

2001 DRAFTING REQUEST

Bill

Received: 07/12/2001

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: Environment - water quality
Nat. Res. - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Great Lakes shipping and aquatic nuisance species

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	traderc 08/06/2001	hhagen 08/07/2001	kfollet 08/08/2001	_____	lrb_docadmin 08/08/2001		
/1	traderc 08/30/2001	wjackson 09/21/2001	pgreensl 09/21/2001	_____	lrb_docadmin 09/21/2001	lrb_docadminState 09/26/2001	

FE Sent For:

<END>

→ At Intro.

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FE Sent For:

9/20/01
hnh
1 Wlj 9/21

9/21
p8
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Drafter: traderc

May Contact: Ron Matting DNR - 6-9270

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Nat. Res. - miscellaneous

Extra Copies:

Submit via email: NO

Requester's email:

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1/?	traderc	1/21 hmk 8/6/01	K 8/9/01	1/21/FS 8/8			

FE Sent For:

<END>

Bill Request Form

Legislative Reference Bureau
100 N. Hamilton Street
Legal Section 266-3561

Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.
Use this form only for bill draft requests. Attach more pages if necessary.

Date 7/12/01

Legislator, agency, or other person requesting this draft Rep. Gunderson

Person submitting request (name and phone number) Rep. Gunderson 266-3363

Persons to contact for questions about this draft (names and phone numbers) MIKE BRUNN
266-3363

Describe the problem, including any helpful examples. How do you want to solve the problem?

*Please draft legislation from the attached
~~Michigan~~ Michigan Bill. ~~attached~~*

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

Michigan Bill attached.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 1999 LRB-2345/1 or 1997 AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why It needs to replace AB 437, which is scheduled for a hearing

Should we give this request priority over any pending request of this legislator, agency, or person? YES NO

SB0152, As Passed House, June 19, 2001**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 152**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 3101 (MCL 324.3101), as amended by 1997
PA 29, and by adding section 3103a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3101. As used in this part:

2 (A) "AQUATIC NUISANCE SPECIES" MEANS A NONINDIGENOUS SPECIES
3 THAT THREATENS THE DIVERSITY OR ABUNDANCE OF NATIVE SPECIES OR
4 THE ECOLOGICAL STABILITY OF INFESTED WATERS, OR COMMERCIAL, AGRI-
5 CULTURAL, AQUACULTURAL, OR RECREATIONAL ACTIVITIES DEPENDENT ON
6 SUCH WATERS.

7 (B) "BALLAST WATER" MEANS WATER AND ASSOCIATED SOLIDS TAKEN
8 ON BOARD A VESSEL TO CONTROL OR MAINTAIN TRIM, DRAFT, STABILITY,
9 OR STRESSES ON THE VESSEL, WITHOUT REGARD TO THE MANNER IN WHICH
10 IT IS CARRIED.

S00521'01 (H-1)

JCB

SB0152, As Passed House, June 19, 2001

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2

1 (C) "BALLAST WATER TREATMENT METHOD" MEANS A METHOD OF
2 TREATING BALLAST WATER AND SEDIMENTS TO REMOVE OR DESTROY LIVING
3 BIOLOGICAL ORGANISMS THROUGH 1 OR MORE OF THE FOLLOWING:

4 (i) FILTRATION.

5 (ii) THE APPLICATION OF BIOCIDES OR ULTRAVIOLET LIGHT.

6 (iii) THERMAL METHODS.

7 (iv) OTHER TREATMENT TECHNIQUES APPROVED BY THE DEPARTMENT.

8 (D) ~~(a)~~ "Department" means the department of environmental
9 quality.

10 (E) ~~(b)~~ "Detroit consumer price index" means the most com-
11 prehensive index of consumer prices available for the Detroit
12 area from the United States department of labor, bureau of labor
13 statistics.

14 (F) "GREAT LAKES" MEANS THE GREAT LAKES AND THEIR CONNECTING
15 WATERS, INCLUDING LAKE ST. CLAIR.

16 (G) ~~(c)~~ "Local unit" means a county, city, village, or
17 township or an agency or instrumentality of any of these
18 entities.

19 (H) ~~(d)~~ "Municipality" means this state, a county, city,
20 village, or township, or an agency or instrumentality of any of
21 these entities.

22 (I) "NONOCEANGOING VESSEL" MEANS A VESSEL THAT IS NOT AN
23 OCEANGOING VESSEL.

