

**SSCR**

**1**

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSHSCR 1

Title: Disapproving Executive Order 92

Dept. Affected Legislature

BRU: All

Sponsor: House Special Committee on Oil & Gas

Components: \_\_\_\_\_

Requestor: \_\_\_\_\_

Serial # \_\_\_\_\_

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>REVENUE</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund	0.0	0.0	0.0	0.0	0.0	0.0
Federal Fund	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS :**

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

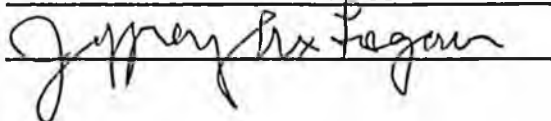
see attached analysis

The estimated savings reflected in EO 92 will not be achieved in the manner proposed by the Governor.

Prepared by:

Jeffrey Logan

House Resources Committee



Date: 26-FEB-96

Phone:

Phone: 465-6547

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. SSCR 1

Revision Date: Original Dept. Affected: \_\_\_\_\_  
 Title: Disapproving EO 92 BRU: \_\_\_\_\_  
 Component: \_\_\_\_\_  
 Sponsor: Senate Resources  
 Requester: \_\_\_\_\_ COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL EXPENDITURES</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

Estimate of any current year (FY96) cost: \$ \_\_\_\_\_

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

The estimated savings reflected in EO 92 will not be achieved in the manner proposed by the Governor.

Prepared by: Annette Kretzer  
 Division: Senate Resources Committee  
 Approved by Commissioner: *Drew D. Lewis*  
 Agency: Senator Loren Leman, Chairman

Phone: 465-4907  
 Date: 2/26/96  
 Date: \_\_\_\_\_

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(C) all dissolved or entrained minerals and gases that may be obtained from the material medium, but excluding hydrocarbon substances and helium;

(4) "geothermal system" means a stratum, pool, reservoir, or other geologic formation containing geothermal resources;

(5) "operator" means a person drilling, maintaining, operating, producing, or in control of a well;

(6) "owner" means a person who, by reason of an interest in real property, has the right to drill into, produce, and make use of geothermal resources;

(7) "waste" means an inefficient, excessive, or improper production, use, or dissipation of geothermal resources, including, but not limited to,

(A) drilling, transporting, or storage methods that cause or tend to cause unnecessary surface loss of geothermal resources;

(B) locating, spacing, drilling, equipping, operating, producing, or venting of a well in a manner that results or tends to result in reducing the ultimate economic recovery of geothermal resources;

(8) "well" means a well drilled, converted, or reactivated for the discovery, testing, production, or subsurface injection of geothermal resources. (§ 6 ch 175 SLA 1980; am § 43 ch 85 SLA 1988)

**Cross references.** — For additional definitions, see AS 41.99.900.

## Chapter 07. Geological Survey.

*[Repealed, § 2 ch 93 SLA 1972.]*

## Chapter 08. Geological and Geophysical Surveys.

### Section

- 10. Division of geological and geophysical surveys
- 15. State geologist
- 17. Hydrological and seismic hazard data declared to be of public interest

### Section

- 20. Powers and duties
- 30. Printing and distribution of reports
- 35. Regulations
- 40. Cooperation with other agencies

**Collateral references.** — 63A Am. Jur. 2d, Public Lands, §§ 48-53.  
73A C.J.S., Public Lands, §§ 30-35.

Recovery for unauthorized exploration or survey. 67 ALR2d 444.

**Sec. 41.08.010. Division of geological and geophysical surveys.** There is established in the department a division of geological and geophysical surveys under the direction of the state geologist. (§ 1 ch 93 SLA 1972)

**Sec. 41.08.015. State geologist.** The commissioner shall appoint the state geologist, who must be qualified by education and experience to direct the activities of the division. (§ 1 ch 93 SLA 1972)

**Sec. 41.08.017. Hydrological and seismic hazard data declared to be of public interest.** (a) Systematic collection, recording, evaluation, and distribution of data on the quantity, location, and quality of water of the state in the ground, on the surface of the ground, or along the coasts, are in the public interest and necessary to the orderly domestic and industrial development of the state.

(b) Systematic collection, evaluation, archival, and distribution of geologic data and information on earthquakes, volcanic eruptions, and engineering geology and identification of potential seismic, volcanic, and other geological hazards throughout the state are in the public interest and necessary to orderly, safely, and cost-effective development in the state. (§ 1 ch 41 SLA 1977; am § 1 ch 101 SLA 1983; am § 3 ch 36 SLA 1987)

**Sec. 41.08.020. Powers and duties.** (a) The state geologist shall conduct geological and geophysical surveys to determine the potential of Alaskan land for production of metals, minerals, fuels, and geothermal resources; the locations and supplies of groundwater and construction materials; the potential geologic hazards to buildings, roads, bridges, and other installations and structures; and shall conduct such other surveys and investigations as will advance knowledge of the geology of the state. With the approval of the commissioner, the state geologist may acquire, by gift or purchase, geological and geophysical reports, surveys, and similar information.

