

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002

8672

10481 HOUSE TRANSPORTATION

AS 46.04.035. Even if not listed in a c-plan or directly obligated to a c-plan holder, any person may apply to DEC for registration and approval as a PRAC. 18 AAC 75.500(d). If a vessel agent, for example, agrees to provide "response action" services to a non-tank vessel owner/operator, then in addition to statutory status as a RAC, vessel agents could also voluntarily apply for PRAC status under 18 AAC 75.500(d). However, registration as a PRAC is not a prerequisite for RAC immunity if the contractor otherwise satisfies the requirements of AS 46.03.825.

10. Question: Can DEC inspect a vessel for compliance with federal requirements and can the USCG inspect a vessel for compliance with State requirements?

Answer: If within the general scope of the respective agency's inspection authority, one agency can, as a general proposition, inspect for the other agency's requirements. Under AS 46.04.060 and AS 46.03.020, DEC may inspect vessels to ensure compliance with DEC statutes and regulations. If a DEC statute or regulation adopts a federal regulation as a State requirement then DEC can inspect a vessel for compliance with that requirements. *See, e.g.,* 18 AAC 75.007. In addition, DEC may participate in an examination of the structural integrity and the operating and mechanical systems of regulated vessels, barges, pipelines, and facilities by Federal and State agencies with jurisdiction. If other Federal or State agencies with jurisdiction of a regulated vessel are performing timely and adequate inspections, DEC may perform its own inspection of the structural integrity and operating and mechanical systems of a regulated vessel by using personnel with qualifications in the areas being inspected. If DEC personnel identify violations of federal requirements during an inspection, DEC has agreed to share such information with the U.S. Coast Guard under its Memorandum of Agreement with the Commander of the 17th Coast Guard District. VI(B)(1), (3) & (7).

The United States Coast Guard is empowered to conduct inspection programs for the purpose of enforcing both international agreements and domestic law aboard United States and foreign-flagged vessels. Pursuant to its Memorandum of Agreement with DEC, the 17th Coast Guard District has also agreed to make its inspection records available to DEC and share all applicable information obtained from its vessel inspections with DEC. Consequently, if a Coast Guard inspector noted facts or circumstances which constituted a violation of State requirements that information would be shared with DEC. Under this inspection information sharing, DEC and the Coast Guard have agreed to work together to avoid inconsistent requirements, undue disruption to industry and to avoid unnecessary duplication. VI(B). DEC and the Coast Guard have also agreed to "endeavor to exchange information and conduct joint inspections or may pursue agreements under which a single inspection may fulfill both

State and Federal requirements. VI(B)(1). A copy of the relevant sections of the 1999 State-Coast Guard Memorandum Of Understanding on vessel inspections is attached.

11. AS 46.04.055(a) states that "a person may not cause or permit the operation of a nontank vessel" without approved proof of financial responsibility. In contrast, AS 46.04.030(c) (tank vessels) states that "a person may not operate a tank vessel or an oil barge within the waters of the state." The Spot Charter Group has expressed concern in a letter dated October 13, 2000 that the difference in language creates ambiguity as to the persons subject to the duties under AS 46.04.055. Is the "cause or permit the operation" language used in AS 46.04.055 intended to be different in scope than the "operate" language in AS 46.04.030(c)?

Answer: No. The cause or permit language in AS 46.04.055(a) was used to mirror similar language in AS 46.04.030(a) ("a person may not cause or permit the operation of an oil terminal facility") and .030(b) ("a person may not cause or permit the operation of a pipeline or an exploration or production facility"). The coverage of the "operate" language in AS 46.04.030(c) is the same as the "cause or permit" language in AS 46.04.055(a) because "cause or permit the operation" should be interpreted in light of the statutory definitions in AS 46.04.900. AS 46.04.900 defines "operator" as "the person who, through contract, lease, sublease, or otherwise, exerts general supervision and control of activities at the facility; the term includes, by way of example and not limitation, prime or general contractor, the master of a vessel and the master's employer, or any other person, who personally or through an agent or contractor, undertakes the general functioning of the facility."

XIII. BIBLIOGRAPHY OF SUPPORTING DOCUMENTATION

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- Alaska, State of. Alaska Statutes. Title 46, Chapters .03 and .04. Available on web at, or download with Adobe Acrobat from:
<http://www.touchngo.com/glcenr/akstats/Statutes/Title46.htm>
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- Prevention Work Group, no date (circa November, 2000). "Recommendations: Nontank Vessel Prevention Credit Program," staff report of recommendations reached at by the Prevention Work Group at its September 27, 2000, meeting.
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- States/British Columbia Oil Spill Task Force, March 5, 2000. Integrated Vessel Response Plan Format Guidelines for Tank Vessels (matrix of regulations). Download with Adobe Acrobat from:
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XIV. APPENDICES AND SUPPORTING DATA

Company affiliation for Task Force members

Eric Britten, Container Ship Industry - CSX Lines, LLC
Co-Chair Michele Brown, Commissioner, Department of Environmental Conservation
Gene Burden, Noncrude Industry - Tesoro Petroleum Companies, Inc.
Jim Carter, Regional Citizens' Advisory Council
Scott Carter, Spot Charter - Agrium, Inc.
Larry Dietrick, Director, Division of Spill Prevention and Response, DEC
Lee Eglund, Alaska Petroleum Distributors & Transporters - Crowley Maritime Services
John Hansen, Cruise Ship Industry - Northwest Cruise Ship Association
Rick Harris, Spot Charter - Sealaska, Inc.
Bob Heavilin, Oil Spill Response Cooperative - Alaska Chadux Corporation
Co-Chair Pete Kott, Alaska State Representative
Lurilla Lee, Fishing Industry - Trident Seafoods
Doug Lentsch, Oil Spill Response Cooperative - Cook Inlet Spill Prevention & Response Inc.
Simon Lisiecki, Crude Industry - BP Amoco Shipping USA
Charlotte MacCay, Spot Charter - Cominco Alaska Incorporated
Stephanie Madsen, Seafood Processing Industry - Pacific Seafood Processors Association
Heather McCarty, Fishing Industry - At Sea Catcher Processors Association
Mike O'Hara, Marine Pilots - Southwest Alaska Pilots Association
David Owings, Oil Spill Response Cooperative - Southeast Alaska Petroleum Resource Organization
Ed Page, United States Coast Guard, Seventeenth District
Co-Chair Drue Pearce, Alaska State Senator
Ernie Piper, Alaska Railroad Corporation
Jeff Thompson, Shipping Agent, Alaska Maritime Agencies

Largest vessel by region

	Region	Largest non-tank vessels operating in the region	Fuel capacity	15 percent RPS	Predominant fuel type
1	Southeast	77,500 gross ton cruise ship	21,400 bbls and 1,541 bbls	3,210 bbls and 231 bbls	non-persistent and persistent
2	Prince William Sound	77,500 gross ton cruise ship	21,400 bbls and 1,541 bbls	3,210 bbls and 231 bbls	non-persistent and persistent
3	Cook Inlet	77,500 gross ton bulk carrier 34,600 gross ton liquid gas	30,300 bbls and 32,700 bbls and 5,032 bbls	4,695 bbls and 4,905 bbls and 755 bbls	persistent persistent and non-persistent
4	Kodiak	21,000 gross ton container vessel	18,200 bbls and 3,800 bbls	2,730 bbls and 570 bbls	persistent and non-persistent
5	Aleutian (excluding Dutch Harbor)	12,500 gross ton refrigerated tramper	21,700 bbls and 10,800 bbls	3,255 bbls and 1,620 bbls	persistent and non-persistent
5a	Aleutian (Dutch Harbor)	65,000 gross ton container vessel	52,000 bbls	2,600 bbls	persistent
6	Bristol Bay	12,500 gross ton refrigerated tramper	21,700 bbls and 10,800 bbls	3,255 bbls and 1,620 bbls	persistent and non-persistent
7	Western Alaska	12,500 gross ton refrigerated tramper	21,700 bbls and 10,800 bbls	3,255 bbls and 1,620 bbls	persistent and non-persistent
8	Northwest Arctic	6,500 gross ton refrigerated tramper	9,500 bbls	1,425 bbls	persistent
9	North Slope	drillship	8,000 bbls (estimated)	1,200 bbls (estimated)	persistent
10	Interior	not known	none		

Alaska Railroad RPS and Prevention Measures Recap

I. ARRC Response Planning Standard Volume Determination

- Non-persistent: Maximum capacity per train is 41,250 barrels
Maximum train for non-persistent product is 75 cars
Tank car (23,000 gallons = 550 bbls.)
Total load = 1,725,000 gallons or 41,072 bbls. (rounded to 41,250 bbls.)
RPS 15% is 258,750 gallons or 6188 bbls. (rounded up to 6200 bbls.)
- Persistent: Maximum capacity per train is 3300 bbls
Maximum train for persistent product is six cars
Tank car (23,000 gallons = 550 bbls.)
Total load = 138,000 gallons or 3286 bbls. (rounded up to 3300 bbls.)
RPS: 15% is 20,700 gallons or 493 bbls. (rounded up to 495 bbls.)

II. RPS and Prevention Measures

Response Measures Currently in Place

1. ARRC Emergency Response Plan. ARRC will continue to maintain and update it.
2. Maintain, inventory, and replenish emergency response equipment in caches (connexs)
3. Review locations for response equipment caches.
4. Maintain trained ARRC emergency response staff and increase training in Incident Command System.
5. Maintain spill response term contracts.

Prevention Measures Proposed

The ARRC deems the greatest threat for an unpermitted discharge of petroleum is from a derailment. Thus, the primary prevention strategy is to reduce risk of derailment. The premise for implementing this strategy is:

1. Determine the areas of greatest risk¹ for derailment along the rail line.
2. Where risk is identified, develop preventative measures to reduce the risk to the lowest realistic level.
3. Where necessary and appropriate, supplement the preventative measures with strategically placed response equipment.

A major step in implementing this strategy is completion of the ARRC System Risk Assessment, being performed by ARRC and Rail Sciences, Inc. This risk assessment, to be completed by the end of December 2000, will provide a comprehensive analysis of the railroad's operating and mechanical systems, plus the track maintenance and engineering programs. As the operational and systematic risks are better understood and more clearly defined, more effective prevention and response measures can be implemented. These, in turn, can be incorporated into the ARRC Emergency Response Plan.

¹ For purpose of response planning and prevention measures "risk" includes not only the physical threat of derailment but also a determination of resources at risk, i.e., identification of environmental sensitive areas subject to a greater level of protection.

USCG – DEC memorandum of agreement

Following are excerpts from the memorandum of agreement between the U.S. Coast Guard and the Department of Environmental Conservation regarding oil spill prevention.

**MEMORANDUM OF AGREEMENT
ON
OIL AND HAZARDOUS SUBSTANCE POLLUTION PREVENTION AND RESPONSE
BETWEEN
THE COMMANDER, SEVENTEENTH COAST GUARD DISTRICT
AND
THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

WHEREAS, the United States Coast Guard and the State of Alaska share a common interest and responsibility for protecting the waters of Alaska and have determined that their cooperative response to large oil spills such as the EXXON VALDEZ oil spill has permitted the State and the Coast Guard to leverage available resources, which in turn has led to better protection of our environment; and

WHEREAS, the United States Coast Guard and the State of Alaska find efficiency in government is important to the public they serve and that entering into a Memorandum of Agreement that builds upon present close working relationships and identifies areas for expanded interaction will lead to increased protection of Alaska's marine environment at greater efficiency; and

WHEREAS, the authority for the USCG to enter into this Agreement can be found in 14 U.S.C. § 141.

WHEREAS, Congress enacted the Oil Pollution Act of 1990 (OPA 90) to protect the waters of the United States from oil pollution and to plan for the effective and immediate response in the event of an oil spill, and the President subsequently designated the Coast Guard as the Federal On-Scene Coordinator (FOSC) within the Alaska coastal zone; and

WHEREAS, Congress explicitly provided the provisions of OPA 90 do not: (1) preempt or affect the authority of any state to impose additional liability or requirements regarding oil discharges or other oil pollution within such a state or removal activities in connection with such a discharge; (2) affect the authority of any state to establish a fund to pay for oil pollution or the substantial threat of oil pollution costs or damages, or to require any person to contribute to such a fund; or (3) affect the authority of any state to impose any fine or penalty for violation of law relating to a discharge; and

PREVENTION OF OIL SPILLS

- A. **Cooperative Implementation:** The Parties are coordinating their efforts to prevent oil spills in the marine environment.

To the extent permitted under applicable laws, the Parties agree to cooperate in the execution of their respective regulatory responsibilities to minimize duplication of effort. The Parties will also seek to identify opportunities for innovative implementation of vessel and facility prevention plans. Both Parties recognize the importance of encouraging cross training in each other's regulations and rules including the areas of inspection and response.

- B. **Vessel Inspections:** Each Party recognizes they may elect to independently exercise their respective examination responsibilities in accordance with applicable law, regulations and policies. The Coast Guard conducts inspection programs for the purpose of enforcing both international agreements and domestic law aboard United States and foreign-flagged vessels. The State has authority to conduct inspections for the purpose of ensuring compliance with state laws and regulations and can participate in joint examinations with federal agencies. Further, either Party may evaluate the inspection process and make recommendations for improvement or perform its own inspections in accordance with applicable laws.

