



Sectional Analysis for CSHB74, Version S

Section 1 – Amends AS 46.03.460 to clarify that DEC has organizational flexibility to regulate cruise ships with personnel from different DEC divisions (air, water, etc.) and directing DEC to adopt regulations implementing the simplified environmental compliance statutes.

Section 2 – Repeals and reenacts AS 46.03.463 to simplify and broadly consolidate existing subsections (a) – (c), (e), and (f) and (h) into a single subsection, enabling DEC to set specific discharge limits and requirements in regulation.

Section 3 – Amends AS 46.03.465(a) to provide DEC with flexibility to establish the form and timing for cruise ships to report to DEC.

Section 4 – Amends AS 46.03.465(c) to clarify DEC's authority to inspect vessel wastewater and air emissions systems.

Section 5 – Conforming amendments to AS 46.03.465(d).

Section 6 – Amends AS 46.03.465(d) to authorize DEC to require certain reports in a particular form (e.g., electronic).

Section 7 – Conforming amendment to AS 46.03.465(h).

Section 8 – Conforming amendment to AS 46.03.465(i).

Section 9 – Amends AS 46.03.480(a) to establish a simplified environmental compliance fee of \$5 per berth per voyage on all commercial passenger vessels operating in state waters. This replaces both the \$4 fee for the ocean rangers and the matrix of general environmental compliance fees. This amendment also reduces the \$5 fee by \$1 for vessels that use electronic monitoring systems that will improve DEC's ability to efficiently oversee environmental compliance. As noted in Section 19, this amendment to the fee structure would become effective January 1, 2021.

Section 10 – Repeals and re-enacts 46.03.480(c) to conform to changes created by deleting clarifying language included with the fee structure in the repealed version of 46.03.480(b). This does not change the effect of (c) as it currently exists in statute.

Section 11 – Amends AS 46.03.482(c) to remove obsolete language and to broaden the stated purposes for which the legislature might appropriate the collected fees to include a grant or loan program created by Section 12.

Section 12 – Adds a new section, AS 46.03.483, authorizing DEC to create a grant or loan program to support improvements to shore-based wastewater treatment facilities necessary to serve visiting cruise ships and cruise ship passengers.

Section 13 – Repeals a number of detailed statutes governing commercial passenger vessels.

Section 14 – Repeals the ocean ranger statute, AS 46.03.476, separately so that it may have a different effective date. This repeal will be retroactive to April 2020 (see Section 17) so that DEC can transition to staff inspections this season.

Section 15 – Transition language added to the uncodified law to authorize DEC to work on regulations before the majority of the bill becomes effective in January 2021.

Section 16 – Includes legislative intent language that clarifies that the \$4 fee collected under AS 46.03.480(d) may be used for funding services to passenger vessels, including regulatory services. This ensures DEC can collect the established fee this year to support the agency’s cruise ship environmental compliance work notwithstanding the repeal of the ocean rangers statute.

Section 17 – Section 14 (repeal of ocean rangers requirement) is retroactive to April 2020.

Section 18 – Provides an immediate effective date for Sections 14 – 17 including intent language specifically for the summer 2020 cruise season (Section 16) and transition language providing authority to work on regulations (Section 15).

Section 19 – Provides a special effective date of January 1, 2021 for the majority of the bill; this ensures that DEC has time to adopt regulations before the repeals in Section 13 and other amendments become effective.