(b) In addition, the division of geological and geophysical surveys shall:

(1) collect, record, evaluate, and distribute data on the quantity, quality, and location of underground, surface, and coastal water of the state;

(2) publish or have published data on the water of the state;

(3) require the filing with it of the results and findings of surveys of water quality, quantity, and location;

(4) require of water well contractors, the filing with it of basic water and aquifer data normally obtained, including but not limited to well location, estimated elevation, well driller's logs, pumping tests and flow measurements, and water quality determinations;

(5) accept and spend funds for the purposes of this section, AS 41.08.017, and 41.08.035 and enter into agreements with individuals, public or private agencies, communities, private industry, state agencies, and agencies of the federal government;

(6) collect, evaluate, and distribute geologic data on seismic events and engineering geology of the state;

(7) identify potential seismic hazards that might affect development in the state;

(8) inform public officials and industry about potential seismic hazards that might affect development in the state. (§ 1 ch 93 SLA 1972; am § 2 ch 41 SLA 1977; am § 7 ch 175 SLA 1980; am § 2 ch 101 SLA 1983; am § 4 ch 36 SLA 1987)

**Cross references.** — For declaration of sources, see § 1, ch. 175, SLA 1980, in the legislative policy on geothermal re- Temporary and Special Acts.

*Sec. 41.08.025. Accounting and disposition of receipts. [Repealed, § 28 ch 90 SLA 1991. For current law, see AS 37.05.142 — 37.05.144.]*

**Sec. 41.08.030. Printing and distribution of reports.** The state geologist shall print and publish an annual report and such other special and topical reports and maps as may be desirable for the benefit of the state, including the printing or reprinting of reports and maps made by other persons or agencies, where authorization to do so is obtained. Reports and maps may be sold and all money received from these sales shall be paid into the general fund. (§ 1 ch 93 SLA 1972)

**Sec. 41.08.035. Regulations.** The department may adopt regulations relating to and providing for the systematic collection, recording, and distribution of data on the water of the state. (§ 3 ch 41 SLA 1977)

**Sec. 41.08.040. Cooperation with other agencies.** The state geologist, with the consent of the commissioner, may enter into cooperative agreements with federal, state, and local governmental agencies to perform geological and geophysical surveys, studies, investigations, and services. (§ 1 ch 93 SLA 1972)

(9)

HOUSE COMMITTEE REPORT

Date RETURNED to Committee: February 21, 1996

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/27/96

The RESOURCES Committee considered:

HSCR 1

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 1

DISAPPROVING EXECUTIVE ORDER 92

Disapproving Executive Order No. 92.

recommends it be replaced with the following committee substitute CS HSCR 1

the same title  
 a new title

additional referral to \_\_\_\_\_ Committee

attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_


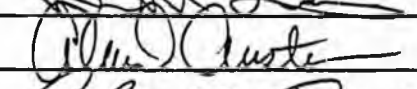
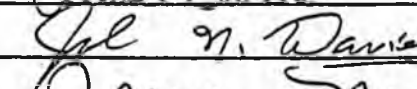
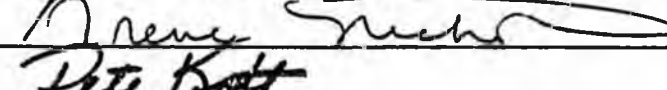
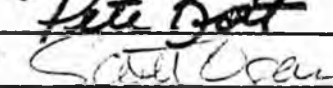
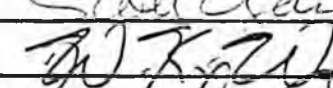
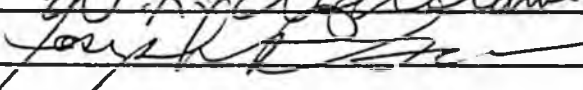

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

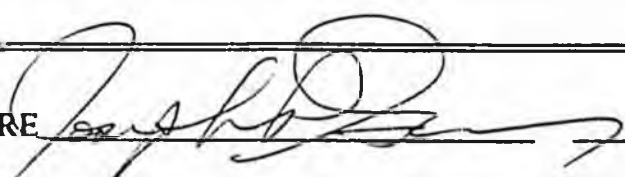
fiscal note(s) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) Leg

zero fiscal note(s) DNR

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
		X		
	✓			
		X		
		X		
	✓			
	✓			
	✓			
	✓			

