

Offered: 4/28/89  
Referred: Rules

6-1209D

Original sponsors: Faiks, Halford,  
Kelly, et al.

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 277 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a commission to investigate the  
7 Exxon Valdez oil spill disaster and to recommend  
8 changes needed to minimize the possibility and ef-  
9 fects of similar oil spills; and providing for an  
10 effective date."

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

12 \* Section 1. EXXON VALDEZ OIL SPILL COMMISSION. (a) There is estab-  
13 lished in the Office of the Governor the Exxon Valdez Oil Spill Commission.  
14 The commission consists of seven members appointed by the governor.

15 (b) The seven members must include

16 (1) a chair who is a distinguished state resident committed to  
17 impartial fact-finding and who is not a state or federal employee or an  
18 employee of a company that is part of the oil industry; and

19 (2) six persons who are not affiliated with any party directly  
20 related to the Exxon Valdez disaster, including at least one person with  
21 relevant scientific and technical knowledge and one person with business  
22 experience involving petroleum production or transportation.

23 (c) The commission may hire staff it considers necessary to perform  
24 its duties, including legal counsel.

25 (d) Members of the commission serve without compensation, but nongov-  
26 ernmental members are entitled to \$150 per day while on commission business  
27 plus per diem and travel expenses authorized for boards and commissions  
28 under AS 39.20.180.

29 \* Sec. 2. DUTIES OF THE COMMISSION. (a) The commission shall gather

1 information relating to

2 (1) the events leading up to the Exxon Valdez oil discharge that  
3 began March 24, 1989;

4 (2) the ensuing efforts to contain and clean up the oil dis-  
5 charged;

6 (3) the short-term and long-term effects of the Exxon Valdez oil  
7 discharge on the natural resources and the economy of the state.

8 (b) By March 1, 1990, the commission shall submit a report to the  
9 governor and to the legislature containing its findings and recommendations  
10 on

11 (1) the factual chain of events that preceded the grounding of  
12 the Exxon Valdez and the extent to which oil industry practices and govern-  
13 mental practices or laws should be changed to minimize the potential for  
14 future similar events;

15 (2) the containment and cleanup actions that were taken or not  
16 taken after the discharge, the extent to which current technology was  
17 available and used, and ways to improve oil spill response technology and  
18 procedures;

19 (3) the environmental and economic effects of the oil discharge;  
20 and

21 (4) recommendations on steps that should be taken by the oil  
22 industry and by all levels of government to ensure proper management,  
23 handling, and transportation of crude oil and to improve the ability of  
24 industry and governmental agencies to respond to oil discharges.

25 \* Sec. 3. INVESTIGATIONS; HEARINGS. (a) The commission may issue  
26 subpoenas, administer oaths, hold hearings, and conduct investigations  
27 related to its duties.

28 (b) The commission may compel the attendance of witnesses and produc-  
29 tion of papers, books, records, accounts, documents, and testimony, and may

1 have the deposition of witnesses taken in a manner prescribed by court rule  
2 or law for the taking of depositions in civil actions when consistent with  
3 the duties assigned to the commission.

4 (c) On a majority vote of the commission, subpoenas and subpoenas  
5 duces tecum may be issued and served in the manner prescribed by AS 44.62.-  
6 430(b) and (c) and court rule. The failure, refusal, or neglect to obey a  
7 subpoena is punishable as contempt in the manner prescribed by law or court  
8 rule. The superior court may compel obedience to the commission's subpoena  
9 in the same manner as prescribed for obedience to a subpoena issued by the  
10 court.

11 (d) State agencies shall, to the extent permitted by law, cooperate  
12 with the commission and provide it with information it requests for carry-  
13 ing out its duties.

14 (e) The commission is governed by AS 44.62.310.

15 \* Sec. 4. This Act is repealed March 21, 1990.

16 \* Sec. 5. This Act takes effect immediately under AS 01.10.070(c).