

SB

183

<target><bill>SB 183</bill><subject>SB
183</subject><comm>HFIN26</comm></target>

ALASKA STATE LEGISLATURE

SENATE FINANCE COMMITTEE

Senator Bert Stedman, Co-Chair
State Capitol, Room 516
Juneau, AK 99801-1182
(907) 465- 3873 - Phone
(907) 465-3922 - Fax
Senator_Bert_Stedman@legis.state.ak.us



Official Business

Senator Lyman Hoffman, Co-Chair
State Capitol, Room 518
Juneau, AK 99801-1182
Phone - (907) 465- 4453
Fax - (907) 465- 4523
Senator_Lyman_Hoffman@legis.state.ak.us

SB 183 Sponsor Statement

“An Act authorizing the Department of Environmental Conservation to award grants for the control of air emissions or the development and administration of air quality control programs; and providing for an effective date.”

SB 183 provides statutory authority for the Department of Environmental Conservation to grant funds for the control of air emissions or the development or administration of air quality control programs in the state. The authority is needed so that the Department of Environmental Conservation can distribute funds available through the Air Quality Grant – Diesel Emission Reduction program in the American Recovery and Reinvestment Act of 2009. This program would provide \$2 million to grantees for energy efficiency upgrades such as new, more efficient power generation equipment and public transportation vehicles.

**Fact Sheet – Department of Environmental Conservation
American Recovery and Reinvestment Act (ARRA)
Environmental Protection Agency - Diesel Emissions Reduction Act
Total Available ARRA Funding: \$2,000.0**

The Air Non-Point Mobile Source program within the Division of Air Quality in Department of Environmental Conservation (DEC) is responsible for mobile and area sources of air contaminants. As part of their responsibilities for mobile sources they were tasked with management of the grant funding being distributed by the Environmental Protection Agency (EPA) under the State Clean Diesel Grant program. FFY08 was the first year of this allocation funding to states through a formula outlined in the Energy Policy Act of 2005. EPA's program is designed with the idea that states will fund grants or loan programs for clean diesel projects, but other competitive processes are allowed.

To distribute this funding DEC can execute agreements with other governmental agencies or establish contracts or grants to municipalities and others throughout the state for projects such as:

- Purchasing and installing pollution controls on diesel engines for vehicle fleets such as bus or construction equipment fleets;
- Replacing older diesel generators in villages with newer, more efficient diesel engines;
- Repowering or replacing state, municipal or school bus fleets with cleaner, more efficient engines or vehicles;
- Providing plug-ins and other means to reduce the need to idle diesels in cold weather; and
- Converting vehicle fleets from diesel power to cleaner fuels such as natural gas or propane.

A variety of entities are eligible for this funding, they are:

- Regional, state, local, tribal or port agencies with jurisdiction over transportation or air quality;
- Nonprofit organizations or institutions that represent or provide pollution reduction or educational services to persons or organizations that operate diesel fleets;
- Entities whose principle purpose is the promotion of transportation or air quality

In FFY08 DEC received \$295,320. To date projects identified as eligible for this funding include:

- Alaska Energy Authority to conduct a feasibility assessment of operating a small organic rankine cycle powered generator utilizing waste heat from the exhaust stack of a diesel engine.
- Alaska Department of Transportation diesel equipment retrofits.
- Alaska Railroad diesel equipment retrofits and assessment of anti-idling technologies.
- Contract to be issued for other diesel emission reduction projects throughout Alaska.

The funding available for the diesel emissions program through the American Recovery and Reinvestment Act of 2009 provides approximately \$2.0 million to support the efforts of Alaska's State Clean Diesel Grant program.

DEC is requesting granting authority that would allow a distribution of funding to other entities beyond governmental agencies or contractors. The statutory language needed in order to allow this granting authority would be:

Section 1. AS46.14 is amended by adding a new section to read:

Sec 46.14.535. Grants. (a) Subject to appropriation, the department may award grants of federal or other funds received by the department for the control of air emissions or the development or administration of air quality control programs in this state.

(b) The department may adopt regulations under AS44.62 (Administrative Procedure Act) to carry out the purposes of this section.

adopted

New

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AMENDMENT

OFFERED IN THE HOUSE
TO: HCS SB 183(FIN)

BY REPRESENTATIVE HAWKER

1 Page 1, line 1, following "Act":

2 Insert "amending the qualifications of ocean rangers who monitor marine
3 discharge and pollution requirements aboard large commercial passenger vessels and"
4

5 Page 1, following line 4:

6 Insert new bill sections to read:

7 **** Section 1.** AS 46.03.476 is amended to read:

8 **Sec. 46.03.476. Ocean Rangers.** (a) An owner or operator of a large
9 commercial passenger vessel entering the marine waters of the state is required to have
10 an ocean ranger [A MARINE ENGINEER LICENSED BY THE UNITED STATES
11 COAST GUARD] hired or retained by the department on board the vessel to act as an
12 independent observer for the purpose of monitoring state and federal requirements
13 pertaining to marine discharge and pollution requirements and to insure that
14 passengers, crew, and residents at ports are protected from improper sanitation, health,
15 and safety practices.

16 (b) The ocean ranger [LICENSED MARINE ENGINEER] shall monitor,
17 observe, and record data and information related to the engineering, sanitation, and
18 health related operations of the vessel, including but not limited to registration,
19 reporting, record-keeping, and discharge functions required by state and federal law.

20 (c) Any information recorded or gathered by the ocean ranger [LICENSED
21 MARINE ENGINEER] shall be promptly conveyed to the Alaska Department of
22 Environmental Conservation and the United States Coast Guard on a form or in a
23 manner approved by the commissioner of environmental conservation. The

1 commissioner may share information gathered with other state and federal agencies.

2 * **Sec. 2.** AS 46.03.476 is amended by adding a new section to read:

3 (d) In this section, "ocean ranger" means

4 (1) a marine engineer licensed by the United States Coast Guard; or

5 (2) a person who holds a degree in marine safety and environmental
6 protection, or an equivalent course of study approved by the department, from an
7 accredited maritime educational institution."
8

9 Page 1, line 5:

10 Delete "**Section 1**"

11 Insert "**Sec. 2**"

12

13 Renumber the following bill sections accordingly.

adopted

26-LS0846R
Bailey
4/14/09

HOUSE CS FOR SENATE BILL NO. 183(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act authorizing the Department of Environmental Conservation to award grants**
2 **for the control of air emissions or the development and administration of air quality**
3 **control programs; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 46.14 is amended by adding a new section to read:

6 **Sec. 46.14.535. Grants.** (a) Subject to appropriation, the department may
7 award grants of federal or other funds received by the department for the control of air
8 emissions or the development or administration of air quality control programs in the
9 state.

10 (b) The department may adopt regulations under AS 44.62 (Administrative
11 Procedure Act) to carry out the purposes of this section.

12 *** Sec. 2.** AS 46.14.535 is repealed January 1, 2011.

13 *** Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 183
(S) Publish Date: 4/11/09

Identifier (file name): SB183-DEC-AQ-4-6-09 Dept. Affected: Environmental Conservation
Title: Grant Authority for Air Quality RDU: Division of Air Quality
Component: Air Quality
Sponsor: Senate Finance Committee
Requester: Senate Finance Committee Component Number: 2061

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact to DEC associated with this legislation.

Prepared by: Keri S. Hubbard, Administrative Officer II Phone 907-269-3010
Division: Air Quality Date/Time 4/6/09 6:24 PM
Approved by: Dan Easton Date 4/7/2009
Deputy Commissioner