24 (J) "OCEANGOING VESSEL" MEANS A VESSEL THAT OPERATES ON THE
25 GREAT LAKES OR THE ST. LAWRENCE WATERWAY AFTER OPERATING IN
26 WATERS OUTSIDE OF THE GREAT LAKES OR THE ST. LAWRENCE WATERWAY.

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3

1 (K) "SEDIMENTS" MEANS ANY MATTER SETTLED OUT OF BALLAST
2 WATER WITHIN A VESSEL.

3 (I) ~~(e)~~ "Sewage sludge" means sewage sludge generated in
4 the treatment of domestic sewage, other than only septage or
5 industrial waste.

6 (M) ~~(f)~~ "Sewage sludge derivative" means a product for
7 land application derived from sewage sludge that does not include
8 solid waste or other waste regulated under this act.

9 (N) ~~(g)~~ "Sewage sludge generator" means a person who gen-
10 erates sewage sludge that is applied to land.

11 (O) ~~(h)~~ "Sewage sludge distributor" means a person who
12 applies, markets, or distributes, except at retail, a sewage
13 sludge derivative.

14 (P) "ST. LAWRENCE WATERWAY" MEANS THE ST. LAWRENCE RIVER,
15 THE ST. LAWRENCE SEAWAY, AND THE GULF OF ST. LAWRENCE.

16 (Q) ~~(i)~~ "Waters of the state" means groundwaters, lakes,
17 rivers, and streams and all other watercourses and waters,
18 INCLUDING THE GREAT LAKES, within the jurisdiction of this
19 state. ~~and also the Great Lakes bordering this state.~~

20 SEC. 3103A. (1) THE LEGISLATURE FINDS BOTH OF THE
21 FOLLOWING:

22 (A) IT IS A GOAL OF THIS STATE TO PREVENT THE INTRODUCTION
23 OF AND MINIMIZE THE SPREAD OF AQUATIC NUISANCE SPECIES WITHIN THE
24 GREAT LAKES.

25 (B) THAT, TO ACHIEVE THE GOAL STATED IN SUBDIVISION (A),
26 THIS STATE SHALL COOPERATE WITH THE UNITED STATES AND CANADIAN

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4

1 AUTHORITIES, OTHER STATES AND PROVINCES, AND THE MARITIME
2 INDUSTRY.

3 (2) BY MARCH 1, 2002, THE DEPARTMENT SHALL DO ALL OF THE
4 FOLLOWING:

5 (A) DETERMINE WHETHER THE BALLAST WATER MANAGEMENT PRACTICES
6 THAT WERE PROPOSED BY THE SHIPPING FEDERATION OF CANADA TO THE
7 DEPARTMENT ON JUNE 7, 2000 ARE BEING COMPLIED WITH BY ALL OCEAN-
8 GOING VESSELS OPERATING ON THE GREAT LAKES AND THE ST. LAWRENCE
9 WATERWAY. UPON REQUEST BY THE DEPARTMENT, THE OWNER OR OPERATOR
10 OF AN OCEANGOING VESSEL SHALL PROVIDE, ON A FORM DEVELOPED BY THE
11 DEPARTMENT AND THE SHIPPING FEDERATION OF CANADA, CONFIRMATION OF
12 WHETHER OR NOT THE VESSEL IS COMPLYING WITH THE BALLAST WATER
13 MANAGEMENT PRACTICES DESCRIBED IN THIS SUBDIVISION.

14 (B) DETERMINE WHETHER THE BALLAST WATER MANAGEMENT PRACTICES
15 THAT WERE PROPOSED JOINTLY BY THE LAKE CARRIERS' ASSOCIATION AND
16 THE CANADIAN SHIPOWNERS' ASSOCIATION TO THE DEPARTMENT ON
17 JANUARY 26, 2001 ARE BEING COMPLIED WITH BY ALL NONOCEANGOING
18 VESSELS OPERATING ON THE GREAT LAKES AND THE ST. LAWRENCE
19 WATERWAY. UPON REQUEST BY THE DEPARTMENT, THE OWNER OR OPERATOR
20 OF A NONOCEANGOING VESSEL SHALL PROVIDE, ON A FORM DEVELOPED BY
21 THE DEPARTMENT AND THE LAKE CARRIERS' ASSOCIATION AND THE
22 CANADIAN SHIPOWNERS' ASSOCIATION, CONFIRMATION OF WHETHER OR NOT
23 THE VESSEL IS COMPLYING WITH THE BALLAST WATER MANAGEMENT PRACTICES
24 DESCRIBED IN THIS SUBDIVISION. FOR A NONOCEANGOING VESSEL
25 THAT IS A FERRY USED TO TRANSPORT MOTOR VEHICLES ACROSS LAKE
26 MICHIGAN, IF THE CONFIGURATION OF THE VESSEL WOULD PROHIBIT
27 COMPLIANCE WITH 1 OR MORE OF THE BALLAST WATER MANAGEMENT

