

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

December 22, 2011

SUBJECT: Sectional summary of draft bill relating to naturally occurring asbestos (Work Order No. 27-LS0400\B)

TO: Representative Reggie Joule
Attn: Brodie Anderson

FROM: Emily Nauman *EN*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 of the bill contains legislative findings and purpose statements to explain and support the measure.

Section 2 of the bill creates immunity from civil action or a claim for civil damages based on an alleged asbestos-related death, injury, illness, or disability or asbestos-related property damage claim in specified circumstances.

Section 3 of the bill adds a new section, AS 18.31.250, to describe how a person may qualify for immunity under sec. 2 of the bill related to use of aggregate material containing naturally occurring asbestos in construction projects that are not initiated or contracted for by the Department of Transportation and Public Facilities (DOT).

Section 4 of the bill directs DOT to establish standards and procedures for gravel and aggregate materials that contain naturally occurring asbestos.

Section 5 of the bill, a temporary law provision, permits DOT to review and approve site-specific plans submitted for DOT projects and for projects not initiated by the department during the interim period before initial standards and operating procedures adopted under sec. 4 of this bill take effect.

Section 6 of the bill authorizes DOT to use a specific standard previously adopted by the California Air Resources Board on an interim basis for the purpose of determining the

Representative Reggie Joule

December 22, 2011

Page 2

asbestos content of a bulk sample in a bulk test required under the new permanent law provisions until the department adopts its initial standards that may be more relevant to this state's experience.

Section 7 of the bill gives the measure an immediate effective date.

ELN:ljw

11-470.ljw