CHAIR'S SIGNATURE 

2/5/96

(9)

HOUSE COMMITTEE REPORT

Date Referred to Committee: January 26, 1996

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/5/96

The RESOURCES Committee considered:

HSCR 1

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 1

DISAPPROVING EXECUTIVE ORDER 92

Disapproving Executive Order No. 92.

recommends it be replaced with the following committee substitute [ ] the same title [ ] a new title

[ ] additional referral to \_\_\_\_\_ Committee [ ] attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dep/Date) [ ] fiscal note(s) [ ] fiscal note(s)

[ ] zero fiscal note(s) DNR [ ] zero fiscal note(s)

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include signatures and names: Nicholia Williams, Green, Ogan, Austerman, Kott. Includes circled numbers 3 in DP and NR columns.

CO-CHAIR'S SIGNATURE [Signature] Green



Official Business

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES

**House Special Committee On Oil & Gas**

State Capitol  
Juneau, AK 99801-1182

### MEMORANDUM

**DATE:** February 2, 1996

**TO:** Representative Joe Green, Co-Chairman  
Representative Bill Williams, Co-Chairman  
House Resources Committee

**FROM:** Representative Norman Rokeberg, Chairman  
House Special Committee on Oil & Gas

**SUBJECT:** Executive Order No. 92

A handwritten signature in dark ink, appearing to be "N. Rokeberg", written over the "FROM:" line of the memorandum.

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Executive Order No. 92 consolidates the Division of Oil and Gas with the Division of Geological and Geophysical Surveys located within the Department of Natural Resources. The testimony before the House Special Committee on Oil & Gas indicated that there is no consensus regarding whether the consolidation outlined in Executive Order No. 92 is the correct configuration of the two divisions.

Remarks during public testimony indicates there are both good and bad consequences if the consolidation goes forward. As a result of committee testimony, the members of the committee voted to introduce a special resolution to oppose the consolidation in order to expedite the process and move the executive order to the appropriate authorized committee.

In addition we checked with Legislative Legal on the proper procedure for handling a resolution opposing an executive order. The legal memorandum we received stated that under Uniform Rule 21 joint standing committees must consider executive orders.

(7)

# HOUSE COMMITTEE REPORT

Date Referred to Committee: January 8, 1996

FURTHER REFERRALS:

Resources  
Finance

Date of Committee Action: 1/25/96

The HOUSE SPECIAL COMMITTEE ON OIL AND GAS Committee considered:

EO 92

## EXECUTIVE ORDER NO. 92

Transferring duties in the Department of Natural Resources to consolidate the division of oil and gas and the division of geological and geophysical surveys into a division of oil, gas, and geology in that department.

recommends it be replaced with the following committee substitute \_\_\_\_\_  the same title  a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
 fiscal note(s) DNR  fiscal note(s) \_\_\_\_\_  
 zero fiscal note(s) \_\_\_\_\_  zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
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<i>[Signature]</i>			<input checked="" type="checkbox"/>	

CHAIR'S SIGNATURE *[Signature]* 1-25-96

**CS FOR HOUSE SPECIAL CONCURRENT RESOLUTION NO. 1(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**NINETEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): HOUSE SPECIAL COMMITTEE ON OIL AND GAS**

**A RESOLUTION**

1 **Disapproving Executive Order No. 92.**

2 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **WHEREAS** the governor, under authority of art. III, sec. 23, Constitution of the State  
4 of Alaska, has proposed in Executive Order No. 92 to combine the functions of the division  
5 of oil and gas and the division of geological and geophysical surveys into a division of oil,  
6 gas, and geology; and

7 **WHEREAS** the Alaska State Legislature believes the functions of the division of  
8 geological and geophysical surveys as outlined in AS 41.08.020 would be diluted in a  
9 consolidation with the division of oil and gas; and

- 10 **WHEREAS** certain efficiencies can be accomplished by incorporating the division of  
- 11 geological and geophysical surveys within the division of mining and water management; and

12 **WHEREAS** art. III, sec. 23, Constitution of the State of Alaska, provides that unless  
13 disapproved within 60 days of a regular session by resolution concurred in by a majority of  
14 the members of the legislature in joint session, an executive order becomes effective at a date  
15 designated by the governor;

16 **BE IT RESOLVED** by the Alaska State Legislature that Executive Order No. 92 is  
17 disapproved.

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Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

*House Resources  
2-5-96 8:13am  
HSCR 1*