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5

1 PRACTICES DESCRIBED IN THIS SECTION, THE DEPARTMENT SHALL
2 ESTABLISH ALTERNATIVE BALLAST WATER MANAGEMENT PRACTICES FOR THE
3 VESSEL AND SHALL DETERMINE WHETHER THOSE PRACTICES ARE BEING COM-
4 PLIED WITH.

5 (C) DETERMINE WHETHER EITHER OR BOTH OF THE BALLAST WATER
6 MANAGEMENT PRACTICES DESCRIBED IN SUBDIVISIONS (A) AND (B) HAVE
7 BEEN MADE CONDITIONS OF PASSAGE ON THE ST. LAWRENCE SEAWAY BY THE
8 ST. LAWRENCE SEAWAY MANAGEMENT CORPORATION AND THE SAINT LAWRENCE
9 SEAWAY DEVELOPMENT CORPORATION.

10 (D) DETERMINE THE FOLLOWING:

11 (i) WHETHER 1 OR MORE BALLAST WATER TREATMENT METHODS, WHICH
12 PROTECT THE SAFETY OF THE VESSEL, ITS CREW, AND ITS PASSENGERS,
13 COULD BE USED BY OCEANGOING VESSELS TO PREVENT THE INTRODUCTION
14 OF AQUATIC NUISANCE SPECIES INTO THE GREAT LAKES.

15 (ii) A TIME PERIOD AFTER WHICH 1 OR MORE BALLAST WATER
16 TREATMENT METHODS IDENTIFIED UNDER SUBPARAGRAPH (i) COULD BE USED
17 BY ALL OCEANGOING VESSELS OPERATING ON THE GREAT LAKES.

18 (iii) IF THE DEPARTMENT DETERMINES UNDER SUBPARAGRAPH (i)
19 THAT A BALLAST WATER TREATMENT METHOD IS NOT AVAILABLE, THE
20 ACTIONS NEEDED TO BE TAKEN FOR 1 OR MORE BALLAST WATER TREATMENT
21 METHODS THAT WOULD MEET THE REQUIREMENTS OF SUBPARAGRAPH (i) TO
22 BE DEVELOPED, TESTED, AND MADE AVAILABLE TO VESSEL OWNERS AND
23 OPERATORS AND A TIME PERIOD AFTER WHICH THE BALLAST WATER TREAT-
24 MENT METHOD OR METHODS COULD BE USED BY ALL OCEANGOING VESSELS
25 OPERATING ON THE GREAT LAKES. SUBSEQUENTLY, IF AT ANY TIME THE
26 DEPARTMENT DETERMINES THAT 1 OR MORE BALLAST WATER TREATMENT
27 METHODS THAT MEET THE REQUIREMENTS OF SUBPARAGRAPH (i) COULD BE

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6

1 USED BY OCEANGOING VESSELS OPERATING ON THE GREAT LAKES, THE
2 DEPARTMENT SHALL DETERMINE A DATE AFTER WHICH THE BALLAST WATER
3 TREATMENT METHOD OR METHODS COULD BE USED BY ALL OCEANGOING VES-
4 SELS OPERATING ON THE GREAT LAKES.

5 (E) SUBMIT TO THE GOVERNOR AND THE STANDING COMMITTEES OF
6 THE LEGISLATURE WITH JURISDICTION PRIMARILY OVER ISSUES PERTAIN-
7 ING TO NATURAL RESOURCES AND THE ENVIRONMENT A LETTER OF DETERMI-
8 NATION THAT OUTLINES THE DETERMINATIONS MADE BY THE DEPARTMENT
9 UNDER THIS SUBSECTION.