1. The Parties agree to work together to avoid inconsistent requirements and to find ways to conduct vessel inspections in such a way that disruption to the industry is minimized and efficiency and safety maximized. To this end, the Parties will endeavor to exchange information and conduct joint inspections or may pursue agreements under which a single inspection may fulfill both state and federal requirements.
2. In implementing a State examination programs, the State agrees to avoid conflicts and unnecessary duplication in reviewing Federal inspection programs by on-going consultation with the Coast Guard.
3. Review of inspection records: The Parties each agree to make inspection records available to the other and to cooperatively review inspection results, subject to applicable laws, regulations, and procedures.
4. The State shall report recognized discrepancies in meeting the requirements of international agreements believed to exist aboard United States foreign-flagged vessels to the responsible Officer in Charge, Marine Inspection (OCMI).
5. Requirements in State Waters: The Parties will cooperate to establish consistent pollution prevention requirements, and to cooperatively monitor, examine and exchange information relative to those requirements, for vessels to operate in State waters.
6. The State will promptly inform the cognizant OCMI and the Coast Guard will promptly inform the ADEC Industry Preparedness and Pipeline Program's Marine Vessel Section Manager of any situation or circumstance relative to a vessel whose condition or equipment may significantly increase the potential for an unauthorized discharge or create an unusual or an unacceptable risk to public health and safety, or the safety of navigation. Both Parties also agree to ensure joint notification when an

initial report is received from Alyeska SERVS regarding any irregularity or indication of a problem which threatens a tanker or its cargo (including ballast water) as well as situations where a tanker leaves both the U.S. Coast Guard designated Prince William Sound and Valdez Arm traffic lanes (except when an outbound tanker leaves the lanes at the Hinchinbrook Entrance terminus).

7. Both Parties agree to share all applicable information obtained from their respective vessel inspections.

- C. **Vessel Screening:** The Coast Guard, under federal law, through the District Commander and the Captain of the Port (COTP), has the authority to regulate the entry of vessels into the COTP zone, including those determined to be a threat to the environment. The State may establish the means by which it can determine whether tank vessels entering the waters of the State pose a substantial risk of harm to the public health and safety and the environment.

When the State determined that a particular vessel or vessels pose a substantial risk, that determination will be forwarded to the cognizant Captain of the Port (COTP). The COTP shall consider that information in making a determination under federal law as to appropriate action to be taken, if any, including the possibility of denial of entry.

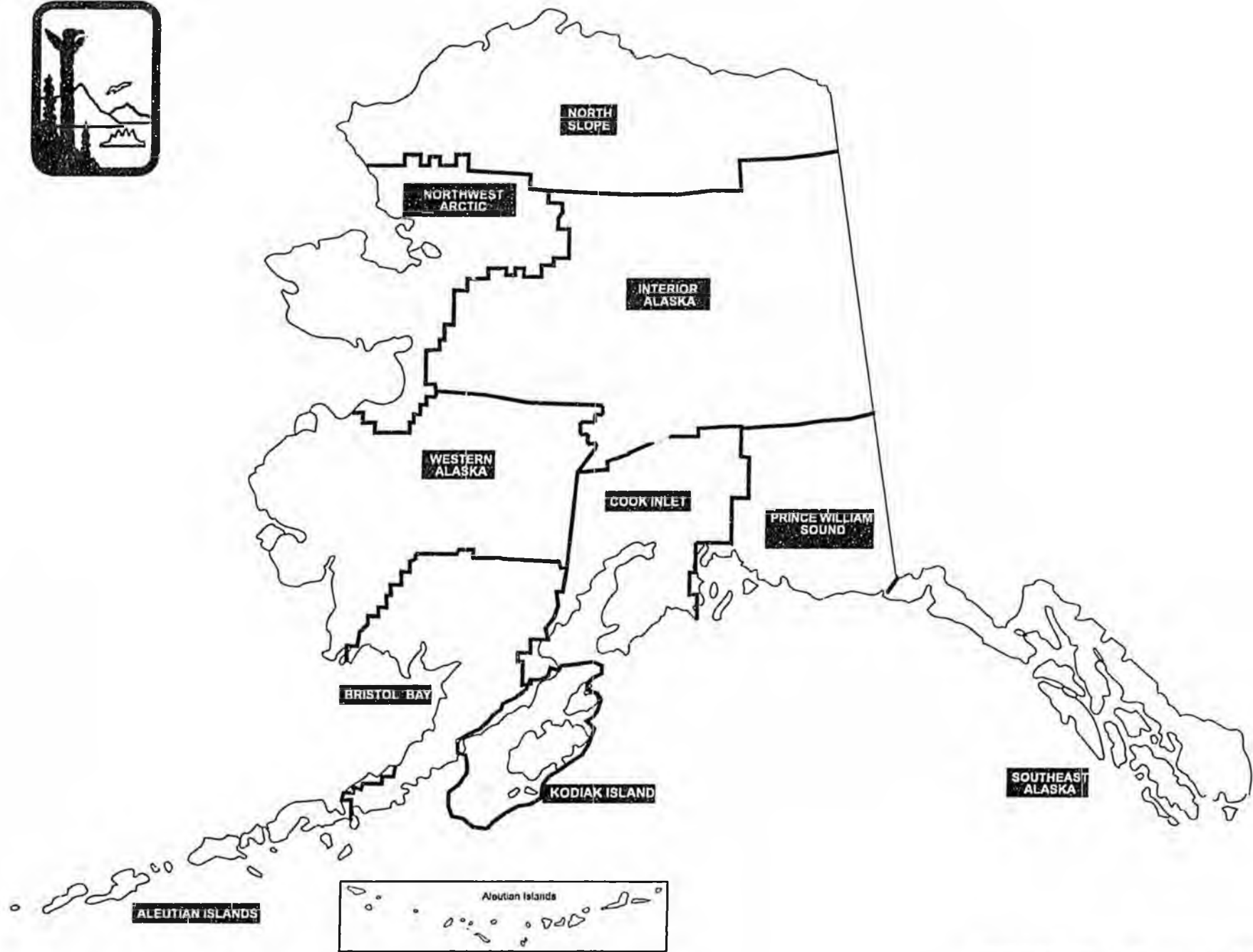
- D. **Tank Vessel Crewing:** The Coast Guard establishes and enforces requirements for crewing, competence, and documentation of personnel aboard vessels.

1. The Coast Guard will consult with the State, to the extent practicable, in its evaluation and implementation of additional requirements for crewing, training, and qualification requirements through the crewing standards process.

2. The parties agree to actively promote and coordinate research projects to identify human factors, which need to be regulated to prevent pollution incidents.

- E. **Tank Vessel Transfer Operations:** Monitoring tank vessel transfer operations have been identified as an effective pollution prevention action.

The Parties will cooperate to monitor transfer operations involving tank vessels (as well as cruise ships, fish processors, fishing vessels, etc.), including, but not limited to, dockside transfer at facilities, lightering and bunkering operations. Each party will advise the other of violations observed.



Map of DEC Oil Spill Regions

Equipment cost tables

I. Cleanup starter kit

Skimmer types	Fuel-water ratio	Liquid recovered to skim 300 bbls spilled fuel per day	Storage capacity needed to meet daily recovery	Cost of skimmer	Cost of storage capacity	Cost of cleanup starter kit
Weir	20% fuel, 80% water	1500 bbls	1500 bpd	\$50,000	\$ 300,000	\$ 350,000
Lori or Lamor	80% fuel, 20% water	360 bbls	360 bpd	\$60,000	\$ 100,000	\$ 160,000

II. Cleanup kit for RPS of 1500 bbls (Vessel capacity of 10,000 bbls)

Skimmer	No. of Skimmers	No. of 500 bbl Storage		Cost of skimmer	Cost of storage capacity	Cost of cleanup starter kit
Weir	1	3		\$50,000	\$ 300,000	\$ 350,000
Lori or Lamor	1	1		\$60,000	\$ 100,000	\$ 160,000

III. Cleanup kit for RPS of 3000 bbls (Vessel capacity of 20,000 bbls)

Skimmer	No. of Skimmers	No. of 500 bbl Storage		Cost of skimmers	Cost of storage capacity	Cost of cleanup starter kit
Weir	1	6		\$ 50,000	\$ 600,000	\$ 650,000
Lori or Lamor	1	2		\$ 60,000	\$ 200,000	\$ 260,000

IV. Cleanup kit for RPS of 6000 bbls (Vessel capacity of 30,000 bbls)

Skimmer	No. of Skimmers	No. of 500 bbl Storage		Cost of skimmers	Cost of storage capacity	Cost of cleanup starter kit
Weir	1	12		\$ 50,000	\$1,200,000	\$1,250,000
Lori or Lamor	1	3		\$ 60,000	\$ 300,000	\$ 360,000

Authorizing Legislation

Senate Bill 273

Senate Concurrent Resolution 1

HOUSE CS FOR CS FOR SENATE BILL NO. 273(WTR)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON WORLD TRADE AND STATE/FEDERAL RELATIONS

Offered: 4/26/00

Referred: Finance

Sponsor(s): SENATOR PEARCE

A BILL

FOR AN ACT ENTITLED

1 "An Act regarding oil discharge prevention, and relating to contingency plans and
2 proof of financial responsibility for all self-propelled nontank vessels exceeding 400
3 gross registered tonnage and for railroad tank cars; and providing for an effective
4 date."

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

6 * Section 1. AS 46.04 is amended by adding a new section to read:

7 Sec. 46.04.055. Nontank vessels and railroad tank cars. (a) A person may
8 not cause or permit the operation of a nontank vessel within the waters of the state or
9 cause or permit the transfer of oil to or from a nontank vessel unless the person has
10 furnished to the department and the department has approved proof of financial ability
11 to respond to damages meeting the requirements of AS 46.04.040. Proof of financial
12 responsibility required under this subsection is subject to adjustment of dollar amounts
13 under AS 46.04.045 and is established, for a nontank vessel that carries

14 (1) predominantly persistent product, at \$300 per incident for each

1 barrel of oil storage capacity on the vessel or \$5,000,000, whichever is greater; and
2 (2) predominantly nonpersistent product, at \$100 per incident for each
3 barrel of oil storage capacity on the vessel or \$1,000,000, whichever is greater.

4 (b) A person may not transport oil by railroad tank car or cause or permit the
5 transfer of oil to or from a railroad tank car unless the person has furnished to the
6 department and the department has approved proof of financial ability to respond to
7 damages meeting the requirements of AS 46.04.040. Proof of financial responsibility
8 required under this subsection is subject to adjustment of dollar amounts under
9 AS 46.04.045 and is established at

10 (1) \$300 per incident for each barrel of persistent product based on the
11 maximum amount of persistent product storage capacity of any train on the railroad;
12 and

13 (2) \$100 per incident for each barrel of nonpersistent product based
14 upon the maximum amount of nonpersistent product storage capacity of any train on
15 the railroad or \$1,000,000, whichever is greater.

16 (c) For purposes of AS 46.04.030(k), response planning standards apply to
17 nontank vessels and railroad tank cars as follows:

18 (1) for a nontank vessel,

19 (A) containment and control of 15 percent of the maximum oil
20 capacity of the nontank vessel within 48 hours; and

21 (B) cleanup of the discharge within the shortest possible time
22 consistent with minimizing damage to the environment; and

23 (2) for a railroad tank car,

24 (A) containment and control of 15 percent of the maximum oil
25 capacity of a train on the railroad within 48 hours; and

26 (B) cleanup of the discharge within the shortest possible time
27 consistent with minimizing damage to the environment.

28 (d) Notwithstanding the requirements of AS 46.04.040(e) and (l) and
29 46.04.047, for purposes of (a) of this section, an applicant may provide evidence of
30 financial responsibility by proof of entry of the nontank vessel in a protection and
31 indemnity association or proof of coverage with another insurer that

1 (1) is financially solvent and has a favorable history of claim handling;
 2 (2) provides coverage against pollution risks in at least the amount of
 3 the financial responsibility required under (a) of this section without any requirement
 4 for a special endorsement;

5 (3) does not agree to be subject to direct action in court or to
 6 appointment of an agent for service of process; and

7 (4) in the case of a protection and indemnity association or group of
 8 insureds, is not authorized by the Department of Community and Economic
 9 Development to sell insurance in the state so long as it is not listed by the Department
 10 of Community and Economic Development as being disapproved for use in the state.

11 (e) The requirements of (a) - (d) of this section do not apply to a nontank
 12 vessel operating in the waters of the state if the nontank vessel

13 (1) is engaged in innocent passage; for purposes of this paragraph, a
 14 nontank vessel is engaged in innocent passage if its operation in state waters,
 15 irrespective of whether it is a United States or foreign-flag vessel, would constitute
 16 innocent passage under the Convention on the Territorial Sea and the Contiguous Zone,
 17 April 29, 1958, 15 U.S.T. 1606, or the United Nations Convention on the Law of the
 18 Sea 1982, December 10, 1982, U.N. Publication No. E 83.V.5, 21 I.L.M. 1261 (1982),
 19 were the vessel a foreign-flag vessel;

20 (2) enters state waters because of imminent danger to the crew, or in
 21 an effort to prevent an oil spill or other harm to public safety or the environment, and
 22 are inapplicable only until the vessel is able to leave state waters as soon as it may do
 23 so without imminent risk of harm to the crew, public safety, or the environment; or

24 (3) enters state waters after the United States Coast Guard has
 25 determined that the vessel is in distress, and are inapplicable only until the vessel is
 26 able to leave state waters as soon as it may do so without imminent risk of harm to
 27 the crew, public safety, or the environment.

