

AMENDMENT

OFFERED IN THE SENATE
TO: SB 176

BY SENATOR KIEHL

Page 2, following line 29:

Insert a new section to read:

"Sec. 46.03.345. Liability for drinking water testing and blood testing costs. (a) A person who causes a fire that results in a release of a firefighting substance containing a perfluoroalkyl substance or polyfluoroalkyl substance is liable for the costs of providing drinking water testing and blood testing under AS 46.03.340. This subsection does not apply to a release of a firefighting substance to extinguish a fire in a residential building or motor vehicle.

(b) A person who extinguishes a fire by releasing a firefighting substance that contains a perfluoroalkyl substance or polyfluoroalkyl substance is not liable for the costs of providing drinking water testing and blood testing under AS 46.03.340 unless the firefighting substance was released for training or testing purposes.

(c) The liability of a person for costs under this section is in addition to other liability under this chapter, AS 46.08, AS 46.09, or other state law for a release of a perfluoroalkyl substance or polyfluoroalkyl substance.

(d) In this section,

(1) "motor vehicle" has the meaning given in AS 28.90.990, but does not include a commercial motor vehicle, as defined in AS 28.90.990;

(2) "residential building" has the meaning given in AS 18.60.780."

Page 2, line 30:

Delete "**46.03.345**"

Insert "**46.03.350**"

1
2 Page 3, following line 27:

3 Insert new bill sections to read:

4 **"* Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 APPLICABILITY; RETROACTIVITY. AS 46.03.345, added by sec. 1 of this Act,
7 applies retroactively to a release of a perfluoroalkyl substance or polyfluoroalkyl substance
8 occurring before, on, or after the effective date of sec. 1 of this Act.

9 *** Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 TRANSITION: REGULATIONS. The Department of Environmental Conservation
12 shall adopt regulations necessary to implement this Act. The regulations take effect under
13 AS 44.62 (Administrative Procedure Act), but not before the effective date of the law
14 implemented by the regulation.

15 *** Sec. 4.** Sections 2 and 3 of this Act take effect immediately under AS 01.10.070(c).

16 *** Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect January 1, 2021."