10 (3) BY MARCH 1, 2003, THE DEPARTMENT SHALL DO ALL OF THE
11 FOLLOWING:

12 (A) DETERMINE WHETHER ALL OCEANGOING VESSELS THAT ARE OPER-
13 ATING ON THE GREAT LAKES ARE USING A BALLAST WATER TREATMENT
14 METHOD, IDENTIFIED BY THE DEPARTMENT UNDER SUBSECTION (2) (D) (i)
15 OR (iii), TO PREVENT THE INTRODUCTION OF AQUATIC NUISANCE SPECIES
16 INTO THE GREAT LAKES. UPON REQUEST BY THE DEPARTMENT, THE OWNER
17 OR OPERATOR OF AN OCEANGOING VESSEL SHALL PROVIDE, ON A FORM
18 DEVELOPED BY THE DEPARTMENT AND THE SHIPPING FEDERATION OF
19 CANADA, CONFIRMATION OF WHETHER OR NOT THE VESSEL IS USING A BAL-
20 LAST WATER TREATMENT METHOD IDENTIFIED BY THE DEPARTMENT UNDER
21 SUBSECTION (2) (D) (i) OR (iii). IF THE DEPARTMENT DETERMINES THAT
22 ALL OCEANGOING VESSELS THAT ARE OPERATING ON THE GREAT LAKES ARE
23 NOT USING A BALLAST WATER TREATMENT METHOD BY THE DATES IDENTI-
24 FIED IN SUBSECTION (2) (D) (ii) OR (iii), THE DEPARTMENT SHALL
25 DETERMINE WHAT THE REASONS ARE FOR NOT DOING SO.

26 (B) DETERMINE WHETHER THE USE OF A BALLAST WATER TREATMENT
27 METHOD HAS BEEN MADE A CONDITION OF PASSAGE ON THE ST. LAWRENCE

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1 SEAWAY BY THE ST. LAWRENCE SEAWAY MANAGEMENT CORPORATION AND THE
2 SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.

3 (C) SUBMIT TO THE GOVERNOR AND THE STANDING COMMITTEES OF
4 THE LEGISLATURE WITH JURISDICTION PRIMARILY OVER ISSUES PERTAIN-
5 ING TO NATURAL RESOURCES AND THE ENVIRONMENT A LETTER OF DETERMI-
6 NATION THAT OUTLINES THE DETERMINATIONS MADE BY THE DEPARTMENT
7 UNDER THIS SUBSECTION.

8 (4) THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING:

9 (A) BY MARCH 1, 2002, COMPILE AND MAINTAIN A LIST OF ALL
10 OCEANGOING VESSELS AND NONOCEANGOING VESSELS THAT IT DETERMINES
11 HAVE COMPLIED WITH THE BALLAST WATER MANAGEMENT PRACTICES
12 DESCRIBED IN SUBSECTION (2) (A) OR (B), AS APPROPRIATE, DURING THE
13 PREVIOUS 12 MONTHS. THIS LIST SHALL BE CONTINUALLY UPDATED AND
14 MAINTAINED ON THE DEPARTMENT'S WEBSITE.

15 (B) BY MARCH 1, 2003, IF THE DEPARTMENT HAS DETERMINED UNDER
16 SUBSECTION (2) (D) (i), OR IF THE DEPARTMENT SUBSEQUENTLY DETER-
17 MINE UNDER SUBSECTION (2) (D) (iii), THAT 1 OR MORE BALLAST WATER
18 TREATMENT METHODS COULD BE USED BY OCEANGOING VESSELS TO PREVENT
19 THE INTRODUCTION OF AQUATIC NUISANCE SPECIES INTO THE GREAT
20 LAKES, COMPILE AND MAINTAIN A LIST OF ALL OCEANGOING VESSELS
21 THAT, AFTER THE DATE SPECIFIED IN SUBSECTION (2) (D) (ii) OR THE
22 DATE IDENTIFIED BY THE DEPARTMENT UNDER SUBSECTION (2) (D) (iii),
23 AS APPROPRIATE, HAVE BEEN USING 1 OF THESE BALLAST WATER TREAT-
24 MENT METHODS DURING THE PREVIOUS 12 MONTHS.

25 (C) CONTINUALLY UPDATE AND POST THE LISTS PROVIDED FOR IN
26 SUBDIVISIONS (A) AND (B) ON THE DEPARTMENT'S WEBSITE.

