

Offered: 4/8/89  
Referred: Finance

6-1163H

Original sponsors: Szymanski, Kerttula,  
Kelly, and Sturgulewski

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 256 (C&RA)

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 for costs incurred  
7 and recovery of money expended 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(b) is amended to read:

12 (b) The attorney general, at the request of the commissioner,  
13 shall immediately [MAY] seek to recover money expended by the depart-  
14 ment under this chapter or other law to contain and clean up oil or a  
15 hazardous substance that has been released or to control the threat-  
16 ened release of oil or a hazardous substance.

17 \* Sec. 2. AS 46.08.070(c) is amended to read:

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

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

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

29 \* Sec. 3. This Act is retroactive to March 24, 1989.

1 \* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).