



LAWS OF ALASKA

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Source

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Chapter No.

48

AN ACT

Relating to acquisition of vessels of the Alaska marine highway system having the capacity to assist in responding to spills of oil and hazardous substances.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 15, 1991
Actual Effective Date: September 13, 1991

AN ACT

1 Relating to acquisition of vessels of the Alaska marine highway system having the
2 capacity to assist in responding to spills of oil and hazardous substances.
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6 * Section 1. AS 19.65 is amended by adding a new section in article 1 to read:

7 Sec. 19.65.025. VESSEL DESIGN AND CONSTRUCTION. Under the authority
8 provided in AS 44.42.020(a)(1) to plan, design, construct, and maintain modes of transportation,
9 the commissioner of transportation and public facilities shall, subject to legislative appropriation
10 for the purpose, plan, design, and retrofit or construct vessels of the Alaska marine highway
11 system that, in addition to providing the freight and passenger services customarily provided by
12 the state's marine highway vessels, have the capability to assist in responding to, containing, and
13 cleaning up spills of oil and hazardous substances into the marine waters of the state.

14 * Sec. 2. AS 46.08.005 is amended to read:

15 Sec. 46.08.005. PURPOSE. The legislature finds and declares that the release of oil or
16 hazardous substances into the environment presents a real and substantial threat to the public
17 health and welfare, to the environment, and to the economy of the state. The legislature therefore
18 concludes that it is in the best interest of the state and its citizens to provide a readily available
19 fund for the payment of the expenses incurred by the Department of Environmental Conservation
20 and the Department of Transportation and Public Facilities in the protection of the
21 environment of the state from the release of oil or hazardous substances.

Chapter 48

1 * Sec. 3. AS 46.08.010(c) is amended to read:

2 (c) The fund shall be used for actual expenses incurred under AS 46.08.040. Except as
3 provided in AS 46.08.040(d)(2), the [THE] fund may not be used for capital improvements.

4 * Sec. 4. AS 46.08.040(c) is amended to read:

5 (c) Notwithstanding other provisions of this section, money from the fund may not be
6 used for a purpose specified in (a)(2) - (7) and (d)(2) of this section unless money is [FUNDS
7 ARE] available from an appropriation made specifically for that purpose.

8 * Sec. 5. AS 46.08.040(d) is amended to read:

9 (d) Upon a request from

10 (1) the Alaska Legislative Council, the commissioner shall use money from the
11 fund to reimburse the Alaska Legislative Council for expenditures that it makes for the operation
12 of the Citizens' Oversight Council on Oil and Other Hazardous Substances, established under
13 AS 24.20.600; and

14 (2) the commissioner of transportation and public facilities, the commissioner
15 shall transfer money from the fund to the Department of Transportation and Public
16 Facilities to pay for the construction or refurbishment of one or more vessels of the Alaska
17 marine highway system that have the capability to assist in responding to spills of oil and
18 hazardous substances; in expending money in the fund whose use for vessels of the marine
19 highway system is authorized by AS 19.65.025 and this paragraph, the commissioner shall
20 give priority to construction of one or more new vessels that have the characteristics
21 required by this paragraph.