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1 (D) ANNUALLY DISTRIBUTE A COPY OF THE LISTS PREPARED UNDER
2 SUBDIVISIONS (A) AND (B) TO PERSONS IN THE STATE WHO HAVE
3 CONTRACTS WITH OCEANGOING OR NONOCEANGOING VESSEL OPERATORS FOR
4 THE TRANSPORTATION OF CARGO.

5 (E) PROVIDE TO THE GOVERNOR AND THE STANDING COMMITTEES OF
6 THE LEGISLATURE WITH JURISDICTION PRIMARILY OVER ISSUES PERTAIN-
7 ING TO NATURAL RESOURCES AND THE ENVIRONMENT COPIES OF THE INI-
8 TIAL LISTS PREPARED UNDER SUBDIVISIONS (A) AND (B) AND THE ANNUAL
9 LIST DISTRIBUTED UNDER SUBDIVISION (D).

10 (5) THE OWNER OR OPERATOR OF AN OCEANGOING VESSEL OR A NON-
11 OCEANGOING VESSEL THAT IS NOT ON AN APPLICABLE LIST PREPARED
12 UNDER SUBSECTION (4) AND ANY PERSONS IN THE STATE WHO HAVE CON-
13 TRACTS FOR THE TRANSPORTATION OF CARGO WITH AN OCEANGOING OR NON-
14 OCEANGOING VESSEL OPERATOR THAT IS NOT ON AN APPLICABLE LIST PRE-
15 PARED UNDER SUBSECTION (4) ARE NOT ELIGIBLE FOR A NEW GRANT,
16 LOAN, OR AWARD ADMINISTERED BY THE DEPARTMENT.

Tradewell, Becky

From: Bruhn, Mike
Sent: Friday, July 13, 2001 1:45 PM
To: Tradewell, Becky
Subject: The Shipping Federation of Canada - Ballast Water Best Practices Protocol

Here is a link to what is referenced on pg. 4, line 5.

Mike Bruhn
Rep. Gunderson's office



The Shipping
Federation of Can...

<http://www.shipfed.ca/Library/BallastWater/BallastWaterBestPractices.html>



The Shipping Federation of Canada

Code of Best Practices for Ballast Water Management

RECOGNIZING that discharge of ballast water from ships is viewed as a principle vector for the introduction and spread of harmful aquatic organisms and pathogens,

RECOGNIZING the role shipowners and vessel operators can play in minimizing the introduction and spread of non-indigenous organisms and protecting the Great Lakes waters,

CONSIDERING the current status of technology for the treatment of ballast water and the need to develop standards against which to measure efficiency of management procedures;

VESSELS entering into the Great Lakes commit to the following Code of best Practices For Ballast Water Management.

1. to conduct ballast water management whenever practical and at every opportunity even if the vessel is not bound for a port where such a procedure may be required. This process will ensure that residual ballast on board will, to the greatest extent possible, be subjected to these practices. This process will also aid to minimize sediment accumulations in ballast tanks, and where mid-ocean exchange is practiced, subject fresh-water organisms to an extended exposure to salt water.

Where mid-ocean ballast water exchange is the, or one of the management practices used as required by IMO, USCG, Canadian or other regulations, the safety of the ship shall be a top priority and management shall be practiced according to recognized safe practices.

2. to regular inspection of ballast tanks and removal of sediment, if necessary, to at least the level comparable to that required by the vessel's Classification Society in order to conduct a "close-up" Enhanced Survey, Ballast Tank Structural and Coating Inspection.

3. to ballast water exchange procedures as provided for in US legislation and approved and enforced through United States Coast Guard Regulations.

4. to record keeping and reporting according to United States Coast Guard Regulations (ballast water report forms) – the master to record all uptake and discharge of ballast water in an appropriate log book; Ballast Water Report Forms to be completed and submitted as per Regulations; inspection and cleaning of ballast tanks to be recorded and records to be made available to inspectors upon request.

5. to provide information and logs to authorized inspectors and regulators for the purposes of verifying the vessel's compliance with this Code of Best Practices.

6. to apply a precautionary approach in the uptake of ballast water by minimizing ballasting operations under the following conditions:

- a. In areas identified in connection with toxic algal blooms, outbreaks of known populations of harmful aquatic

organisms and pathogens, sewage outfalls and dredging activity.

b. In darkness, when bottom dwelling organisms may rise in the water column.

c. In very shallow water.

d. Where a ship's propellers may stir up sediment.

e. In areas with naturally high levels of suspended sediments, e.g. river mouths, and delta areas, or in locations that have been affected significantly by soil erosion from inland drainage.

f. In areas where harmful aquatic organisms or pathogens are known to occur.