28 * Sec. 2. AS 46.04.900(12) is amended to read:

29 (12) "oil terminal facility" means an onshore or offshore facility of any
 30 kind, and related appurtenances, including but not limited to a deepwater port, bulk
 31 storage facility, or marina, located in, on, or under the surface of the land or waters

1 of the state, including tide and submerged land, that [WHICH] is used for the purpose
 2 of transferring, processing, refining, or storing oil; a vessel, other than a nontank
 3 vessel, is considered an oil terminal facility only when it is used to make a ship-to-ship
 4 transfer of oil, and when it is traveling between the place of the ship-to-ship transfer
 5 of oil and an oil terminal facility;

6 * Sec. 3. AS 46.04.900(21) is amended to read:

7 (21) "vessel" includes tank vessels, [AND] oil barges, and nontank
 8 vessels;

9 * Sec. 4. AS 46.04.900 is amended to add new paragraphs to read:

10 (24) "nonpersistent product" has the meaning given to "non-persistent
 11 or Group I oil" in 33 C.F.R. 155.1020;

12 (25) "nontank vessel" means a self-propelled watercraft of more than
 13 400 gross registered tons; in this paragraph, "watercraft" includes commercial fishing
 14 vessels, commercial fish processor vessels, passenger vessels, and cargo vessels, but
 15 does not include a tank vessel, oil barge, or public vessel;

16 (26) "persistent product" has the meaning given to "persistent oil" in
 17 33 C.F.R. 155.1020;

18 (27) "public vessel" means a vessel that is operated by and is either
 19 owned or bareboat chartered by the United States, a state or a political subdivision of
 20 that state, or a foreign nation, except when the vessel is engaged in commerce;

21 (28) "railroad tank car" means rolling stock used to transport oil in bulk
 22 as cargo by rail;

23 (29) "train" means connected rolling stock operated as a single moving
 24 vehicle on rails; for purposes of this paragraph, "connected rolling stock" includes
 25 railroad tank cars.

26 * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section
 27 to read:

28 TASK FORCE ON MOTORIZED OIL TRANSPORT. (a) There is established a Task
 29 Force on Motorized Oil Transport within the Department of Environmental Conservation.

30 (b) The Task Force on Motorized Oil Transport shall

31 (1) determine how to implement the response planning standards set out in

1 AS 46.04.055(c), added by sec. 1 of this Act, for nontank vessel and railroad tank car
2 contingency plans; and

3 (2) deliver a report to the Twenty-Second Alaska State Legislature on or before
4 the first day the legislature convenes that contains its recommendations with respect to
5 implementation of the response planning standards set out in AS 46.04.055.

6 * Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section
7 to read:

8 REGULATIONS. The Department of Environmental Conservation shall proceed to
9 adopt regulations necessary to implement the changes made by this Act. The regulations take
10 effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of
11 secs. 1 - 4 of this Act.

12 * Sec. 7. Sections 5 and 6 of this Act take effect immediately under AS 01.10.070(c).

13 * Sec. 8. Except as provided in sec. 7 of this Act, this Act takes effect September 1, 2000.

CONFERENCE CS FOR SENATE CONCURRENT RESOLUTION NO. 1

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE CONFERENCE COMMITTEE

Offered: 4/27/00

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE SENATE COMMITTEE ON COMMITTEES

A RESOLUTION

1 Relating to the Task Force on Motorized Oil Transport.

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

3 WHEREAS concern has developed among the people of Alaska about potential
4 petroleum product spills from the Alaska Railroad and nontank vessels operating in Alaska
5 waters; and

6 WHEREAS there are many complexities in applying oil spill prevention and response
7 rules to the Alaska Railroad and to the various classes and categories of nontank vessels
8 operating in the waters in different areas of Alaska; and

9 WHEREAS it is the intent of the legislature to establish reasonable oil spill prevention
10 and response rules for the Alaska Railroad and for nontank vessels taking into account the
11 different classes of vessels and different operating conditions in Alaska and the costs
12 associated with the rules; and

13 WHEREAS it appears that several months of work by interested parties and the
14 Department of Environmental Conservation will be needed to draft the rules for consideration
15 by the legislature;

16 BE IT RESOLVED that the Alaska State Legislature establishes the Task Force on
17 Motorized Oil Transport, composed of a number of members as follows:

1 (1) one member appointed by the President of the Senate from among the
2 members of the Senate;

3 (2) one member appointed by the Speaker of the House of Representatives
4 from among the members of the House of Representatives;

5 (3) one member to serve as a representative of the United States Coast Guard,
6 appointed by the commanding officer of the 17th Coast Guard District;

7 (4) one member from a response action co-op in Alaska appointed by the
8 Governor with the advice and consent of the Senate and House members of the task force;

9 (5) one member from the Alaska Railroad appointed by the Governor with the
10 advice and consent of the Senate and House members of the task force;

11 (6) one member who is a maritime shipping agent in Alaska appointed by the
12 Governor with the advice and consent of the Senate and House members of the task force;

13 (7) one member from the Alaska Steamship Association appointed by the
14 Governor with the advice and consent of the Senate and House members of the task force;

15 (8) one member from the container ship industry operating in Alaska appointed
16 by the Governor with the advice and consent of the Senate and House members of the task
17 force;

18 (9) two members from the spot charter vessel industry in Alaska appointed by
19 the Governor with the advice and consent of the Senate and House members of the task force;

20 (10) the director of the division of spill prevention and response in the
21 Department of Environmental Conservation;

22 (11) the commissioner and deputy commissioner of the Department of
23 Environmental Conservation; and

24 (12) other participants as may be agreed to by the commissioner of
25 environmental conservation and the Senate and House members of the task force; and be it

26 **FURTHER RESOLVED** that the commissioner of environmental conservation, or the
27 deputy commissioner, shall serve as chair of the task force, and that the Department of
28 Environmental Conservation shall provide staff support to the task force; and be it

29 **FURTHER RESOLVED** that the task force may meet as frequently as its members
30 determine necessary to perform the work; and be it

31 **FURTHER RESOLVED** that the task force shall determine how to achieve response

1 planning standards for a railroad tank car contingency plan and for a nontank vessel
2 contingency plan as set out in a version of an Act of the Twenty-First Alaska Legislature
3 regarding oil discharge prevention, and relating to contingency plans and proof of financial
4 responsibility for all self-propelled nontank vessels exceeding 400 gross registered tonnage and
5 for railroad tank cars; and authorizing inspection of nontank vessels and trains; and be it

6 **FURTHER RESOLVED** that the task force shall consider only the following
7 motorized oil transport:

8 (1) self-propelled watercraft of more than 400 gross registered tons, except
9 when the watercraft are tank vessels, oil barges, or public vessels operated by and owned or
10 bareboat chartered by the United States, a state, a political subdivision of a state, or a foreign
11 nation; and

12 (2) railroad tank cars that are rolling stock used to transport oil in bulk as
13 cargo by rail; and be it

14 **FURTHER RESOLVED** that the task force shall deliver a report to the Twenty-
15 Second Alaska State Legislature on or before the day the legislature first convenes that
16 contains recommendations by the task force concerning

17 (1) Alaska statutes and regulations not subject to preemption by federal law
18 that are calculated to achieve the response planning standard for motorized oil transport in a
19 practical and cost-efficient manner; the Department of Environmental Conservation has the
20 burden of showing why the response planning standard cannot be implemented using
21 containment equipment that is readily available for purchase in the market;

22 (2) practical measures to implement the response planning standard as are
23 necessary to take into account the special conditions within waters of the state west of 157
24 degrees West Longitude or north of 62 degrees North Latitude;

25 (3) use of fleet plans, vessel agents, generic contingency plan contents
26 established by regulations, streamlined contingency plans with membership in a nonprofit
27 corporation that is a primary response action contractor, and spill prevention measures as
28 means of achieving the response planning standard; and

29 (4) inspection measures to be included in the regulations; and be it

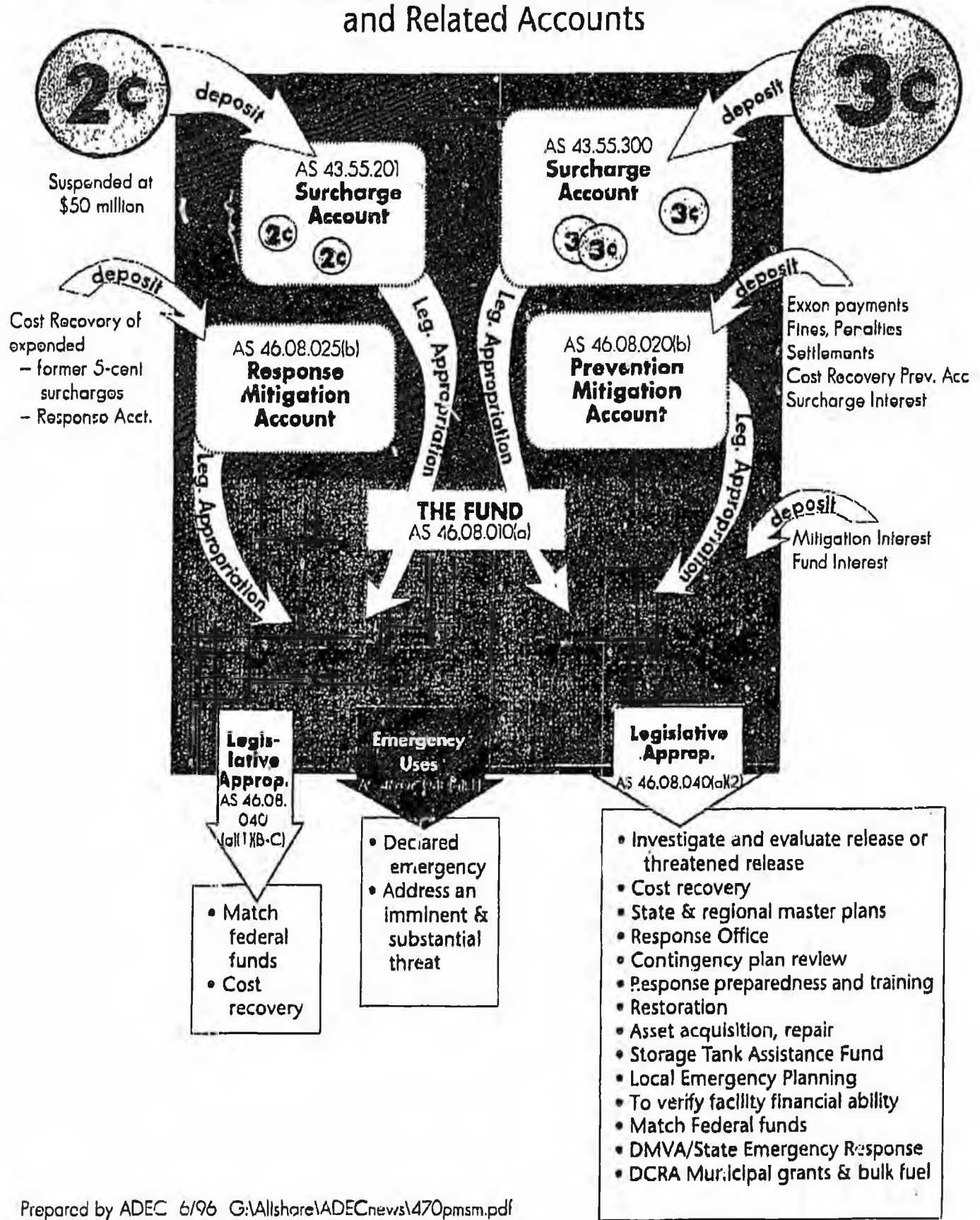
30 **FURTHER RESOLVED** that the task force is terminated on the first day of the
31 Twenty-Second Alaska State Legislature.


**OIL AND HAZARDOUS SUBSTANCE RELEASE PREVENTION AND RESPONSE FUND
FUND PROJECTION TO 2004**

Description	Response Mitigation Account (RMA)	Response Surcharge Account (RSA) 2c	Prevention Mitigation Account (PMA)	Prevention Surcharge Account (PSA) 3c	Storage Tank Assistance Fund
FY02					
Estimated FY01 amounts available to be appropriated into the OHSRPRF for use during FY02.	51,276.5		5,379.5	\$9,300.0	1,924.7
Estimated Beginning Balance FY02	\$51,276.5		\$25,206.0		\$1,957.5
FY02 Estimated Operating Budget			13,457.0		957.5
FY02 Estimated Capital Budget			7,600.0		1,000.0
FY02 Storage Tank Asst Fund Approp			1,924.7		
Estimated Balance Fiscal Year Ending 6/30/02	\$51,276.5		\$2,224.3		\$0.0
FY03					
Estimated FY02 amounts available to be appropriated into the OHSRPRF for use during FY03.	0.0	0.0	5,379.5	\$9,800.0	875.0
Investment Income*			2,563.8		
Estimated Beginning Balance FY03	\$51,276.5		\$19,967.7		\$875.0
FY03 Estimated Operating Budget	0.0		13,500.0		875.0
FY03 Estimated Capital Budget	0.0		3,500.0		0.0
FY03 Storage Tank Asst Fund Approp			875.0		
Estimated Balance Fiscal Year Ending 6/30/03	\$51,276.5		\$2,092.7		\$0.0
FY04					
Estimated FY03 amounts available to be appropriated into the OHSRPRF for use during FY04.		0.0	5,379.5	\$9,900.0	875.0
Investment Income*			2,563.8		
Estimated Beginning Balance FY04	\$51,276.5		\$19,936.0		\$875.0
FY04 Estimated Operating Budget	0.0		13,500.0		875.0
FY04 Estimated Capital Budget	0.0		3,500.0		0.0
FY04 Storage Tank Asst Fund Approp			875.0		
Estimated Balance Fiscal Year Ending 6/30/04	\$51,276.5		\$2,061.0		\$0.0

* Investment income for this projection is calculated at 5% only on the Response Account. Investment income is earned on the other funds as well, but this is not included in this projection.

Oil & Hazardous Substance Release Prevention and Response Fund and Related Accounts



FOR EASE OF NAVIGATION: Click on Show/Hide Navigation Pane 
to get complete index of *Fall 2000 Revenue Sources Book*.

FALL 2000 REVENUE SOURCES BOOK

Alaska Department of Revenue
Tax Division

Tony Knowles, Governor
Wilson L. Condon, Commissioner
Dan E. Dickinson, Director
Charles Logsdon, Chief Petroleum Economist

D. Oil Production Forecast

Although the average delivered price for ANS crude oil over all five-year periods since 1986 has been remarkably steady ranging from \$16 to \$19 per barrel, ANS production volumes have declined steadily over most of that time period. In 1988, ANS production peaked at 2.005 million barrels per day; it has declined steadily since. The figure on the next page depicts that decline. ANS production has dropped by 26 percent since FY 1997, the last year the state did not have to call upon its reserves to balance its budget.

