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1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 SENATE BILL NO. 536

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act prohibiting water pollution."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 46.05 is amended by adding a new section to read:

9 Sec. 46.05.173. BALLAST WATER DISCHARGE. (a) No person may  
10 pollute or add to the pollution of waters of the state by discharging  
11 from any vessel untreated ballast or tank-cleaning waste water.

12 (b) Vessels taking on oil, petroleum products or their by-products  
13 as cargo shall arrive in port under normal ballast and shall discharge  
14 the ballast water into treatment facilities approved by the department.

15 (c) Vessels equipped with approved ballast or tank-cleaning  
16 water treatment facilities may be authorized by the department to  
17 discharge ballast or tank-cleaning waste water at sea.

18 \* Sec. 2. AS 46.05.210 is amended to read:

19 Sec. 46.05.210. PENALTIES. (a) A person who violates secs.  
20 [SEC.] 170 - 173 of this chapter is guilty of a misdemeanor and upon  
21 conviction is punishable by a fine of not less than \$500 nor more than  
22 \$25,000 and imprisonment for not less than 30 days nor more than a  
23 year. Each unlawful act constitutes a separate offense.

24 (b) In addition to the penalties provided in (a) of this section,  
25 a person who violates secs. [SEC] 170 - 173 of this chapter is liable,  
26 in a civil action, to the state for liquidated damages to be assessed  
27 by the court for an amount not less than \$5,000 nor more than \$100,000,  
28 depending on the severity of the violation.

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