7. to the disposal of accumulated sediments as provided for in the existing IMO Ballast Water Protocols during ocean passages outside International Ballast Water Management Areas or as otherwise approved by Port State Authorities.

8. to foster and support scientific research sampling programs and analysis – Facilitate access to on board sampling and testing of ballast water and sediment including opening of ballast tank covers and safe access to ballast tanks following safety procedures for entering enclosed spaces. Sampling, testing and inspection to be planned and coordinated to fit within vessels' operational program and minimize any delays.

9. to cooperate and participate in standards development and treatment systems testing and approval processes, including, but not limited to mechanical management and treatment systems, and pesticide management systems as well as improved techniques for ballast water exchange and their scientific assessment.

10. to strive toward global, integrated ballast water management strategies in conformity with internationally agreed principles that respect national and regional aquatic ecosystems.

This Code of Best Practices is endorsed by the undersigned and represents our common goal to attain the highest standards of safe ballast water management to minimize the introduction and spread of aquatic nuisance species in the Great Lakes.

The Shipping Federation of Canada

September 28, 2000



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3513/P1

RCT:hah

scdn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Note

Generate

1 AN ACT ... relating to: aquatic nuisance species and ballast water management.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

SECTION 1. ^{281.39} ~~281.37~~ of the statutes is created to read:

3

^{281.39} ~~281.37~~ Ballast water management. (1) DEFINITIONS. In this section:

4

(a) "Aquatic nuisance species" has the meaning given in s. 30.1255 (1). ✓

5

(b) "Ballast water" means water and associated solids taken on board a vessel

6

to control or maintain the vessel's trim, draft, or stability, or to control stresses on the

7

vessel.

8

(c) "Ballast water treatment method" means one or more of the following

9

methods of treating ballast water and sediments to remove or destroy living

10

organisms:

- 1 1. Filtration.
- 2 2. The use of biocides or ultraviolet light.
- 3 3. Thermal methods.
- 4 4. Another treatment technique approved by the department.

5 (d) “Nonocean-going vessel” means a vessel that takes on ballast water and that
6 is not an ocean-going vessel.

7 (e) “Ocean-going vessel” means a vessel that takes on ballast water and that
8 operates on the Great Lakes or the St. Lawrence Waterway after operating outside
9 of the Great Lakes and the St. Lawrence Waterway in waters of the Atlantic Ocean.

10 (f) “Sediment” means matter that settles out of ballast water in a vessel.

11 (g) “St. Lawrence Waterway” means the St. Lawrence River, the St. Lawrence
12 Riverway, and the Gulf of St. Lawrence.

13 (2) COOPERATION. The department shall cooperate with the U.S. and Canadian
14 governments, other states, Canadian provinces, and the maritime industry to
15 prevent the introduction of aquatic nuisance species into the Great Lakes and to
16 minimize the spread of aquatic nuisance species within the Great Lakes.

17 (3) INITIAL REQUIREMENTS. (a) 1. By March 1, 2002, the department shall
18 determine whether the ballast water management practices that were proposed by
19 the Shipping Federation of Canada to the Michigan department of environmental
20 quality on June 7, 2000, are being complied with by all ocean-going vessels operating
21 on the Great Lakes and the St. Lawrence Waterway.

22 2. Upon request by the department, the owner or operator of an ocean-going
23 vessel shall provide information needed to determine whether the vessel is
24 complying with the ballast water management practices described in subd. 1.

1 (b) 1. By March 1, 2002, the department shall determine whether the ballast
2 water management practices that were proposed jointly by the Lake Carriers'
3 Association and the Canadian Shipowners' Association to the Michigan department
4 of environmental quality on January 26, 2001, are being complied with by all
5 nonocean-going vessels operating on the Great Lakes and the St. Lawrence
6 Waterway.

7 2. If a nonocean-going vessel that is a ferry used to transport motor vehicles
8 across Lake Michigan has a configuration that prevents compliance with one or more
9 of the ballast water management practices described in subd. 1., the department
10 shall, by March 1, 2002, identify alternative ballast water management practices
11 with which the vessel could comply and determine whether the vessel is complying
12 with those alternative ballast water management practices.