The table below summarizes the department's Alaska North Slope production forecast through FY 2010.

Table 5. ANS Oil Production
Million Barrels per Day

Fiscal Year	ANS Production
Actual 2000	1.036
2001	1.000
2002	1.054
2003	1.068
2004	1.055
2005	1.072
2006	1.051
2007	1.022
2008	0.988
2009	0.955
2010	0.911

H. Historical and Projected ANS Production

FY	(1)	(2)	(3)	(4)	(5)	(6)				(7)			(8)	Total ANS			
	Prudhoe Bay	PBU Satellites	Kupa ruk	Kup Satellites	Milne Point	Endicott	Lisburne	Point McIntyre	Niakuk	West Beach	Aloine	North star	Liberty		Known Onshore	Known Offshore	Fiord
1978	0.702	0.0	0.000	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.702
1979	1.197	0.0	0.000	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.197
1980	1.421	0.0	0.000	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.421
1981	1.511	0.0	0.000	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.511
1982	1.531	0.0	0.039	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.570
1983	1.532	0.0	0.096	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.627
1984	1.539	0.0	0.118	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.657
1985	1.534	0.0	0.161	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.694
1986	1.555	0.0	0.238	0.0	0.009	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.802
1987	1.564	0.0	0.272	0.0	0.006	0.0	0.018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.859
1988	1.605	0.0	0.287	0.0	0.000	0.069	0.044	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.005
1989	1.524	0.0	0.300	0.0	0.002	0.088	0.038	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.962
1990	1.396	0.0	0.300	0.0	0.011	0.103	0.037	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.846
1991	1.330	0.0	0.299	0.0	0.018	0.108	0.039	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.794
1992	1.300	0.0	0.316	0.0	0.020	0.111	0.037	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.783
1993	1.193	0.0	0.322	0.0	0.018	0.115	0.030	0.0	0.0	0.001	0.0	0.0	0.0	0.0	0.0	0.0	1.679
1994	1.082	0.0	0.308	0.0	0.018	0.099	0.020	0.059	0.002	0.004	0.0	0.0	0.0	0.0	0.0	0.0	1.593
1995	0.991	0.0	0.303	0.0	0.021	0.099	0.020	0.121	0.014	0.003	0.0	0.0	0.0	0.0	0.0	0.0	1.572
1996	0.890	0.0	0.283	0.0	0.022	0.089	0.016	0.147	0.024	0.002	0.0	0.0	0.0	0.0	0.0	0.0	1.474
1997	0.809	0.0	0.287	0.0	0.052	0.068	0.013	0.166	0.028	0.002	0.0	0.0	0.0	0.0	0.0	0.0	1.404
1998	0.713	0.0	0.260	0.001	0.053	0.058	0.008	0.152	0.029	0.000	0.0	0.0	0.0	0.0	0.0	0.0	1.275
1999	0.636	0.003	0.241	0.025	0.055	0.048	0.007	0.119	0.029	0.000	0.0	0.0	0.0	0.0	0.0	0.0	1.164
2000	0.570	0.004	0.212	0.037	0.053	0.044	0.009	0.079	0.025	0.002	0.0	0.0	0.0	0.0	0.0	0.0	1.035
2001	0.549	0.009	0.193	0.031	0.053	0.039	0.011	0.061	0.019	0.001	0.036	0.000	0.0	0.0	0.0	0.0	1.000
2002	0.512	0.023	0.173	0.049	0.060	0.038	0.011	0.053	0.015	0.002	0.088	0.032	0.0	0.0	0.0	0.0	1.054
2003	0.479	0.036	0.169	0.067	0.065	0.037	0.010	0.047	0.012	0.002	0.090	0.064	0.0	0.0	0.0	0.0	1.066
2004	0.449	0.050	0.147	0.078	0.070	0.035	0.009	0.043	0.011	0.001	0.090	0.064	0.0	0.0	0.0	0.007	1.055
2005	0.419	0.056	0.137	0.083	0.074	0.033	0.008	0.039	0.009	0.001	0.090	0.064	0.035	0.0	0.0	0.022	1.072
2006	0.394	0.059	0.129	0.088	0.079	0.031	0.007	0.036	0.008	0.001	0.082	0.059	0.055	0.005	0.0	0.021	1.051
2007	0.373	0.062	0.121	0.085	0.076	0.029	0.008	0.034	0.008	0.001	0.075	0.054	0.052	0.028	0.0	0.018	1.022
2008	0.345	0.066	0.114	0.088	0.073	0.028	0.008	0.032	0.007	0.001	0.068	0.044	0.042	0.050	0.012	0.018	0.988
2009	0.328	0.069	0.108	0.091	0.070	0.024	0.005	0.030	0.006	0.001	0.062	0.034	0.034	0.064	0.015	0.014	0.955
2010	0.312	0.068	0.103	0.093	0.068	0.023	0.005	0.029	0.006	0.001	0.055	0.029	0.029	0.065	0.014	0.013	0.911

(1) Includes NGLs from Central Gas Facility shipped to TAPS.
 (2) Sambuca, Midnight Sun, Polaris, Aurora and PBU-Schrader.
 (3) Kup Satellites: West Sak, Tabasco, Tarn and Meltwater.
 (4) Milne Point: includes Schrader Bluff and Sag River.

(5) Endicott: includes Sag Delta, Eider and Bañani.
 (6) West Beach includes North Prudhoe Bay State.
 (7) Known Onshore: Sourdough and Point Thompson.
 (8) Known Offshore: Sandpiper and Other.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 55
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Envir. Conservation
 Title: Oil Discharge Prevention: Nontank Vessels/RR BRU: Spill Prev. & Response
 Component: Industry Prep. and Pipeline
 Sponsor: Rules
 Requester: Transportation Component Number: 1922

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	59.7	232.5	232.5	119.4	119.4	119.4
Travel	3.5	14.0	14.0	7.0	7.0	7.0
Contractual	7.5	28.6	26.8	13.7	13.7	13.7
Supplies	0.4	1.6	1.6	0.8	0.8	0.8
Equipment	6.9	21.0	1.2	0.6	0.6	0.6
Land & Structures	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
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	78.0	297.7	276.1	141.5	141.5	141.5

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

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type) 1052	78.0	297.7	276.1	141.5	141.5	141.5
TOTAL	78.0	297.7	276.1	141.5	141.5	141.5

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time	1	2	2	2	2	2
Part-time	0	0	0	0	0	0
Temporary	0	2	2	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Funding and staffing needs are based on the assumption that approximately 500 contingency plan applications covering more than 900 vessels and the Alaska Railroad will be submitted for approval under the new requirements. This is based on the number of financial responsibility applications that have been submitted by the same operators under existing law. It is assumed that the vast majority of reviews will be done under the "streamlined" process, but each operator has the option of submitting a more detailed individual plan to meet the requirements. Assuming about 480 streamlined applications and 20 individual plan reviews, staff will be reviewing approximately 500 plans every three years (165 plans per year), with corresponding drills and verifications at the facilities covered by the legislation on an annual basis. CONTINUED ON NEXT PAGE

Prepared by: Larry Dietrick Phone 465-5255
 Division: Spill Prevention and Response Date/Time 1/19/01 3:30 PM
 Approved by: Kurt Fredriksson Date 1/19/01
 Agency: DEC

For distribution information, call the Governor's Legislative Office

ANALYSIS: (continued)

This needs analysis takes into account the "phasing in" of requirements over the three fiscal years prior to full program implementation and the increased level during the initial plan review process. In year 1 (FY 02) (1) Environmental Specialist III will be added to the Industry Preparedness and Pipeline Program (IPPP) to draft and promulgate regulations to implement the legislation and provide technical assistance and training to the spill cooperatives, the Marine Exchange, and other stakeholders. In year 2 (FY 03) operators will begin to submit plans under the new regulations to the Department. These plans will be conditionally approved by the Department upon receipt, and plan reviews will be staggered over the three-year plan renewal cycle to smooth out staff workload. In FY 03 the IFPP Marine Vessel Section will add (1) permanent Environmental Specialist III and (2) nonpermanent Environmental Specialist IIIs to assist in registration of primary response action contractors, initial reviews of the plans, and technical assistance to stakeholders in gaining compliance with the new regulations. The nonpermanent ES III positions will carry over into FY 04 in order to continue to assist in these activities and in drills and verifications, which will also be conducted on a three-year cycle beginning with the first year's approved plans. This analysis anticipates that in FY 05 the bulk of initial reviews will be completed and the two permanent ES IIIs will be responsible for plan renewals, drills and verifications in this and subsequent years. This fiscal note relies heavily on the ability of ships' agents, spill cooperatives and the newly-formed Marine Exchange to facilitate streamlined contingency plans and shared response capabilities. In FY 04 the Department will assess the actual workload associated with these activities and may modify its FY 05 budget request based on this assessment.

The annual travel budget for year 1 includes funding to attend public and task force meetings, information workshops on the new regulations, and other related duties. The year 2 travel budget adds related costs for technical assistance in contingency plan development and review. Year 3 and subsequent travel budgets include funding for on-site facility verifications, drills and exercises, and training. Contractual costs will fund ongoing support costs such as telephones, copiers, office space, postage, and training as new staff are added. Costs budgeted in supplies will fund office and scientific supplies. Equipment funds are requested to purchase equipment such as office furniture and computers and provide continued maintenance and replacement.

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: HB 55
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title: "An Act regarding oil discharge prevention and BRU: Marine Highway System
 cleanup....." Component: Southeast & Southwest
 Sponsor: House Rules by Request Vessel Operations
 Requester: House Transportation Component Number: 630 & 631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual		29.0	23.5	23.5	23.5	23.5
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	29.0	23.5	23.5	23.5	23.5

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other: Oil Spill Response Fund		29.0	23.5	23.5	23.5	23.5
TOTAL	0.0	29.0	23.5	23.5	23.5	23.5

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SEE ATTACHED

Prepared by: Dennis Poshard, Special Assistant to the Commissioner Phone 465-3904
 Division: Office of the Commissioner Date/Time 1/22/01 12:21 PM
 Approved by: Commissioner Date 1/22/01
 Agency: Joseph L. Perkins, DOT&PF

For distribution information, call the Governor's Legislative Office

ANALYSIS: (continued)
Department of Transportation and Public Facilities
Fiscal Note Analysis
HB 55
January 22, 2001

"An Act regarding oil discharge prevention and cleanup involving self-propelled nontank vessels..."

This bill would require the department to have in place approved oil discharge and contingency plans for its' Marine Highway System vessels. The contingency plans would require the department to contract with organizations that are oil spill primary response action contractors. The primary cost to the department would be these contracts.

The estimated costs of these contracts are as follow:

For Vessels in Southeast Alaska,
\$3,500 annual membership fee + \$4,000 per year based on projected fleet configuration for a total of \$7,500.

For Vessels in Southwest Alaska,
\$5,500 one-time initiation fee + \$16,000 per year based on projected fleet configuration

Total cost would be \$29,000 the first year and \$23,500 the following years.

We assume in our fiscal note the contingency plans and contracts would not be required until FY 03. Once this bill is passed, regulations must be adopted governing the bill. After regulations are adopted the department would have 180 days in which to meet the requirements. Thus it would be FY 03 before the department would incur costs related to this bill.

The funding source for this fiscal note is assumed to be the State's Oil Spill Response Fund.

SUPPLEMENTAL INFORMATION

Feb 1, 2001

MTG

FOR HB 55

1. Fiscal Note: DOT&PF
2. Task Force Minutes of December 11, 2000 Meeting

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: HB 55
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title: "An Act regarding oil discharge prevention and cleanup....." BRU: Marine Highway System
 Sponsor: House Rules by Request Component: Southeast & Southwest
 Requester: House Transportation Component Number: Vessel Operations
 _____ 630 & 631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual		29.0	23.5	23.5	23.5	23.5
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	29.0	23.5	23.5	23.5	23.5

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other: Oil Spill Response Fund		29.0	23.5	23.5	23.5	23.5
TOTAL	0.0	29.0	23.5	23.5	23.5	23.5

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SEE ATTACHED

Prepared by: Dennis Poshard, Special Assistant to the Commissioner Phone 465-3904
 Division: Office of the Commissioner Date/Time 1/22/01 12:21 PM
 Approved by: Commissioner Date 1/22/01
 Agency: Joseph L. Perkins, DOT&PF

For distribution information, call the Governor's Legislative Office

ANALYSIS: (continued)

Department of Transportation and Public Facilities

Fiscal Note Analysis

HB 55

January 22, 2001

"An Act regarding oil discharge prevention and cleanup involving self-propelled nontank vessels..."

This bill would require the department to have in place approved oil discharge and contingency plans for its' Marine Highway System vessels. The contingency plans would require the department to contract with organizations that are oil spill primary response action contractors. The primary cost to the department would be these contracts.

The estimated costs of these contracts are as follow:

For Vessels in Southeast Alaska,

\$3,500 annual membership fee + \$4,000 per year based on projected fleet configuration for a total of \$7,500.

For Vessels in Southwest Alaska,

\$5,500 one-time initiation fee + \$16,000 per year based on projected fleet configuration

Total cost would be \$29,000 the first year and \$23,500 the following years.

We assume in our fiscal note the contingency plans and contracts would not be required until FY 03. Once this bill is passed, regulations must be adopted governing the bill. After regulations are adopted the department would have 180 days in which to meet the requirements. Thus it would be FY 03 before the department would incur costs related to this bill.

The funding source for this fiscal note is assumed to be the State's Oil Spill Response Fund.

