

SENATE BILL REPORT

SHB 1144

AS REPORTED BY COMMITTEE ON WAYS & MEANS, APRIL 5, 1993

Brief Description: Establishing a field operations program in the office of marine safety.

SPONSORS: House Committee on Environmental Affairs (originally sponsored by Representatives Rust, Linville, Leonard, H. Myers, Campbell, Jacobsen, Valle, R. Fisher, Ogden, J. Kohl and Locke; by request of Office of Marine Safety)

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass.

Signed by Senators Fraser, Chairman; Barr, Moore, Sutherland, and Talmadge.

Staff: Shannon Murphy (786-7483)

Hearing Dates: March 26, 1993

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Bauer, Bluechel, Cantu, Gaspard, Hargrove, Hochstatter, Jesernig, McDonald, Moyer, Niemi, Owen, Pelz, Quigley, Roach, L. Smith, Snyder, Talmadge, West, Williams, and Wojahn.

Staff: Denise Graham (786-7715)

Hearing Dates: April 2, 1993; April 5, 1993

BACKGROUND:

In 1991, the Legislature enacted a measure to increase state involvement in activities to prevent oil spills in Washington State waters. The Legislature also created a new state agency, the Office of Marine Safety, to develop expertise in the state in matters relating to marine transportation safety. The Legislature directed owners of oil tank vessels and barges to prepare prevention plans describing efforts to reduce the likelihood of an oil spill. Owners of cargo and passenger vessels, as well as tankers and barges, were required in prior legislation to prepare spill response plans. The Legislature also directed the Office of Marine Safety to begin developing a mechanism to identify vessels that presented a risk to Washington State's environment. In addition, the office was

instructed to examine the United States Coast Guard's vessel inspection program and recommend to the Legislature any effort that should be undertaken to supplement that program.

The office, in conjunction with similar agencies in Oregon and California, completed a review of the Coast Guard vessel inspection program and published a report on December 1, 1992. The report concluded that there were a number of deficiencies in the Coast Guard inspection program. The report recommended that the states assist the Coast Guard in improving its program, but also that the states should establish, where appropriate, programs to supplement the Coast Guard's inspection program. The report recommended that these supplemental programs should focus on the identification of high-risk vessels, vessel operations, and the human factors resulting in spills.

The 1991 legislation also created the Marine Oversight Board to "provide independent oversight of the actions of the federal government, industry, the department [of Ecology], and other state agencies with respect to oil spill prevention and response...." The board is composed of five members appointed by the Governor.

State agency costs for implementing oil spill prevention and response activities are paid for from a 3 cents per barrel tax on oil imported into the state. The tax is deposited in the oil spill administration account.

SUMMARY:

The Office of Marine Safety is directed to establish a field operations program. The program shall emphasize high risk vessels, bunkering and lightering operations, and data collection. The office is required to coordinate the program with the United States Coast Guard and, to the extent feasible, avoid duplication with the Coast Guard's inspection program. The office shall consult with the maritime industry, other governmental entities, and the public in establishing the program.

Beginning with the 1995-1997 biennium, the Legislature is directed to give priority consideration to prevention activities that are funded from the oil spill administration account.

The Marine Oversight Board shall review activities funded out of the oil spill administration account and establish priorities for funding with an emphasis on prevention activities. The Marine Oversight Board is also directed to develop recommendations for any additional fund sources that are necessary to fund the prevention and response activities required by state law. The board's report shall be submitted to the Governor and the appropriate standing committees of the Legislature not later than November 1, 1993.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: The bill contains an emergency clause and takes effect July 1, 1993.

TESTIMONY FOR (Ecology & Parks):

This bill authorizes the Office of Marine Safety to establish a field operations program without the fiscal impact of the original bill.

TESTIMONY AGAINST (Ecology & Parks): None

TESTIFIED (Ecology & Parks): PRO: Representative Rust, original prime sponsor; Barbara Herman, Office of Marine Safety; Bruce Wishart, Sierra Club; Vern Lindskog, Western States Petroleum Association

TESTIMONY FOR (Ways & Means):

This bill would strengthen oil spill prevention measures. The petroleum industry and environmentalists support this bill.

TESTIMONY AGAINST (Ways & Means): None

TESTIFIED (Ways & Means): Barbara Herman, Office of Marine Safety (pro); Randy Ray, Puget Sound Steamship Operators Association (pro)