

S C R

5

Alaska State Legislature



SENATOR JIM DUNCAN

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COMMITTEES:
FINANCE
VICE CHAIR —
HEALTH EDUCATION
& SOCIAL SERVICES
BUDGET & AUDIT
BANKING &
ECONOMIC
DEVELOPMENT

MEMORANDUM

January 31, 1989

To: Senator Bettye Fahrenkamp

From: Senator Jim Duncan

Subject: Hearing for SCR 5, Encouraging citizen participation in state-wide beach cleanup

I would appreciate it if you could schedule a hearing on SCR 5 at your earliest convenience. My staff has provided the materials required for a hearing to your office.

I do not anticipate any opposition on this issue, it is simply a request for Alaskan citizens to get out and clean up our Alaskan Beaches. I sincerely doubt that it will take up an inordinate amount of committee time.

6-0465A
Bannister
1/11/89
BY DUNCAN

1 IN THE SENATE

2 SENATE CONCURRENT RESOLUTION NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 Encouraging citizen participation in
6 state-wide beach cleanup and anti-
7 dumping efforts.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS lost and accidentally and purposely discarded plastic debris,
10 including six-pack yokes, strapping bands, sheeting, packaging material,
11 dunnage, bags, particles, pellets, fishing nets, fishing line, and related
12 fishing gear, are annually killing at least an estimated 1,000,000 sea
13 birds, 100,000 marine mammals, and untold numbers of sea turtles and fish
14 by entanglement in the debris and ingestion of the debris; and

15 WHEREAS many of the fish and wildlife killed by the debris are resi-
16 dent wildlife of the state, and some of this wildlife are listed as deplet-
17 ed under the Marine Mammal Protection Act (16 U.S.C. 1361 - 1407), includ-
18 ing the Steller's sea-lion and the northern fur seal, or endangered under
19 the Endangered Species Act (16 U.S.C. 1531 - 1543), including the humpback
20 whale, bowhead whale, and Aleutian Canada goose; and

21 WHEREAS plastic debris is generally persistent, durable, and nondegrad-
22 able, and may last for hundreds of years or longer; and

23 WHEREAS plastic debris deposited on the state's beaches by tidal
24 action, wind, waves, storms, and similar occurrences may also entangle
25 wildlife, and future storms and high tides may wash the plastic back into
26 the sea where it will continue its lethal effect, possibly for hundreds of
27 years; and

28 WHEREAS, in addition to the problems plastic debris causes to wild-
29 life, garbage-strewn beaches are aesthetically displeasing, discourage

3 tourism, and are costly to clean, and floating plastics also foul boat
4 propellers, block cooling intake vents, snag fishing equipment, entangle
5 submarines, and endanger divers; and

6 WHEREAS effective December 31, 1988, the Marine Plastic Pollution
7 Research and Control Act of 1987 (33 U.S.C. 1901 - 1912) prohibits vessels
8 from dumping plastics at sea and within the navigable waters of the state,
9 although certain public vessels have five years in which to comply with
10 this prohibition; and

11 WHEREAS enforcement by the United States Coast Guard of these anti-
12 dumping provisions will be difficult, especially since the Coast Guard
13 faces expanding responsibilities and a shrinking budget; and

14 WHEREAS the Marine Plastic Pollution Research and Control Act of 1987
15 contains a provision allowing an informant, in the discretion of the court,
16 to receive up to one-half of the penalty assessed against a violator of the
17 Act;

18 BE IT RESOLVED that the Alaska State Legislature strongly encourages
19 all residents of the state to participate in Coastweeks '89, a national
20 beach cleanup effort involving many public and private groups concerned
21 about the environment, by taking part in a June 1989 beach cleanup along
22 the 36,000 miles of the state's accessible shoreline; and be it

