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Referred: Community and Regional  
Affairs and Finance

6-1163E

1 IN THE SENATE

BY SZYMANSKI, KERTTULA  
AND KELLY

2

SENATE BILL NO. 256

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to reimbursement to persons and  
7 municipalities for costs incurred as a result of a  
8 released hazardous substance; and providing for an  
9 effective date."

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

11 \* Section 1. AS 46.08.070(c) is amended to read:

12 (c) The department may reimburse a municipality for actual  
13 expenses, other than normal operating expenses, incurred in the abate-  
14 ment of a release of threatened release of oil or a hazardous sub-  
15 stance if

16 (1) the municipality has entered into an agreement with the  
17 commissioner under AS 46.09.020(e) [BEFORE INCURRING THE EXPENSES FOR  
18 WHICH REIMBURSEMENT IS SOUGHT]; and

19 (2) the commissioner determines that the expenses were for  
20 a necessary emergency first response to a release or threatened re-  
21 lease that posed an imminent and substantial threat to the public  
22 health or welfare, or to the environment.

23 \* Sec. 2. AS 46.09.020(e) is amended to read:

24 (e) The commissioner shall enter into agreement with the En-  
25 vironmental Protection Agency, and may enter into an agreement [AGREE-  
26 MENTS] with another person or municipality [OTHER PERSONS AND MUNIC-  
27 IPALITIES], in order to

28 (1) facilitate a coordinated and effective hazardous sub-  
29 stance release response in the state;

- 1           (2) provide for cooperative hazardous substance release  
2 notification procedures; [OR]  
3           (3) provide for cooperative review of hazardous substance  
4 release response contingency plans submitted to the department; or  
5           (4) provide for state reimbursement of expenses incurred by  
6 another person or municipality as a result of the release of a hazard-  
7 ous substance, whether the costs were incurred before or after the  
8 date of execution of the reimbursement agreement.  
9 \* Sec. 3. This Act is retroactive to March 24, 1989.  
10 \* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).