1 TASK FORCE ON MOTORIZED OIL TRANSPORT

2 TASK FORCE MEETING

3

4 December 11, 2000
 9:30 A.M.

5

6 Held at
7 Legislative Information Office
 716 West Fourth Avenue, 2nd Floor
 Anchorage, Alaska

8 Brian Rogers, Facilitator

9

 Steering Committee:

10

11 Senator Drue Pearce
 Representative Pete Kott (not present)
 Commissioner Michele Brown, Chair (not present)

12

 Task Force members present:

13

14 Ed Page
 Bob Heavilin
 Lee Eglund
15 Jeff Thompson
 Charlotte MacCay
16 Stephanie Madsen
 Gene Burden
17 Simon Lisiecki
 Mike O'Hara
18 Jeff Ginalias (for Ernie Piper)
 Heather McCarty
19 John Hansen
 Rick Harris
20 Dave Owings
 Lurilla Lee
21 Doug Lentsch

22

BRIAN ROGERS: If there are no further changes

13 on the final report, is there a motion to adopt the
14 report as amended?

15 STEPHANIE MADSEN: Mr. Chairman, I would move
16 to adopt the report.

17 This is Stephanie Madsen.

18 HEATHER McCARTY: I second that motion.

19 This is Heather.

20 BRIAN ROGERS: Any discussion? Any objection?

21 The report is adopted unanimously, then.

22 Congratulations.

AMENDMENT

#1
PASSED

OFFERED IN THE HOUSE
TO: HB 55

BY REPRESENTATIVE OGAN

1 Page 1, following line 9:

2 Insert a new bill section to read:

3 **** Section 1.** The uncodified law of the State of Alaska is amended by adding a new
4 section to read:

5 INTENT. It is the intent of the legislature that the report of the Task Force on
6 Motorized Oil Transport (sec. 5, ch. 128, SLA 2000), the documents the task force used in
7 preparing the report, and the transcripts of the task force meetings be used by the Department
8 of Environmental Conservation as the guidelines for drafting regulations to implement this
9 legislation."

10

11 Page 1, line 10:

12 Delete **** Section 1.**"

13 Insert **** Sec. 2.**"

14

15 Renumber the following bill sections accordingly.

16

17 Page 6, line 13:

18 Delete "sec. 7"

19 Insert "sec. 8"

20

21 Page 6, line 14:

22 Delete "sec. 7"

23 Insert "sec. 8"

24

1 Page 6, line 17:

2 Delete "sec. 7"

3 Insert "sec. 8"

4

5 Page 6, line 18:

6 Delete "sec. 7"

7 Insert "sec. 8"

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF SPILL PREVENTION AND RESPONSE

TONY KNOWLES, GOVERNOR

410 Willoughby Ave., Ste 303
Juneau, AK 99801-1795
PHONE: (907) 465-5250
FAX: (907) 451-5262
<http://www.state.ak.us/dec/home.htm>

February 1, 2001

The Honorable Vic Kohring
Alaska State House of Representatives
Capital Building, Room 24
Juneau, Alaska 99801

Dear Representative Kohring:

We have reviewed the proposed amendment to HB55 which would incorporate the Letter of Intent included in the Task Force on Motorized Oil Transport's Final Report into a new Section 1 of HB 55. The Department agrees that the Task Force Final Report and the transcripts of the task force meeting are important guides in drafting regulations to implement this legislation and supports the amendment.

Consistent with concern over limiting unnecessary growth in the Department's budget, the Department has taken steps to limit the number of new employees to the maximum extent possible while still being able to implement the legislation. Our instructions for preparing fiscal notes are to estimate the minimum resources needed to implement the legislation. The fiscal note has been significantly reduced from the original estimates to take into account the reliance on the private sector to provide services envisioned by the Task Force. The fiscal note is based on receiving 500 nontoxic contingency plan applications in FY 03. Assuming that private sector resources via ships agents, spill cooperatives and the Marine Exchange are able to facilitate preparation of those plans, provide incident management teams and broker arrangements with response action contractors to meet the response planning standard, we estimate that only 20 will be individual plans that do not take advantage of this infrastructure. The Task Force has carefully considered the infrastructure requirements to keep the program simple and the fiscal note estimates have been scaled back to account for this. Formation of a private-sector Marine Exchange is already moving forward. An Executive Director has been appointed and a Board of Directors for the private-sector Marine Exchange has been formed.

With respect to the Department's budget, two positions were changed from full time permanent to temporary for FY 03 - 04 so that potentially unnecessary positions would not be carried into the outyears. Two positions are estimated as being the minimum necessary to implement the legislation in the outyears.

As an additional control, an assessment is recommended for FY 04 to make any adjustments based on actual workload. This could also be done for each fiscal year since the legislature, on an annual basis, makes the final decisions on appropriations for this and all other state expenditures. Ultimately the legislature makes the final determination as to how much money is appropriated on a year by year

basis and agency budget discussions to reduce expenditures are conducted each year, with both the house and senate finance committees

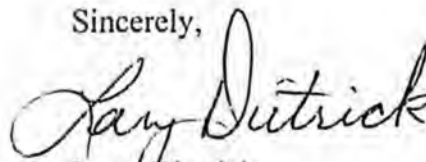
The ongoing work to be carried out in FY 05 and beyond includes processing contingency plan renewals for the railroad and nontank vessels, approving contingency plans for new operators, continuing the prevention credit program, electronic posting of contingency plans, exercises, verification, training and registration of primary response action contractors.

The Task Force has done a good job in structuring a program that promotes use of the existing marine infrastructure to the maximum extent possible and minimizing the amount of Department oversight needed to implement the program.

With regard to long term fiscal impacts the increase is estimated at \$141,500 once the program is fully implemented after FY 04. The Task Force report recommended using either general funds or the response fund as the funding source. In view of the efforts to limit general fund expenditures the Department assumes that using the response fund is preferred. In that regard the Department has reviewed this cost against the Department of Revenue projections for crude oil production and believes this is sustainable under current forecasts. When weighed against the streamlined contingency planning approach and use of the private sector, the benefits to the state by including nontank vessels and the railroad in the state's oil spill safety net is a prudent investment for enhancing protection of state resources.

I would like to thank you and the committee for your careful consideration of this important legislation.

Sincerely,



Larry Dietrick
Director

cc: Senator Pearce
Representative Kott
Michele Brown, Commissioner, DEC



NORTH WEST
CRUISESHIP
ASSOCIATION

100 - 111 W. Hastings Street
Vancouver BC V6E 2J3
Main: 604-681-9515
Fax: 604-681-4364
Email: nwca@nwcrueship.com

January 15th, 2001

Senator John Torgerson
Chair, Resource Committee
Alaska State Legislature
State Capital – Room 427
Juneau, Alaska 99801-1182

Dear Senator Torgerson:

On behalf of the member lines of the North West CruiseShip Association, I am pleased to state our support for Senate Bill No. 16.

This is important legislation for Alaska. We appreciate the opportunity to have participated on the Task Force on Motorized Oil Transport. This was an important part of the process in developing recommendations for the legislation and regulations.

We look forward to continuing to work with ADEC as the specific regulations are developed pursuant to SB 16.

Sincerely,

John Hansen
President

NWCA Member Lines

Carnival Cruise Lines • Celebrity Cruises • Crystal Cruises • Holland America Line-Westours • Norwegian Cruise Line
Princess Cruises • Radisson Seven Seas Cruises • Royal Caribbean International • World Explorer Cruises

House Bill 55

Larry Dietrick's Testimony

House Transportation Committee

January 23, 2000

Introduction

Chairman and members of the committee, I am pleased to address you today on behalf of Commissioner Brown who was the Chair of the Task Force on Motorized Oil Transport. Commissioner Brown served on the Steering Committee of the Task Force along with Senator Drue Pearce and Representative Pete Kott. The Task Force included a 23 member cross section of the maritime industry, the Alaska Railroad and other interested parties.

Overview

The goal of this legislation is simple – protect Alaska's renewable resources and keep Alaska's waters the cleanest and most pristine in the world by including large sea-going marine nontank vessels and the Alaska Railroad in Alaska's safety net for oil spill prevention and response. In May of last year the 21st Legislature debated and passed Senate Bill 273 and Senate Concurrent Resolution 1 which commissioned the Task Force on Motorized Oil Transport to work out the details of how to implement oil spill contingency plans and achieve the response planning standard in a way that was acceptable to those who would be affected. The Task Force has completed the work directed by the Legislature and achieved unanimous consensus on legislation to

accomplish that. The consensus legislation is HB 55 which was developed by the Task Force and is predicated on no further amendments by the members.

To be more precise..... although the requirement for financial responsibility was made effective last year, the requirement to have an oil spill contingency plan and meet the response planning standard was not. Instead, the Legislature through SB 273 and Senate Concurrent Resolution 1 commissioned the Task Force to determine how to implement the response planning standards and provide opportunities for streamlined oil spill contingency plans. Those standards were set by the Legislature in SB 273 as the containment and control of 15% of the maximum oil capacity of a nontank vessel or train, within 48 hours and cleanup of the discharge within the shortest possible time, consistent with minimizing damage to the environment. Nontank vessels were defined as self-propelled vessels over 400 gross tons, not including tank vessels, oil barges or public vessels.

Task Force

Senate Concurrent Resolution 1 specified 23 members of the Task Force on Motorized Oil Transport. This served to ensure a diversity of viewpoints and adequate representation of all groups to be regulated. The members included representatives from the U. S. Coast Guard, the DEC, the Railroad, spill response cooperatives, the shipping industry, spot charter groups, the fishing industry, the Regional Citizens' Advisory Councils, and representatives from the crude oil industry and the refined oil distributors

and transporters. Many more persons, who were not appointed representatives, attended the work group sessions and formal task force meetings.

Task Force Meetings

The Task Force held eleven formal meetings over a five month period in which the members worked through legal and technical issues on prevention, contingency plans, and response planning standards. Three workgroups were created to address specific areas of concern.

Outcome

The recommendations of the Task Force are practical. They meet the requirements the Legislature established in last years' bill and include implementation measures that use a market-based economy approach to keep costs down. The recommendations are based on Alaska's existing oil spill response infrastructure and provide maximum flexibility for meeting the requirements. The work of the Task Force has already fostered private sector initiatives that significantly increase the resources that will be brought to bear on a spill. Alliances between ship agents, stevedoring companies and spill-response cooperatives are now being explored to meet response needs and a new Marine Exchange that covers all of Alaska is being created.

The members of the Task Force were extremely attentive to the proceedings and assimilated a tremendous amount of information during their tenure. All meetings were very well attended and the level of dialogue was frank, constructive and productive. After

careful and thorough consideration of all ideas and requests brought before them, they achieved a *unanimous* consensus to support 31 recommendations.

The Task Force also exhaustively reviewed the legal issues and meticulously identified what elements should be contained in regulation and what should be contained in statute. The bill you have before you is the end result of this detailed process and it is the Task Force's recommendation that it be adopted without amendment, recognizing that the legal language and details have all been agreed to and an enormous amount of effort has gone into its formation.

Overall, the bill is simple and straightforward in its approach. It fundamentally makes SB 273, passed by the Legislature last year, effective while including enabling language to support regulations detailing how it will be implemented. These regulations have effectively been negotiated through the Task Force proceedings, and will be drafted consistent with the recommendations contained in the report.

The cooperation between industry, state representatives and lawmakers to develop recommendations that are practical, reasonable and economic is a tribute to the Task Force members. The work provides a foundation for enhanced spill prevention and response preparedness thereby ensuring that our State resources and economy are adequately protected for future generations. In the end the Task Force has successfully completed the work requested by the Legislature and has produced, through unanimous consent, a report and recommendations for rulemaking that outline an acceptable means

by which they will participate in the states oil spill safety net. I am very pleased to have been a part of this process. Speaking for the Department of Environmental Conservation, I can say that we support the passage of HB 55 and offer our assistance as your deliberations move forward.

I would also like to acknowledge the significant time and costs invested by the Task Force members to participate in the process. The Task Force members acted in the interest of all Alaskans and their work will help protect Alaska's waters and make our spill response programs measure up to protecting what are arguably the most pristine and significant natural resources in the world.

I would at this time introduce Brian Rogers who was the Task Force Facilitator and Paul Fuhs who was the Task Force Technical Support Contractor. Mr. Rogers was designated by the Task Force as its impartial spokes person. Mr. Breck Tostevin, Assistant Attorney General assigned to this bill is also available on teleconference. Mr. Rogers will now give you an overview of the Task Force Report and a sectional review of HB 55. Following that we are all available for questions.

Thank you for your time.

