03.05.020(b), 03.05.035(d),  
7 03.05.040(b), 03.05.050(b), 03.05.060(b), 03.05.070(b), 03.05.080(b);  
8 AS 03.25.250; AS 17.20.072, 17.20.075, 17.20.135, 17.20.152, 17.20.155,  
9 17.20.172, 17.20.175, 17.20.290(b), 17.20.290(c); AS 18.35.090(2), 18.35.-  
10 230(1); AS 44.17.005(16); AS 44.19.155(a)(2)(D); AS 44.46; and AS 46.35.

11 \* Sec. 39. This Act takes effect July 1, 1986.

COMMITTEE REPORT  
SENATE

FURTHER:

*Resolves*  
FINANCE

3/8/85

Date \_\_\_\_\_

Mr. President

The Committee on HESS considered SB 220

abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

\_\_\_\_\_  
Chairman recommendation

COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

4/10/86

Date \_\_\_\_\_

Mr. President

The Committee on RESOURCES considered SS SB 220

abolishing the Department of Environmental Conservation, transferring functions to other departments and repealing the Environmental Procedures Coordination Act; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

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Chairman recommendation