

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SECOND LEGISLATURE
FIRST SPECIAL SESSION

Juneau, Alaska

Saturday

June 9, 2001

Third Day

Pursuant to adjournment the Senate was called to order by President Halford at 10:27 a.m.

The roll showed thirteen members present. Senator Green was excused from a call of the Senate. Senators Austerman, Elton, Hoffman, Lincoln, Olson, Phillips were absent.

The prayer was offered by the Chaplain, Senator Leman. Senator Ward moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

"The heavens declare the glory of God;
the skies proclaim the work of His hands.
Day after day they pour forth speech;
night after night they display knowledge.
Their voice goes out into all the earth,
their words to the ends of the world."
(Psalm 19: 1-4)

Lord, I thank You that through Your creation, You have clearly demonstrated Your awesome power, glory and detailed design. Open our eyes to the evidences You have prepared for us and our hearts to Your still small voice.

I ask for safety in travel as we return to our homes and families. In Jesus' Name, Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

Messages from the House**SCR 18**

Message dated June 9 was received, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 18
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 260, relating to
commercial passenger vessels so that the title may
read "An Act relating to marine passenger vessels;
and providing for an effective date."

The resolution was referred to the Secretary for enrollment.

The presence of Senators Austerman, Elton, Hoffman, Lincoln, Olson was noted.

Special Committee Reports**HB 260**

June 9, 2001

Mr. President:

Mr. Speaker:

The Conference Committee considering CS FOR HOUSE BILL NO. 260(FIN) am "An Act requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater, sewage, hazardous substances, hazardous wastes, solid wastes, and other pollutants; establishing certain sampling, testing, reporting, and record-keeping requirements as terms and conditions of permitting discharges from the vessels; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by the vessels, and to monitor and supervise discharges from the vessels; prohibiting the discharge of untreated sewage from the vessels;

placing limits on discharges of treated sewage and graywater from the vessels; providing that there is no audit report privilege for complying with a requirement that the owner or operator of a commercial passenger vessel must report discharges of sewage or graywater that violate laws; establishing a fee, ranging from \$.70 - \$1.75 per berth, with a maximum of \$3,750 per voyage, on commercial passenger vessels that are not operated by the state for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; providing for a fee for vessels operated by the state to be determined by an agreement between the commissioner of environmental conservation and the commissioner of transportation and public facilities; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing the Department of Environmental Conservation to adopt regulations to implement laws relating to commercial passenger vessels and directing the department to use negotiated regulation procedures, when appropriate, to develop the regulations; establishing a commercial passenger vessel coastal protection fund; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date"

and

CS FOR HOUSE BILL NO. 260(FIN) am S "An Act relating to marine passenger vessels; and providing for an effective date"

requests limited powers of free conference on the following specific points:

Change every reference to "other waste" to "other wastewater".

Under definitions:

"other wastewater" means graywater or sewage that is stored in or transferred to a ballast tank or other holding area on the vessel that may not be customarily used for storing graywater or sewage.

Signing the report: Representative Mulder, Chair, Representatives Hudson, Kerttula; Senators Leman, Halford, Ellis.

President Halford had previously granted the Senate members limited powers of free conference as requested on June 8 (page 1820).

The presence of Senator Phillips was noted.

HB 260

The following report was received and distributed at 10:12 a.m., June 9, 2001.

June 9, 2001

Mr. President:

Mr. Speaker:

The CONFERENCE COMMITTEE considered CS FOR HOUSE BILL NO. 260(FIN) am "An Act requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater, sewage, hazardous substances, hazardous wastes, solid wastes, and other pollutants; establishing certain sampling, testing, reporting, and record-keeping requirements as terms and conditions of permitting discharges from the vessels; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by the vessels, and to monitor and supervise discharges from the vessels; prohibiting the discharge of untreated sewage from the vessels; placing limits on discharges of treated sewage and graywater from the vessels; providing that there is no audit report privilege for complying with a requirement that the owner or operator of a commercial passenger vessel must report discharges of sewage or graywater that violate laws; establishing a fee, ranging from \$.70 - \$1.75 per berth, with a maximum of \$3,750 per voyage, on commercial passenger vessels that are not operated by the state for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; providing for a fee for vessels operated by the state to be determined

by an agreement between the commissioner of environmental conservation and the commissioner of transportation and public facilities; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing the Department of Environmental Conservation to adopt regulations to implement laws relating to commercial passenger vessels and directing the department to use negotiated regulation procedures, when appropriate, to develop the regulations; establishing a commercial passenger vessel coastal protection fund; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date"

and

CS FOR HOUSE BILL NO. 260(FIN) am S "An Act relating to marine passenger vessels; and providing for an effective date"

and recommends

CONFERENCE CS FOR HOUSE BILL NO. 260
"An Act relating to marine passenger vessels; and
providing for an effective date"

be adopted with the following Conference Committee Letter of Intent attached:

Letter of Intent

It is the intent of the legislature that the State of Alaska receive reports of discharges of hazardous waste in the marine waters of this state.

Signing the report: Representative Mulder, Chair, Representatives Hudson, Kerttula; Senators Leman, Halford, Ellis.

Senator Leman moved and asked unanimous consent that the Senate adopt the Conference Committee Letter of Intent. Without objection, the Letter of Intent was adopted.

Senator Leman moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 260 "An Act relating to marine passenger vessels; and providing for an effective date." Senator Ellis objected.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 260 "An Act relating to marine passenger vessels; and providing for an effective date"?" The roll was taken with the following result:

CCS HB 260

Adopt Conference Committee report?

YEAS: 13 NAYS: 6 EXCUSED: 1 ABSENT: 0

Yeas: Austerman, Cowdery, Donley, Halford, Kelly, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

Excused: Green

and so, the report was adopted.

Senator Leman moved the effective date clauses. Senator Taylor objected, then withdrew his objection.

The question being: "Shall the effective date clauses be adopted?" The roll was taken with the following result:

CCS HB 260

Effective Date Clauses

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Excused: Green

and so, the effective date clauses were adopted. The bill was signed by the President and Secretary and returned to the House with the Letter of Intent attached.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Pearce moved and asked unanimous consent that the First Special Session stand in adjournment. Without objection, the Senate adjourned at 10:55 a.m.

Heidi Vogel
Secretary of the Senate

June 2001

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

JOINT COMMITTEES**CONFERENCE COMMITTEE ON HB 260**

Jun 09 Saturday Butrovich 205 8:00 AM
HB 260 COMMER.PASSENGER VESSEL REGULATION & FEES