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: HB 55
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Envir. Conservation
 Title: Oil Discharge Prevention: Nontank Vessels/RR BRU: Spill Prev. & Response
 Component: Industry Prep. and Pipeline
 Sponsor: Rules
 Requester: Transportation Component Number: 1922

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	59.7	232.5	232.5	119.4	119.4	119.4
Travel	3.5	14.0	14.0	7.0	7.0	7.0
Contractual	7.5	28.6	26.8	13.7	13.7	13.7
Supplies	0.4	1.6	1.6	0.8	0.8	0.8
Equipment	6.9	21.0	1.2	0.6	0.6	0.6
Land & Structures	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
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	78.0	297.7	276.1	141.5	141.5	141.5

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type) 1052	78.0	297.7	276.1	141.5	141.5	141.5
TOTAL	78.0	297.7	276.1	141.5	141.5	141.5

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time	1	2	2	2	2	2
Part-time	0	0	0	0	0	0
Temporary	0	2	2	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Funding and staffing needs are based on the assumption that approximately 500 contingency plan applications covering more than 900 vessels and the Alaska Railroad will be submitted for approval under the new requirements. This is based on the number of financial responsibility applications that have been submitted by the same operators under existing law. It is assumed that the vast majority of reviews will be done under the "streamlined" process, but each operator has the option of submitting a more detailed individual plan to meet the requirements. Assuming about 480 streamlined applications and 20 individual plan reviews, staff will be reviewing approximately 500 plans every three years (165 plans per year), with corresponding drills and verifications at the facilities covered by the legislation on an annual basis. CONTINUED ON NEXT PAGE

Prepared by: Larry Dietrick Phone 465-5255
 Division: Spill Prevention and Response Date/Time 1/19/01 3:30 PM
 Approved by: Kurt Fredriksson Date 1/19/01
 Agency: DEC

For distribution information, call the Governor's Legislative Office

ANALYSIS: (continued)

This needs analysis takes into account the "phasing in" of requirements over the three fiscal years prior to full program implementation and the increased level during the initial plan review process. In year 1 (FY 02) (1) Environmental Specialist III will be added to the Industry Preparedness and Pipeline Program (IPPP) to draft and promulgate regulations to implement the legislation and provide technical assistance and training to the spill cooperatives, the Marine Exchange, and other stakeholders. In year 2 (FY 03) operators will begin to submit plans under the new regulations to the Department. These plans will be conditionally approved by the Department upon receipt, and plan reviews will be staggered over the three-year plan renewal cycle to smooth out staff workload. In FY 03 the IPPP Marine Vessel Section will add (1) permanent Environmental Specialist III and (2) nonpermanent Environmental Specialist IIIs to assist in registration of primary response action contractors, initial reviews of the plans, and technical assistance to stakeholders in gaining compliance with the new regulations. The nonpermanent ES III positions will carry over into FY 04 in order to continue to assist in these activities and in drills and verifications, which will also be conducted on a three year cycle beginning with the first year's approved plans. This analysis anticipates that in FY 05 the bulk of initial reviews will be completed and the two permanent ES IIIs will be responsible for plan renewals, drills and verifications in this and subsequent years. This fiscal note relies heavily on the ability of ships' agents, spill cooperatives and the newly-formed Marine Exchange to facilitate streamlined contingency plans and shared response capabilities. In FY 04 the Department will assess the actual workload associated with these activities and may modify its FY 05 budget request based on this assessment.

The annual travel budget for year 1 includes funding to attend public and task force meetings, information workshops on the new regulations, and other related duties. The year 2 travel budget adds related costs for technical assistance in contingency plan development and review. Year 3 and subsequent travel budgets include funding for on-site facility verifications, drills and exercises, and training. Contractual costs will fund ongoing support costs such as telephones, copiers, office space, postage, and training as new staff are added. Costs budgeted in supplies will fund office and scientific supplies. Equipment funds are requested to purchase equipment such as office furniture and computers and provide continued maintenance and replacement.

Personal Services New Position Detail

DRAFT

Department of Environmental Conservation
FY 2002

Scenario: DEC FY2002 Fiscal Note Scenario (1735)
Component: Industry Preparedness and Pipeline Operations (1922)
BRU Name: Spill Prevention and Response (208)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range & Steps	Budgeted Months	Split / Annual Count Salary	COLA	Premium Pay	Annual Benefits	Total Costs
18-#021	Environmental Spec III	FT	A	GG	Anchorage	1A	18A	12.0	43,860	522	0	15,347	59,729

Justification:
Fiscal Note

Funding Detail:

1052	Oil/Hazardous Response Fund	100.00%	59,729
Total Funding:		100.00%	59,729

Component Summary:

Total New Positions: 1

Fund Description	Fund Percent	Fund Amount
1052 Oil/Hazardous Response Fund	100.00%	59,729
Total Funding:	100.00%	59,729

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column.

Personal Services New Position Detail

DRAFT

Department of Environmental Conservation
FY 2003 and FY 2004

Scenario: DEC FY2002 Fiscal Note Scenario (1735)
Component: Industry Preparedness and Pipeline Operations (1922)
BRU Name: Spill Prevention and Response (208)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range & Steps	Budgeted Months	Split / Annual Count Salary	COLA	Premium Pay	Annual Benefits	Total Costs
18-#021	Environmental Spec III	FT	A	GG	Anchorage	1A	18 A	12.0	43,860	522	0	15,347	59,729
Justification:						Funding Detail:							
Fiscal Note						1052	Oil/Hazardous Response Fund				100.00%	59,729	
						Total Funding:				100.00%	59,729		
18-#022	Environmental Spec III	NP	A	GG	Anchorage	1A	18 A	12.0	43,856	490	0	12,189	56,535
Justification:						Funding Detail:							
Fiscal Note						1052	Oil/Hazardous Response Fund				100.00%	56,535	
						Total Funding:				100.00%	56,535		
18-#023	Environmental Spec III	NP	A	GG	Anchorage	1A	18 A	12.0	43,860	490	0	12,189	56,539
Justification:						Funding Detail:							
Fiscal Note						1052	Oil/Hazardous Response Fund				100.00%	56,539	
						Total Funding:				100.00%	56,539		
18-#024	Environmental Spec III	FT	A	GG	Anchorage	1A	18 A	12.0	43,860	522	0	15,347	59,729
Justification:						Funding Detail:							
Fiscal Note						1052	Oil/Hazardous Response Fund				100.00%	59,729	
						Total Funding:				100.00%	59,729		

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column.

Personal Services New Position Detail

DRAFT

Department of Environmental Conservation
FY 2003 and FY 2004

Scenario: DEC FY2002 Fiscal Note Scenario (1735)
Component: Industry Preparedness and Pipeline Operations (1922)
BRU Name: Spill Prevention and Response (208)

Component Summary:

Total New Positions: 4

<u>Fund Description</u>	<u>Fund Percent</u>	<u>Fund Amount</u>
1052 Oil/Hazardous Response Fund	100.00%	232,532
Total Funding:	100.00%	232,532

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column.

Personal Services New Position Detail

DRAFT

Department of Environmental Conservation
FY 2005 - FY 2007

Scenario: DEC FY2002 Fiscal Note Scenario (1735)
Component: Industry Preparedness and Pipeline Operations (1922)
BRU Name: Spill Prevention and Response (208)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range & Steps	Budgeted Months	Split / Annual Count Salary	COLA	Premium Pay	Annual Benefits	Total Costs
18-#021	Environmental Spec III	FT	A	GG	Anchorage	1A	18A	12.0	43,860	522	0	15,347	59,729
Justification:							Funding Detail:						
Fiscal Note							1052 Oil/Hazardous Response Fund 100.00% 59,729						
											Total Funding: 100.00% 59,729		
18-#022	Environmental Spec III	FT	A	GG	Anchorage	1A	18A	12.0	43,860	522	0	15,347	59,729
Justification:							Funding Detail:						
Fiscal Note							1052 Oil/Hazardous Response Fund 100.00% 59,729						
											Total Funding: 100.00% 59,729		

Component Summary:

Total New Positions: 2

Fund Description	Fund Percent	Fund Amount
1052 Oil/Hazardous Response Fund	100.00%	119,458
Total Funding:	100.00%	119,458

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column

HB

64

TONY KNOWLES
GOVERNOR
governor@gov.state.ak.us

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

HB 64
P.O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532
www.gov.state.ak.us

January 12, 2001

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Porter:

The Alaska International Airports System (AIAS), comprised of the Ted Stevens Anchorage International Airport and the Fairbanks International Airport, is a vital and growing part of our economy. The AIAS and the state's major air carriers are now finalizing a new operating agreement aimed at continued system development. Included in the agreement are plans for capital improvements to the system using revenue bonds, which this bill I transmit today would authorize.

This bill increases the current cumulative authorization for revenue bonds for international airport capital improvements by \$147,900,000 -- from \$305 million to \$452,900,000. This is intended to support capital improvement programs for fiscal years 2002 and 2003.

Funding for operations and capital improvements of the two airports is covered by charges for the use of airport facilities, primarily paid by commercial airlines, plus some federal capital grants. The new operating agreement under negotiation with the participating airlines includes a five-year capital improvement program. The airlines have requested, and the airport system has agreed, to shift to revenue bond funding rather than the historic method of financing capital improvements through annual capital charges paid by the airlines. While repayment of the bonded debt and debt service would still be covered with charges paid by the airlines, revenue bonds would allow payments to be spread over the useful life of airport projects.

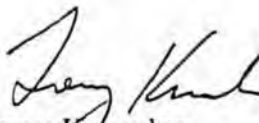
HB 64

The Honorable Brian Porter
January 12, 2001
Page 2

The current bonding authority cap of \$305 million has been exhausted. The authority sought in this bill would increase the revenue bond authorization limit to permit two years of capital improvements to be addressed in a single revenue bond issue, reducing costs related to the debt issuance.

In order to assure timely project development, I urge your prompt and favorable action on this measure.

Sincerely,


Tony Knowles
Governor

HB 64

AIAS
Bond Related Capital Improvement Projects

<u>Airport</u>	<u>Description</u>	<u>Total</u>	<u>AIP</u>	<u>Bonds</u>	<u>IARF/PFC</u>
<u>ANC</u>					
ANC	Field Maintenance Facility	32,000,000	2,800,000	29,400,000	
ANC	Airfield Pavement Maintenance	15,524,000	10,700,000	4,824,000	
ANC	Airfield Electrical/Lighting Rehab/Upgrades	2,237,000	1,950,000	287,000	
ANC	Airfield Safety and Blast Protection	4,868,000	4,600,000	268,000	
ANC	Terminal Rehabilitation	14,538,000		14,538,000	
ANC	NT Waterline Replacement	4,902,000		4,902,000	
ANC	Energy and Terminal Systems Upgrades	1,905,000		1,905,000	
ANC	Security/Safety/Emergency and Access Control/Comm Ctr	14,500,000	4,500,000	10,000,000	
ANC	Environmental Compliance and Cleanup	12,782,000		6,982,000	5,800,000
ANC	Site Development Preparation	7,354,000		7,354,000	
ANC	Advanced Project/Parking Design Study	6,316,000		6,316,000	
ANC	Taxiway/Runway Improvements	6,075,000	5,500,000	575,000	
ANC	Communication System and Relocation	5,515,000		5,515,000	
ANC	Noise Abatement Program Implementation	5,262,000	4,750,000	512,000	
ANC	Equipment	4,999,000		4,999,000	
ANC	Roads, Utilities & Grounds Constr and Upgrades	4,539,000		4,539,000	
ANC	Land Acquisition and Mitigation	3,289,000	2,000,000	1,289,000	
ANC	Deicing System	2,631,000	2,300,000	331,000	
ANC	Master Plan	2,496,000	2,000,000	496,000	
ANC	Security/Safety/Access Control Improvements	1,249,000	750,000	499,000	
ANC	Information Technology Improvements	1,053,000		1,053,000	
ANC	Old International Airport Road Upgrade	998,000		998,000	
ANC	Terminal Relocations	5,000,000		5,000,000	
LHD	GA Parking and Taxiway Relocation	3,186,000	2,700,000	486,000	
LHD	Lake Dredging and Bank Stabilization	1,270,000	1,150,000	120,000	
<u>FAI</u>					
FAI	Terminal Imp. Ph 2 Const.	3,990,000		438,900	3,551,100
FAI	Terminal Roof Repl. Const.	2,450,000	2,284,600	165,400	
FAI	Equipment	1,807,000		1,367,000	440,000
FAI	Drainage Improvements Ph. 3	1,650,000	1,538,700	111,300	
FAI	East Side Utilities Ph.2	1,450,000		1,450,000	
FAI	Environmental	500,000		500,000	
FAI	ARFF Facility Repairs	400,000		400,000	
FAI	Preliminary Planning	400,000		400,000	
FAI	Terminal HVAC	2,700,000	2,517,800	182,200	
Total Bond Projects		179,815,000	51,841,100	118,182,800	9,791,100
<u>AIAS</u>					
	Capitalized Interest	19,517,200		19,517,200	
	Debt Service Reserve Fund	12,700,000		12,700,000	
	Bond Issuance Costs	2,500,000		2,500,000	
Total Bond Related Costs		34,717,200	-	34,717,200	-
Total		\$ 214,532,200	\$ 51,841,100	\$ 152,900,000	\$ 9,791,100
Less estimated interest earnings on bond proceeds				-5,000,000	
Total Bond Authorization Requested			\$	147,900,000	

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898

TEXT: (907) 465-3652
FAX: (907) 586-8365
PHONE: (907) 465-3900

January 17, 2001

The Honorable Vic Khoring
Alaska State Legislature
State Capitol
Juneau, AK 99801

Dear Representative ^{Vic} Khoring:

I respectfully request that you schedule House Bill 64, an act relating to international airports revenue bonds, for a hearing in the House Transportation Committee. This bill authorizes the sale of \$147.9 million in international airport system revenue bonds to support capital improvement programs of the AIAS for fiscal years 2002 and 2003.

The AIAS and the state's major air carriers propose to continue developing our international airport system through the implementation of a new international airports system operating agreement, now being finalized. Under the agreement, that development would be accomplished by using revenue bonds.

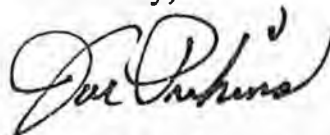
The airlines have requested, and the airport system has agreed, to shift to revenue bond financing rather than the historic method of funding capital improvements through annual capital charges paid by the airlines. While repayment of the bonded debt and annual debt service would still be covered by charges paid by the airlines, revenue bonds would allow payment to be spread over periods of time such as the useful life of airport projects.

The authority sought in this bill would increase the revenue bond authorization limit to permit two years of capital improvements to be addressed in a single revenue bond issue, reducing costs related to the debt issuance.

If you have any questions or need additional information, please contact my special assistant, Dennis Poshard.

Thank you in advance for your favorable consideration.