13 3. Upon request by the department, the owner or operator of a nonocean-going
14 vessel shall provide information showing whether the vessel is complying with the
15 ballast water management practices described in subd. 1. or 2.

16 (c) By March 1, 2002, the department shall determine whether the St.
17 Lawrence Seaway Management Corporation and the Saint Lawrence Seaway
18 Development Corporation have made the ballast water management practices
19 described in pars. (a) 1. and (b) 1. conditions of passage on the St. Lawrence Seaway.

20 (d) 1. By March 1, 2002, the department shall determine whether one or more
21 ballast water treatment methods could be used by ocean-going vessels to prevent the
22 introduction of aquatic nuisance species into the Great Lakes while protecting the
23 safety of the vessels, their crews, and their passengers, and, if so, identify the ballast
24 water treatment method or ballast water treatment methods.

1 2. If the department identifies one or more ballast water treatment methods
2 under subd. 1. the department shall, by March 1, 2002, determine a date after which
3 one or more of those ballast water treatment methods could be used by all oceangoing
4 vessels operating on the Great Lakes.

5 3. If the department does not identify any ballast water treatment methods
6 under subd. 1. the department shall, by March 1, 2002, determine the actions needed
7 to develop, test, and make available to vessel owners one or more ballast water
8 treatment methods that would satisfy the requirements in subd. 1.

9 4. If the department does not identify any ballast water treatment methods
10 under subd. 1. but at any time after making the determination under subd. 1.
11 identifies one or more ballast water treatment methods that satisfy the
12 requirements of subd. 1., the department shall determine a date after which one or
13 more of those ballast water treatment methods could be used by all oceangoing
14 vessels operating on the Great Lakes.

15 (e) By March 1, 2002, the department shall submit to the governor and, under
16 s. 13.172[✓] (3), to the standing committees of the legislature with primary jurisdiction
17 over issues relating to natural resources and the environment a report that describes
18 the determinations made by the department under pars. (a) to (d).

19 (4) MARCH 1, 2003 DEADLINE. (a) By March 1, 2003, if the department has
20 identified one or more ballast water treatment methods under sub. (3) (d) 1. or 4., the
21 department shall determine whether all oceangoing vessels that are operating on the
22 Great Lakes are using one of those ballast water treatment methods to prevent the
23 introduction of aquatic nuisance species into the Great Lakes. If the department
24 determines that some oceangoing vessels operating on the Great Lakes are not using

1 one of those ballast water treatment methods by the date specified under sub. (3) (d)
2 2. or 4., the department shall determine the reasons that they are not doing so.

3 2. Upon request by the department, the owner or operator of an oceangoing
4 vessel shall provide information needed to determine whether the vessel is using a
5 ballast water treatment method identified under sub. (3) (d) 1. or 4. by the date
6 specified under sub. (2) (d) 2. or 4.

7 (b) By March 1, 2003, the department shall determine whether the St.
8 Lawrence Seaway Management Corporation and the Saint Lawrence Seaway
9 Development Corporation have made the use of a ballast water treatment method
10 a condition of passage on the St. Lawrence Seaway.

11 (c) By March 1, 2003, the department shall submit to the governor and, under
12 s. 13.172 (3), to the standing committees of the legislature with primary jurisdiction
13 over issues relating to natural resources and the environment a report that describes
14 the determinations made by the department under pars. (a) and (b).

15 (5) LISTS. (a) Beginning on March 1, 2002, the department shall compile and
16 maintain a list of all oceangoing vessels that it determines have complied with the
17 ballast water management practices described in sub. (3) (a) 1. during the previous
18 12 months and of all of the nonoceangoing vessels that it determines have complied
19 with the ballast water management practices described in sub. (3) (b) 1. or 2. during
20 the previous 12 months. The department shall update the list continually and shall
21 provide access to the list on the Internet.

22 (b) Beginning after the date determined by the department under sub. (4) (d)
23 2. or 4., the department shall compile and maintain a list of all oceangoing vessels
24 that have been using a ballast water treatment method identified under sub. (4) (d)

1 1. or 4. during the previous 12 months. The department shall update the list
2 continually and shall provide access to the list on the Internet.

3 (c) The department shall annually distribute copies of the lists under pars. (a) ✓
4 and (b) to each person in this state who has contracts for the transportation of cargo
5 with operators of oceangoing vessels or nonoceangoing vessels.