23 FURTHER RESOLVED that the Alaska State Legislature encourages those
24 citizens who witness possible violations of the plastics anti-dumping law
25 to contact the Port Operations Department of their local United States
26 Coast Guard Marine Safety Office and, where possible, to provide the Coast
27 Guard with as much of the following information as possible about the
28 occurrence: date, time, location, witnesses' names, ship or vessel's name
29 and number, photographs, and a sample of the discarded plastic.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT DEC	DIVISION Commissioner's Office	BILL NUMBER SCR 5	SPONSOR Senator Duncan
SHORT TITLE OF BILL Encouraging citizen participation in beach cleanup			
DEPARTMENT POSITION The department fully supports the resolution			
PREPARED BY Amy Kyle	DATE 1/23/89	COMMISSIONER'S SIGNATURE <i>A.D. Kyle</i>	DATE 1/24/89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL	CONSTITUENT GROUP(S) AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

ANALYSIS OF BILL/PROGRAM EFFECTS

The resolution encourages Alaska residents to participate in beach cleanup activities to reduce the effects on wildlife of plastic wastes. The department recognizes the significance of the problem and endorses the Senator's actions toward solution.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

January 20, 1989

SUBJECT: Sectional analysis of W.O. 6-0465A
TO: Senator Jim Duncan
FROM: Theresa L. Bannister *TB*
Legislative Counsel

You have requested a sectional analysis of the above described resolution.

As a preliminary matter, note that a sectional analysis or summary of a resolution should not be considered an authoritative interpretation of the resolution and the resolution itself is the best statement of its contents.

FIRST WHEREAS CLAUSE. Indicates that discarded plastic debris is killing over 1,100,000 sea birds, marine mammals, sea turtles, and fish each year.

SECOND WHEREAS CLAUSE. Indicates that many of the fish and wildlife killed by plastic debris are resident wildlife of the state which are depleted or endangered species under the Marine Mammal Protection Act and the Endangered Species Act.

THIRD WHEREAS CLAUSE. Indicates that plastic debris is durable and has a long life.

FOURTH WHEREAS CLAUSE. Indicates that plastic debris deposited on the state's beaches may entangle wildlife and may be washed back into the sea.

FIFTH WHEREAS CLAUSE. Indicates that garbage-strewn beaches are aesthetically unpleasant, discourage tourism, and are costly to clean, and that floating plastic debris fouls boat

propellers, blocks cooling intake vents, snags fishing equipment, entangles submarines, and endangers divers.

SIXTH WHEREAS CLAUSE. States that the Marine Plastic Pollution Research and Control Act of 1987 (MPPRCA) prohibits vessels from dumping plastics at sea and within the navigable waters of the state, and that certain public vessels have five years in which to comply with this prohibition.

SEVENTH WHEREAS CLAUSE. Declares that U.S. Coast Guard enforcement of the MPPRCA will be difficult due to the Coast Guard's shrinking budget and expanding responsibilities.

EIGHTH WHEREAS CLAUSE. Indicates that the MPPRCA allows a court to reward an informant with up to one-half of the penalty assessed against a violator of the MPPRCA.

FIRST RESOLVE CLAUSE. Declares that the Legislature strongly encourages state residents to participate in a June 1989 beach cleanup of the state's shoreline.

SECOND RESOLVE CLAUSE. Declares that the Legislature encourages state citizens who witness possible violations of the MPPRCA to contact the Coast Guard and to provide as much specific information as possible.

If I may be of further assistance, please advise.

TLB:lmb
L6/152

January 19, 1989

Bill Summary for SCR 5, Encouraging citizen participation in state-wide beach cleanup and anti dumping efforts

This resolution recognizes the aesthetically unpleasing nature of plastic debris on Alaska's beaches, and the danger that this litter can cause to marine creatures and seabirds. Plastic debris poses a threat to vessels and divers and fishing gear as well. Since the Marine Plastic Pollution Research and Control Act went into effect on December 31, 1988 (33 USC 1901-1912), it is now illegal to dispose of plastics at sea.

The intention of this resolution is to encourage Alaska's citizens to participate in a State-wide beach cleanup effort to remove the large amount of plastics that litter our beaches. It is in the interest of all Alaskans that this resolution be acted upon by the Legislature.



**STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS**

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