Sincerely,



Joseph L. Perkins, P.E.
Commissioner

cc: Mike Abbott, Legislative Director, Office of the Governor

AIAS

Bond Related Capital Improvement Projects

Airport	Description	Total	AIP	Bonds	IARF/PFC
ANC					
ANC	Field Maintenance Facility	32,000,000	2,800,000	29,400,000	
ANC	Airfield Pavement Maintenance	15,524,000	10,700,000	4,824,000	
ANC	Airfield Electrical/Lighting Rehab/Upgrades	2,237,000	1,950,000	287,000	
ANC	Airfield Safety and Blast Protection	4,868,000	4,600,000	268,000	
ANC	Terminal Rehabilitation	14,538,000		14,538,000	
ANC	NT Waterline Replacement	4,902,000		4,902,000	
ANC	Energy and Terminal Systems Upgrades	1,905,000		1,905,000	
ANC	Security/Safety/Emergency and Access Control/Comm Ctr	14,500,000	4,500,000	10,000,000	
ANC	Environmental Compliance and Cleanup	12,782,000		6,962,000	5,800,000
ANC	Site Development Preparation	7,354,000		7,354,000	
ANC	Advanced Project/Parking Design Study	6,316,000		6,316,000	
ANC	Taxiway/Runway Improvements	6,075,000	5,500,000	575,000	
ANC	Communication System and Relocation	5,515,000		5,515,000	
ANC	Noise Abatement Program Implementation	5,262,000	4,750,000	512,000	
ANC	Equipment	4,999,000		4,999,000	
ANC	Roads, Utilities & Grounds Constr and Upgrades	4,539,000		4,539,000	
ANC	Land Acquisition and Mitigation	3,289,000	2,000,000	1,289,000	
ANC	Deicing System	2,631,000	2,300,000	331,000	
ANC	Master Plan	2,496,000	2,000,000	496,000	
ANC	Security/Safety/Access Control Improvements	1,249,000	750,000	499,000	
ANC	Information Technology Improvements	1,053,000		1,053,000	
ANC	Old International Airport Road Upgrade	998,000		998,000	
ANC	Terminal Relocations	5,000,000		5,000,000	
LHD	GA Parking and Taxiway Relocation	3,186,000	2,700,000	486,000	
LHD	Lake Dredging and Bank Stabilization	1,270,000	1,150,000	120,000	
FAI					
FAI	Terminal Imp. Ph 2 Const.	3,990,000		438,900	3,551,100
FAI	Terminal Roof Repl. Const.	2,450,000	2,284,600	165,400	
FAI	Equipment	1,807,000		1,367,000	440,000
FAI	Drainage Improvements Ph. 3	1,650,000	1,538,700	111,300	
FAI	East Side Utilities Ph.2	1,450,000		1,450,000	
FAI	Environmental	500,000		500,000	
FAI	ARFF Facility Repairs	400,000		400,000	
FAI	Preliminary Planning	400,000		400,000	
FAI	Terminal HVAC	2,700,000	2,517,800	182,200	
Total Bond Projects		179,815,000	51,841,100	118,182,800	9,791,100
AIAS					
	Capitalized Interest	19,517,200		19,517,200	
	Debt Service Reserve Fund	12,700,000		12,700,000	
	Bond Issuance Costs	2,500,000		2,500,000	
Total Bond Related Costs		34,717,200		34,717,200	
Total		\$ 214,532,200	\$ 51,841,100	\$ 152,900,000	\$ 9,791,100
Less estimated interest earnings on bond proceeds					-5,000,000
Total Bond Authorization Requested				\$ 147,900,000	

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 64
(H) Publish Date: 01/16/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title: Airport Revenue Bonds BRU: Revenue Operations
Component: Treasury Division
Sponsor: Rules Committee
Requester: Governor Component Number: 121

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel	25.0					
Contractual	0.0	15.0	15.0	15.0	15.0	15.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Debt Service	0.0	0.0	5,087.0	13,250.0	13,249.0	13,240.0
TOTAL OPERATING	25.0	15.0	5,102.0	13,265.0	13,264.0	13,255.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	25.0	15.0	15.0	15.0	15.0	15.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
AIAS Revenue Fund	0.0	0.0	5,087.0	13,250.0	13,249.0	13,240.0
TOTAL	25.0	15.0	5,102.0	13,265.0	13,264.0	13,255.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation authorizes the State Bond Committee to issue an additional \$154,460,000 in revenue bonds to support the Alaska International Airport System's capital improvement program

Assuming an interest cost of 6.73% (approximately 1% above current rates), two years of capitalized interest (making the interest payments on the bonds with bond proceeds), and a 25-year term, the annual debt service would be approximately \$13.2 million beginning in fiscal year 2004. Using the interest cost of 5.73% that was available in December 2000, annual debt service would be approximately \$1.1 million less.

Prepared by: Deven Mitchell, Debt Manager Phone 465-3750
Division: Treasury Division Date/Time Nov. 27, 2000
Approved by: Larry Persily, Deputy Commissioner Date Dec. 8, 2000
Agency: Department of Revenue

For distribution information, call the Governor's Legislative Office

22-G41060\C
Cook
5/2/01

CS FOR HOUSE BILL NO. 64(TRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to international airports revenue bonds and to the spending plan for
2 the International Airports Construction Fund; and providing for an effective date."

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

4 * Section 1. AS 37.15.410 is amended to read:

5 **Sec. 37.15.410. Bond authorization.** For the purpose of providing part or all
6 of the money to be used, with or without any grants or other money that may become
7 available, the issuance and sale of revenue bonds of the state in a total principal sum
8 not to exceed \$447,900,000 [305,000,000] is authorized to acquire, equip, construct,
9 and install the additions, improvements, extensions, and facilities authorized in
10 AS 37.15.510. The principal of and interest on these bonds shall be paid out of and
11 secured by the gross revenue derived by the state from the ownership, lease, use, and
12 operation of the airports, and of all the facilities of them, and out of any other money
13 that may be appropriated for the purpose.

14 * Sec. 2. AS 37.15.420(c) is amended to read:

1 (c) By January 1 of each year, the commissioner of transportation and public
2 facilities shall submit to the legislature an annual spending plan that contains
3 information regarding the planned expenditure of money from the construction fund
4 during the next fiscal year and information on certain expenditures made during
5 the previous fiscal year. The spending plan must include

6 (1) the total amount of money to be spent from the construction fund;

7 (2) a description of the work to be performed on airport facilities that
8 will be financed with money from the construction fund;

9 (3) the amount from the construction fund that will be spent under
10 contracts with the private sector and a description of the goods or services to be
11 provided to the state under each of the contracts;

12 (4) the amounts that the state will spend from the construction fund for
13 purposes other than contract payments and a description of each of those purposes,
14 including financing costs, administrative and other overhead costs, and contingencies;

15 (5) the amounts spent during the previous fiscal year for cost
16 overruns on projects financed in whole or part with money from the construction
17 fund and the sources of money used for those cost overruns;

18 (6) identification of time delays that occurred during the previous
19 fiscal year on projects financed in whole or part with money from the
20 construction fund and amounts spent as a result of the delays.

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

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: CS SB 218 (TRANS)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
 Title: International Airports: BRU: Revenue Operations
Bonds / Construction Fund Component: Treasury Division
 Sponsor: Senator Cowdery
 Requester: Senate Finance Component Number: 121

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel	25.0					
Contractual		15.0	15.0	15.0	15.0	15.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous			4,705.9	12,260.8	12,263.5	12,250.0
TOTAL OPERATING	25.0	15.0	4,720.9	12,275.8	12,268.5	12,265.0

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

FUND SOURCE	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1002 Federal Receipts						
1003 GF Match						
1004 GF	25.0	15.0	15.0	15.0	15.0	15.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
AlAS Revenue Fund			4,705.9	12,280.8	12,253.5	12,250.0
TOTAL	25.0	15.0	4,720.9	12,275.8	12,268.5	12,265.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This legislation authorizes the State Bond Committee to issue an additional \$142,900,000 in revenue bonds to support the Alaska International Airport System's capital improvement program.
BASE ASSUMPTIONS: Project size of approximately \$113.2 million, 25-year term of bonds. True interest cost of 6.76% (approximately 1.5% above current rates). Two years of capitalized interest (making the interest payments on the bonds with bond proceeds). Debt service reserve funded with bond proceeds.
SOURCES OF CAPITAL: Par amount of bonds \$142.9 million, with interest earnings on the construction fund estimated at \$4 million.
USES OF CAPITAL: Project \$113.2 million. Capitalized interest \$18.8 million. Debt service reserve fund \$12.3 million. Costs associated with issuing the bonds \$2.5 million. Total uses of capital are \$142.9 million.

Prepared by: Deven Mitchell, State Debt Manager Phone 465-3750
 Division: Treasury Division Date/Time May 2, 2001, 2 p.m.
 Approved by: Larry Persily, Deputy Commissioner Date 05/02/2001
 Agency: Department of Revenue

For distribution information, call the Governor's Legislative Office

HB

68

22-LS0300F
Ford
3/26/01

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE ROKEBERG

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to civil liability for transporting an intoxicated person or for driving an**
2 **intoxicated person's motor vehicle; and providing for an effective date."**

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

4 *** Section 1. AS 09.65 is amended by adding a new section to read:**

5 **Sec. 09.65.280. Damages resulting from transportation of an intoxicated**
6 **person or damage to an intoxicated person's motor vehicle. (a) An intoxicated**
7 **person who is being transported in a taxicab, who is not paying for the transportation,**
8 **and who suffers personal injury or death during the transport may not bring a civil**
9 **action to recover damages from the owner or driver of the taxicab if the owner or**
10 **driver is acting in good faith.**

11 **(b) The owner of a motor vehicle may not bring a civil action to recover for**
12 **damage to the motor vehicle if the motor vehicle damage occurred when the motor**
13 **vehicle was being driven**

14 **(1) to the owner's residence at the request of the owner or a law**

1 enforcement officer; and

2 (2) by an owner or employee of a taxicab business because the motor
3 vehicle owner was intoxicated.

4 (c) A person may not bring a civil action against an owner or employee of a
5 taxicab business to recover for personal injury, death, or property damage if the
6 personal injury, death, or property damage resulted from a motor vehicle accident and
7 the accident involved a motor vehicle being driven

8 (1) by the owner or an employee of a taxicab business, but the motor
9 vehicle driven by the owner or employee of the taxicab business is not owned by the
10 owner or employee of the taxicab business;

11 (2) to the motor vehicle owner's residence at the request of the motor
12 vehicle owner or a law enforcement officer; and

13 (3) by the owner or employee of a taxicab business because the motor
14 vehicle owner or operator was intoxicated.

15 (d) This section does not preclude liability for civil damages as a result of
16 gross negligence or reckless or intentional misconduct.

17 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
18 read:

19 APPLICABILITY. This Act applies to a civil action that accrues on or after the
20 effective date of this Act.

21 * Sec. 3. This Act takes effect July 1, 2001.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CS HB 64 (TRANS)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
 Title: International Airports Revenue Bonds BRU: Revenue Operations
 Component: Treasury Division
 Sponsor: Rules Committee
 Requester: House Finance Component Number: 121

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel (Marketing & Selling Bonds)	25.0					
Contractual (Paying Agent)		15.0	15.0	15.0	15.0	15.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous			4,705.9	12,260.8	12,253.5	12,250.0
TOTAL OPERATING	25.0	15.0	4,720.9	12,275.8	12,268.5	12,265.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	25.0	15.0	15.0	15.0	15.0	15.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
AIAS Revenue Fund			4,705.9	12,260.8	12,253.5	12,250.0
TOTAL	25.0	15.0	4,720.9	12,275.8	12,268.5	12,265.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation authorizes the State Bond Committee to issue an additional \$142,900,000 in revenue bonds to support the Alaska International Airport System's capital improvement program.

BASE ASSUMPTIONS: Project size of approximately \$113.2 million, 25-year term of bonds. True interest cost of 6.76% (approximately 1.5% above current rates). Two years of capitalized interest (making the interest payments on the bonds with bond proceeds). Debt service reserve funded with bond proceeds.

SOURCES OF CAPITAL: Par amount of bonds \$142.9 million, with interest earnings on the construction fund estimated at \$4 million.

USES OF CAPITAL: Project \$113.2 million. Capitalized interest \$18.8 million. Debt service reserve fund \$12.3 million. Costs associated with issuing the bonds \$2.5 million. Total uses of capital are \$146.9 million.

Prepared by: Deven Mitchell, State Debt Manager Phone 465-3750
 Division: Treasury Division Date/Time May 4, 2001, 9 a.m.
 Approved by: Larry Persily, Deputy Commissioner Date 05/04/2001
 Agency: Department of Revenue

For distribution information, call the Governor's Legislative Office

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

JUDICIARY COMMITTEE, CHAIRMAN
LABOR & COMMERCE COMMITTEE, MEMBER
LEGISLATIVE COUNCIL, MEMBER
SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT &
TOURISM, MEMBER

website: <http://www.akrepublicans.org/Rokeberg.htm>



INTERIM:
716 WEST 4TH AVENUE, SUITE 350
ANCHORAGE, AK 99501
PHONE: (907) 269-0117
FAX: (907) 269-0119

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

e-mail: Representative_Norman_Rokeberg@legis.state.ak.us

MEMORANDUM

TO: The Honorable Vic Kohring, Chairman
House Transportation Committee

FROM: Representative Norman Rokeberg

DATE: March 20, 2001

RE: SSHB 68

A handwritten signature in black ink, appearing to read "Norm Rokeberg".

Please schedule SSHB 68 for a hearing before the House Transportation Committee.

Attached are:

1. SSHB 68
2. Sponsor Statement
3. Sectional Analysis

I would request that this hearing be teleconferenced to the Anchorage LIO.

If you have any questions, please do not hesitate to contact me.

