

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

January 28, 2002

1:06 p.m.

MEMBERS PRESENT

Representative Drew Scalzi, Co-Chair
Representative Hugh Fate, Vice Chair
Representative Joe Green
Representative Lesil McGuire
Representative Gary Stevens
Representative Beth Kerttula

MEMBERS ABSENT

Representative Beverly Masek, Co-Chair
Representative Mike Chenault
Representative Mary Kapsner

COMMITTEE CALENDAR

HOUSE BILL NO. 263

"An Act relating to water quality standards applicable to flow-through hot springs pools."

- MOVED CSHB 263(RES) OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HB 263

SHORT TITLE:REGULATION OF HOT SPRINGS WATER

SPONSOR(S): REPRESENTATIVE(S)FATE

Jrn-Date	Jrn-Page		Action
04/28/01	1310	(H)	READ THE FIRST TIME - REFERRALS
04/28/01	1310	(H)	RES
01/23/02		(H)	RES AT 1:00 PM CAPITOL 124
01/23/02		(H)	Heard & Held MINUTE(RES)
01/28/02		(H)	RES AT 1:00 PM CAPITOL 124

WITNESS REGISTER

JANICE ADAIR, Director
Division of Environmental Health

Department of Environmental Conservation (DEC)
555 Cordova Street
Anchorage, Alaska 99501
POSITION STATEMENT: Testified on HB 263.

ACTION NARRATIVE

TAPE 02-3, SIDE A
Number 0001

CO-CHAIR DREW SCALZI called the House Resources Standing Committee meeting to order at 1:06 p.m. Representatives Scalzi, Fate, Green, McGuire, Stevens, and Kerttula were present at the call to order.

HB 263-REGULATION OF HOT SPRINGS WATER

Number 0010

CO-CHAIR SCALZI announced that the first order of business before the committee would be HOUSE BILL NO. 263, "An Act relating to water quality standards applicable to flow-through hot springs pools."

Number 0190

REPRESENTATIVE MCGUIRE moved to adopt the proposed committee substitute (CS) for HB 263, version 22-LS0985\C, Lauterbach, 1/25/02, as the working document. There being no objection, Version C was before the committee.

Number 0276

REPRESENTATIVE FATE, speaking as the sponsor of HB 263, thanked Janice Adair from the Department of Environmental Conservation (DEC) for working with the [committee] and coming to an agreement on the bill. He said that she had some real concerns that he hoped Version C does meet. He indicated his understanding that DEC approved of the changes.

Number 0331

REPRESENTATIVE FATE noted that four changes were made in Version C. He indicated that "body of water" is a replacement for the original term "pool" because a pool could be a swimming pool, for example. He said there were concerns that the "dangerous

levels of disease-causing pathogens" did not include the word "chemicals", which was added. He specified that the intent is to protect the health of the people who are entering these bodies of water. He indicated that the term "geothermal water" was added to line 11 for clarity.

REPRESENTATIVE FATE reported that these were the only substantive changes. He said he thought that this was good legislation that will help develop the rural areas and will provide safety for those people who are using the [hot springs].

Number 0448

REPRESENTATIVE KERTTULA said that she really appreciates all of the work done by [Representative Fate] and DEC. She said that she wanted to be sure that Version C clearly won't apply to manmade concrete pools that contain hot springs [water], but will apply to [natural] hot springs.

Number 0489

REPRESENTATIVE FATE responded that [Version C] purposely doesn't deal with the material that the [hot springs] is made of. He suggested that research will show that almost every hot spring trickles out of the spring itself and is altered, whether it's dug out by hand or [a material] such as concrete is added.

REPRESENTATIVE FATE explained that the intent is not to use a hot springs as a swimming pool; the intent of this bill is for the perceived medicinal purposes as stated in [Version C] or for aesthetic reasons. He said there are some regulations concerning pools and hot springs that he had not enumerated in [Version C]. He suggested that it is DEC's [responsibility] to enumerate the depth of a hot springs versus the depth of a swimming pool and so forth. He reiterated that the reason for the clarification is so that this bill could not be misconstrued as pertaining to a swimming pool; it's strictly for a hot springs.

Number 0579

REPRESENTATIVE KERTTULA said that her question had been answered; the changes have taken out the word "pool" and [replaced] it with "body of water". She suggested that this change would make it so the bill cannot apply strictly to a manmade concrete pool that water is being put into.

Number 0610

REPRESENTATIVE FATE said that the [hot springs] could contain gravel, cedar, wood, or concrete. He said [Version C] doesn't apply to swimming pools. He reiterated that [Version C] deals with making the water safe. He indicated that [alterations] such as adding material [may affect the outcome of the water testing]; if it is not safe, then it will be [required] to be made safe. He indicated that it might require changing the construction to meet the standards.

Number 0649

REPRESENTATIVE STEVENS asked Ms. Adair if [Version C] allows DEC to do its job and protect public health.

Number 0680

JANICE ADAIR, Director, Division of Environmental Health, Department of Environmental Conservation (DEC), testified via teleconference. She informed the committee that she had not seen [Version C], but it does sound as if it follows exactly the version that Representative Fate's staff had drafted and sent to her. She said the changes are sufficient for DEC.

Number 0727

REPRESENTATIVE MCGUIRE moved to report CS for HB 263, version 22-LS0985\C, Lauterbach, 1/25/02, out of committee with individual recommendations and the accompanying fiscal note. There being no objection, CSHB 263(RES) was moved from the House Resources Standing Committee.

ADJOURNMENT

Number 0783

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at an unspecified time.