

# HOUSE BILL REPORT

## SSB 6210

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**As Reported By House Committee On:**  
Agriculture & Ecology

**Title:** An act relating to technical and clarifying amendments relating to the oil spill prevention and response statutes.

**Brief Description:** Making technical and clarifying amendments to oil spill prevention and response statutes.

**Sponsors:** Senate Committee on Environmental Quality & Water Resources (originally sponsored by Senators Fraser, Morton, Eide, Jacobsen, Fairley, Prentice, McAuliffe, Winsley, Franklin, Kline, Spanel and Kohl-Welles).

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 2/17/00, 2/25/00 [DPA].

### Brief Summary of Substitute Bill (As Amended by House Committee)

- Updates statutes to reflect the transfer of the authorities of the Office of Marine Safety to the Department of Ecology and updates other names of agencies.
- Repeals requirements and deadlines for actions that were to have taken place between 1991 and 1994.
- Removes a representative of the Conservation Corps from membership in the Wildlife Rescue Coalition.
- Changes the name of the Oil Spill Administration Account.

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**HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY**

**Majority Report:** Do pass as amended. Signed by 14 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Koster, Republican Vice Chair; Anderson; B. Chandler; Delvin; Fortunato; Grant; Reardon; Schoesler; Stensen; Sump and Wood.

**Staff:** Kenneth Hirst (786-7105).

**Background:**

Legislation enacted in 1991 transferred the functions of the Office of Marine Safety to the Department of Ecology (DOE), but delayed that transfer until July 1, 1997. Under the legislation, references in statute to the administrator or Office of Marine Safety were to be construed as meaning the director or DOE. The DOE must require that the contingency plans of onshore and offshore facilities contain, as a minimum, descriptions of important features of the surrounding environment, including archaeologically sensitive areas. If the DOE has adopted rules for contingency plans before July 1, 1992, the description of archaeologically sensitive areas must be required only when the DOE revises its rules for the plans after that date.

An oil spill administration tax is imposed on crude oil and petroleum products received at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state. The tax is at the rate of 4 cents a barrel of crude oil or petroleum product up to a certain statutory limit and receipts from the tax are deposited in the Oil Spill Administration Account. In appropriating monies from the account, priority is to be given to activities of state agencies that are related to preventing oil spills.

The Washington Conservation Corps has been established by statutes that also designated corps within the departments of Ecology, Fish and Wildlife, Natural Resources, Agriculture, and the Parks and Recreation Commission. The Corps was placed on the sunset termination list and the statutes authorizing the corps were to have expired June 30, 1999, but the termination of the Corps was repealed in 1999. The 1999 legislation also repealed the designation of such a corps within the Department of Agriculture.

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**Summary of Amended Bill:**

The Oil Spill Administration Account is renamed the Oil Spill Prevention Account. A representative of the Conservation Corps is no longer a member of the Washington Wildlife Rescue Coalition and coalition's training for volunteers is no longer to be coordinated with the corps.

References in various statutes to the Office of Marine Safety and the administrator of that office are updated to being references to the Department of Ecology and the director of the department. The portion of the DOE's oil spill program inherited from the office is referred to as an oil spill prevention program. A reference to the departments of fisheries and of wildlife is updated to being a reference to the Department of Fish and Wildlife. A reference to the state's emergency management program's being in the Department of Community, Trade, and Economic Development is updated to acknowledge that the program is in the Military Department. References to a section of law regarding operating a vessel while under the influence of intoxicating liquor or drugs are updated to acknowledge that the section was re-codified in 1993.

Requirements and deadlines for actions that were to have been taken between 1991 and 1994 are removed from statute.

Repealed is a waiver of a requirement that rules for contingency plans require the plans to contain the description of archaeologically sensitive areas only if the DOE revises its rules after July 1, 1992, if before that date it has adopted rules for such plans. Also repealed are statutes: requiring the office and DOE enter into certain interagency agreements; transferring the authorities, property, and appropriations of the office to the DOE and authorizing certain apportionments of budgeted funds; and referring to the creation of the office. Decodified are provisions regarding: the transfer of authorities from the office to the DOE; not allowing this transfer to DOE to affect any collective bargaining unit or agreement until it has been modified by the personnel resources board or has expired; continuing the contracts and obligations of the office; and requiring reports on tow equipment for barges.

**Amended Bill Compared to Substitute Bill:** The amendment: updates references to the office found in additional statutes to being references to the DOE; refers to the program inherited by the DOE from the office as being an oil spill prevention program; no longer repeals a provision naming the DOE as the office's successor agency; decodifies provisions regarding the transfer of authorities from the office to the DOE and decodifies rather than repeals provisions not allowing this transfer to DOE to affect any collective bargaining unit or agreement until it has been modified by the personnel resources board or has expired and continuing the contracts and obligations of the office.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Substitute bill): The bill is technical in nature. It updates statutes to recognize that the duties of the Office of Marine Safety have been transferred to the DOE. It also changes the name of the Oil Spill Administration Account.

**Testimony Against:** None.

**Testified:** (Substitute bill): Senator Fraser, prime sponsor; Greg Hanon, Western States Petroleum Association; and Linda Pilkey-Jarvis, Department of Ecology.