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

JUDICIARY COMMITTEE, CHAIRMAN
LABOR & COMMERCE COMMITTEE, MEMBER
LEGISLATIVE COUNCIL, MEMBER
SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT &
TOURISM, MEMBER

website: <http://www.akrepublicans.org/Rokeberg.htm>



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ALASKA STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

e-mail: Representative_Norman_Rokeberg@legis.state.ak.us

SPONSOR STATEMENT

SPONSOR STATEMENT FOR HOUSE BILL 68

An Act relating to civil liability for transporting an intoxicated person or for driving an intoxicated person's motor vehicle; and providing for an effective date

SSHB 68 is a "good samaritan" bill for taxicab operators who transport intoxicated persons or who drive an intoxicated person's motor vehicle to a location directed by that person. Absent gross negligence or reckless or intentional misconduct, a person engaging in this activity would not be civilly liable for damages.

One of the problems facing Alaskans is when they are out drinking; they want to drive home even when they shouldn't. Additionally, these intoxicated persons are worried about leaving their vehicle parked in a location other than their home. This legislation would allow the intoxicated person and his or her vehicle to get home safely without the taxicab operator fearing liability from this activity.

Your support would be appreciated.

ED 2:03/19/01

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

JUDICIARY COMMITTEE, CHAIRMAN
LABOR & COMMERCE COMMITTEE, MEMBER
LEGISLATIVE COUNCIL, MEMBER
SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT &
TOURISM, MEMBER

website: <http://www.akrepublicans.org/Rokeberg.htm>



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FAX: (907) 269-0119

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1132
PHONE: (907) 465-4900
FAX: (907) 465-2040

Representative Norman Rokeberg

e-mail: Representative_Norman_Rokeberg@legis.state.ak.us

SECTIONAL ANALYSIS

SPONSOR STATEMENT FOR HOUSE BILL 68

An Act relating to civil liability for transporting an intoxicated person or for driving an intoxicated person's motor vehicle; and providing for an effective date

- Section 1:** Adds new section to 09.65. Under certain specific circumstances, a taxicab operator is not civilly liable for personal injury or death during the transportation of an intoxicated person or an intoxicated person's vehicle except as a result of gross negligence or reckless or intentional misconduct.
- Section 2:** Applicability section.
- Section 3:** Effective date: July 1, 2001.

ED 2:03/19/01

HB

79

Alaska State Legislature

House of Representatives



COMMITTEES
JUDICIARY COMMITTEE, CHAIR
RULES
MILITARY & VETERANS AFFAIRS
UTILITY RESTRUCTURING
ETHICS



INTERIM:
10928 EAGLE RIVER RD., SUITE 141
EAGLE RIVER, AK 99577

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801

Memorandum

TO: Representative  Kohring
FROM: Representative  Kott
SUBJECT: Request for Hearing, HB 79
DATE: January 18, 2001

I request that HB 79, an Act designating a portion of the Eagle River Loop Road as the Eagle River Veteran's Memorial Highway, be scheduled for a hearing in the Transportation Committee as soon as possible.

The following are included with this request:

- Current version of the bill
- Sponsor Statement
- Sectional Summary (Not Required)
- Map of Eagle River

Point of Contact: Roger Wortman, X6848



Representative Pete Kott

JUNEAU OFFICE (907) 465-3777 TOLL FREE 1-800-861-KOTT (5688) FAX (907) 465-2819
EAGLE RIVER OFFICE (907) 694-8944 FAX (907) 694-8945 E-MAIL: representative_pete_kott@legis.state.ak.us



FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: HB 79

() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title: An act designating a portion of the Eagle River BRU: Central Region Hwy & Aviation
Loop Road as the Eagle River Veteran's Memorial Highway Component: Central Region Hwy & Aviation
 Sponsor: Representative Kott
 Requester: House Transportation Component Number: 564

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personnel Services	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
Contractual	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
Equipment	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
Grants & Claims	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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Dennis R. Poshard Phone 465-3904
 Division: Commissioner's Office Date/Time 1/31/01 12:20 PM
 Approved by: Joseph L. Perkins, P.E., Commissioner Date 465-3900
 Agency: Alaska Department of Transportation and Public Facilities

For distribution information, call the Governor's Legislative Office

Alaska State Legislature

House of Representatives



Transportation Committee

Rep. Kohring, Chair
Rep. Masek, Vice-Chair
Rep. Kapsner
Rep. Kookesh
Rep. Ogan
Rep. Scalzi
Rep. Wilson

AGENDA

February 1, 2001

1:00 – 3:00 p.m.

House Transportation Committee Room #17

1. House Bill 79: An Act designating a portion of the Eagle River Loop Road as the Eagle River Veterans' Memorial Highway."
2. House Bill 39: An Act relating to registration of motor vehicles, to operating a motor vehicle, aircraft or watercraft while intoxicated, and to driving with a cancelled, suspended, or revoked driver's license; relating to duties of the division of alcoholism and drug abuse regarding driving-while-intoxicated offenses; and providing for an effective date."
3. House Bill 55: An Act regarding oil discharge prevention and cleanup involving self-propelled nontank vessels exceeding 400 gross registered tonnage and railroad tank cars and related facilities and operations and requiring preparation and implementation of oil discharge contingency plans for those nontank vessels and railroad tank cars; amending the definition of 'response action' that relates to releases or threatened releases of oil and thereby amending the duties and liabilities of response contractors; authorizing compliance verification for nontank vessels and for trains and related facilities and operations; and providing for an effective date.
4. Adjourn 3:00 p.m.

HB 79

Alaska State Legislature

House of Representatives

COMMITTEES

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RULES
MILITARY & VETERANS AFFAIRS
UTILITY RESTRUCTURING
ETHICS



INTERIM:
10928 EAGLE RIVER RD., SUITE 141
EAGLE RIVER, AK 99577

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801

Sponsor Statement

HB 79

Eagle River Veterans Memorial Highway

So as to not to forget the sacrifices made by the men and women, who served our Nation's armed forces, I introduce HB 79.

The general public, and more importantly future generations must not forget their veterans. Far too often our citizens take for granted the freedoms all Americans enjoy. Designating the portion of Eagle River Loop Road, between the Anchorage Regional Landfill and Eagle River Road - the Eagle River Veterans Memorial Highway, is just one way to recognize those whom served and died for this great country.

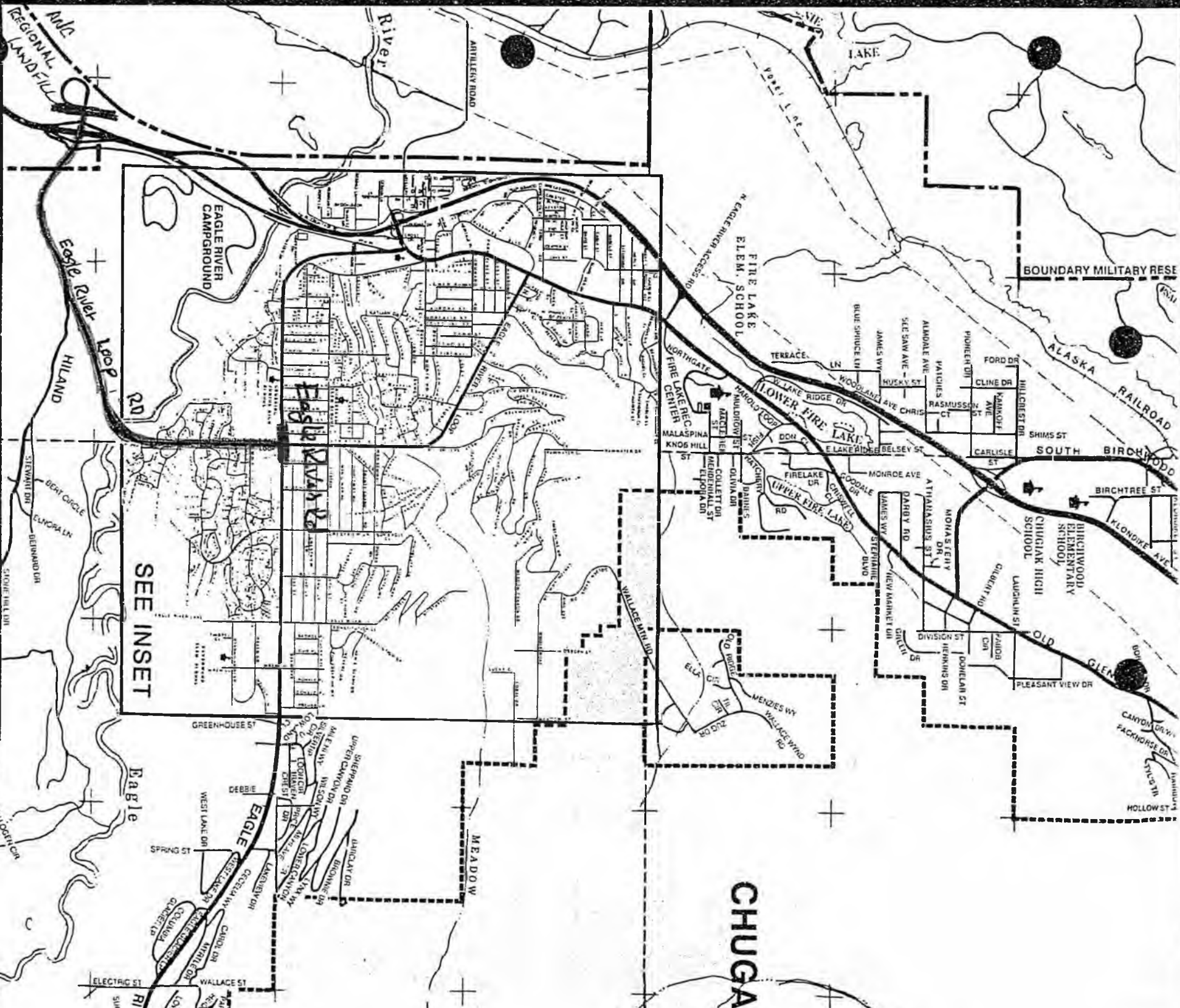
I believe it essential to recognize our veteran's efforts. By honoring the men and women who served and died, we preserve their memory and thus their service and sacrifice. I urge your support for this legislation.

Representative Pete Kott

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EAGLE RIVER OFFICE (907) 694-8944 FAX (907) 694-8945 E-MAIL: representative_pete_kott@legis.state.ak.us

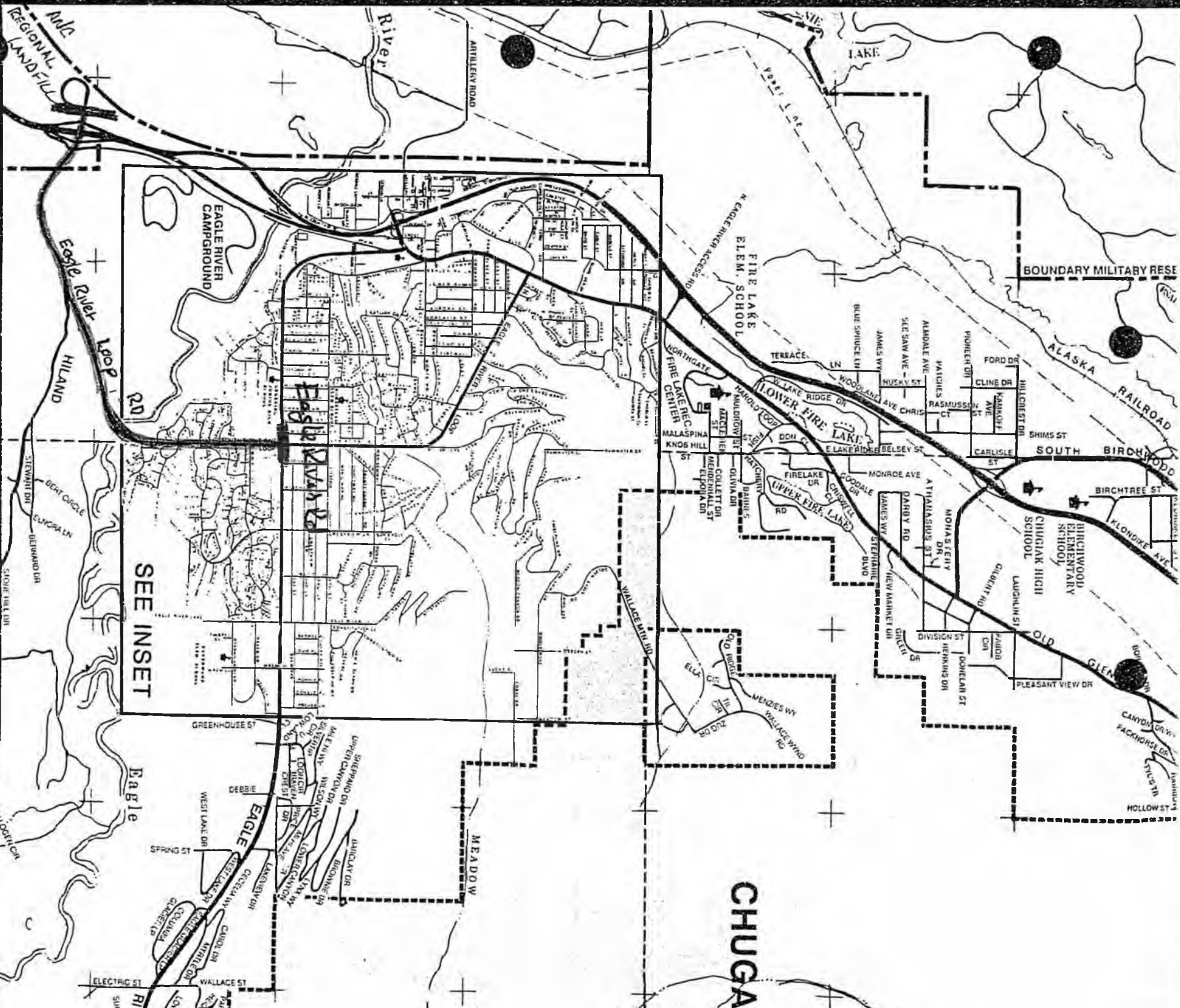


EAGLE RIVER



SEE INSET

CHUGACH



SEE INSET

CHUGACH

