

**CONFERENCE CS FOR SENATE CONCURRENT RESOLUTION NO. 1**

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

**TWENTY-FIRST LEGISLATURE - SECOND SESSION**

**BY THE CONFERENCE COMMITTEE**

**Offered: 4/27/00**

**Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE SENATE COMMITTEE ON COMMITTEES**

**A RESOLUTION**

**1 Relating to the Task Force on Motorized Oil Transport.**

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

**3 WHEREAS** concern has developed among the people of Alaska about potential  
**4** petroleum product spills from the Alaska Railroad and nontank vessels operating in Alaska  
**5** waters; and

**6 WHEREAS** there are many complexities in applying oil spill prevention and response  
**7** rules to the Alaska Railroad and to the various classes and categories of nontank vessels  
**8** operating in the waters in different areas of Alaska; and

**9 WHEREAS** it is the intent of the legislature to establish reasonable oil spill prevention  
**10** and response rules for the Alaska Railroad and for nontank vessels taking into account the  
**11** different classes of vessels and different operating conditions in Alaska and the costs  
**12** associated with the rules; and

**13 WHEREAS** it appears that several months of work by interested parties and the  
**14** Department of Environmental Conservation will be needed to draft the rules for consideration  
**15** by the legislature;

**16 BE IT RESOLVED** that the Alaska State Legislature establishes the Task Force on  
**17** Motorized Oil Transport, composed of a number of members as follows:

1 (1) one member appointed by the President of the Senate from among the  
2 members of the Senate;

3 (2) one member appointed by the Speaker of the House of Representatives  
4 from among the members of the House of Representatives;

5 (3) one member to serve as a representative of the United States Coast Guard,  
6 appointed by the commanding officer of the 17th Coast Guard District;

7 (4) one member from a response action co-op in Alaska appointed by the  
8 Governor with the advice and consent of the Senate and House members of the task force;

9 (5) one member from the Alaska Railroad appointed by the Governor with the  
10 advice and consent of the Senate and House members of the task force;

11 (6) one member who is a maritime shipping agent in Alaska appointed by the  
12 Governor with the advice and consent of the Senate and House members of the task force;

13 (7) one member from the Alaska Steamship Association appointed by the  
14 Governor with the advice and consent of the Senate and House members of the task force;

15 (8) one member from the container ship industry operating in Alaska appointed  
16 by the Governor with the advice and consent of the Senate and House members of the task  
17 force;

18 (9) two members from the spot charter vessel industry in Alaska appointed by  
19 the Governor with the advice and consent of the Senate and House members of the task force;

20 (10) the director of the division of spill prevention and response in the  
21 Department of Environmental Conservation;

22 (11) the commissioner and deputy commissioner of the Department of  
23 Environmental Conservation; and

24 (12) other participants as may be agreed to by the commissioner of  
25 environmental conservation and the Senate and House members of the task force; and be it

26 **FURTHER RESOLVED** that the commissioner of environmental conservation, or the  
27 deputy commissioner, shall serve as chair of the task force, and that the Department of  
28 Environmental Conservation shall provide staff support to the task force; and be it

29 **FURTHER RESOLVED** that the task force may meet as frequently as its members  
30 determine necessary to perform the work; and be it

31 **FURTHER RESOLVED** that the task force shall determine how to achieve response

1 planning standards for a railroad tank car contingency plan and for a nontank vessel  
2 contingency plan as set out in a version of an Act of the Twenty-First Alaska Legislature  
3 regarding oil discharge prevention, and relating to contingency plans and proof of financial  
4 responsibility for all self-propelled nontank vessels exceeding 400 gross registered tonnage and  
5 for railroad tank cars; and authorizing inspection of nontank vessels and trains; and be it

6 **FURTHER RESOLVED** that the task force shall consider only the following  
7 motorized oil transport:

8 (1) self-propelled watercraft of more than 400 gross registered tons, except  
9 when the watercraft are tank vessels, oil barges, or public vessels operated by and owned or  
10 bareboat chartered by the United States, a state, a political subdivision of a state, or a foreign  
11 nation; and

12 (2) railroad tank cars that are rolling stock used to transport oil in bulk as  
13 cargo by rail; and be it

14 **FURTHER RESOLVED** that the task force shall deliver a report to the Twenty-  
15 Second Alaska State Legislature on or before the day the legislature first convenes that  
16 contains recommendations by the task force concerning

17 (1) Alaska statutes and regulations not subject to preemption by federal law  
18 that are calculated to achieve the response planning standard for motorized oil transport in a  
19 practical and cost-efficient manner; the Department of Environmental Conservation has the  
20 burden of showing why the response planning standard cannot be implemented using  
21 containment equipment that is readily available for purchase in the market;

22 (2) practical measures to implement the response planning standard as are  
23 necessary to take into account the special conditions within waters of the state west of 157  
24 degrees West Longitude or north of 62 degrees North Latitude;

25 (3) use of fleet plans, vessel agents, generic contingency plan contents  
26 established by regulations, streamlined contingency plans with membership in a nonprofit  
27 corporation that is a primary response action contractor, and spill prevention measures as  
28 means of achieving the response planning standard; and

29 (4) inspection measures to be included in the regulations; and be it

30 **FURTHER RESOLVED** that the task force is terminated on the first day of the  
31 Twenty-Second Alaska State Legislature.