6 (d) The department shall provide copies of the initial lists under pars. (a) and ✓
7 (b) and of the annual lists under par. (c) to the governor and, under s. 13.172 (3), to ✓
8 the standing committees of the legislature with primary jurisdiction over issues
9 relating to natural resources and the environment.

10 (6) INELIGIBILITY. (a) After March 1, 2002, the department may not award a
11 grant, loan, or other financial assistance to any of the following:

12 1. A person who owns or operates an oceangoing vessel or a nonoceangoing
13 vessel that is not on the list compiled under sub. (5) (a). ✓

14 2. A person in this state who has a contract for the transportation of cargo with
15 a person described in subd. 1.

16 (b) After the department compiles a list under sub. (5) (b), the department may ✓
17 not make a grant, loan, or other financial assistance to any of the following:

18 1. A person who owns or operates an oceangoing vessel that is not on the list
19 compiled under sub. (5) (b).

20 2. A person in this state who has a contract for the transportation of cargo with
21 a person described in subd. 1. ✓

22 (END)

DN Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3513/P1dn
RCT: *whh*

Note

Mike Bruhn:

This is a preliminary version of the proposal that you requested concerning Great Lakes shipping, aquatic nuisance species, and ballast water management, based on Michigan legislation, SB 152, as it passed the Michigan House.

There is some more work that I need to do on this proposal. I decided to provide a preliminary draft so that you can review the main provisions of the draft in the meantime. I need to review the Wisconsin statutes to determine whether additional provisions need to be added to this draft to ensure that the prohibition on DNR providing financial assistance to certain persons, in proposed s. 281.37(6), does not conflict with other statutes. You may wish to consider whether there are any kinds of financial assistance that DNR provides which you would want to except from this prohibition. 9

There are a number of differences between this draft and the Michigan legislation. I made some changes to conform the proposal to our statutory style. I also made some changes that I hope make the proposal more clear. I modified the definition of "oceangoing vessel" in the Michigan legislation because it did not require that a vessel operate on the ocean, so it could have been read to apply to a boat that operated in a river and then in the Great Lakes. Also, I added to the definitions of "oceangoing vessel" and "nonoceangoing vessel" the requirement that the vessel take on ballast water so that it would be clear that the legislation does not apply to craft that do not do so.

Based on the Michigan legislation, the draft requires DNR to determine whether various ballast water management practices are being used by all oceangoing and nonoceangoing vessels operating on the Great Lakes and the St. Lawrence Waterway. This would include vessels that do not enter Lake Michigan or Lake Superior. The draft requires operators of all of these vessels to provide information requested by DNR concerning their ballast water practices. This state may not have the legal authority to require operators of vessels that never operate within waters that are within the state's jurisdiction to provide the state with information. Also, I do not know whether information is available to DNR to identify the operators of all vessels that operate on the Great Lakes. Please consider whether you want to change these provisions in any way.

The draft also requires DNR to provide lists of vessels that comply with ballast water management practices to persons in this state who have contracts with vessel operators. I do not know whether information is available to DNR to identify those persons.

Please contact me with any questions or redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3513/P1dn
RCT:hmh:kjf

August 7, 2001

Mike Bruhn:

This is a preliminary version of the proposal that you requested concerning Great Lakes shipping, aquatic nuisance species, and ballast water management, based on Michigan legislation, SB 152, as it passed the Michigan House.

There is some more work that I need to do on this proposal. I decided to provide a preliminary draft so that you can review the main provisions of the draft in the meantime. I need to review the Wisconsin statutes to determine whether additional provisions need to be added to this draft to ensure that the prohibition on DNR providing financial assistance to certain persons, in proposed s. 281.39 (6), does not conflict with other statutes. You may wish to consider whether there are any kinds of financial assistance that DNR provides which you would want to except from this prohibition.

There are a number of differences between this draft and the Michigan legislation. I made some changes to conform the proposal to our statutory style. I also made some changes that I hope make the proposal more clear. I modified the definition of "oceangoing vessel" in the Michigan legislation because it did not require that a vessel operate on the ocean, so it could have been read to apply to a boat that operated in a river and then in the Great Lakes. Also, I added to the definitions of "oceangoing vessel" and "nonoceangoing vessel" the requirement that the vessel take on ballast water so that it would be clear that the legislation does not apply to craft that do not do so.

Based on the Michigan legislation, the draft requires DNR to determine whether various ballast water management practices are being used by all oceangoing and nonoceangoing vessels operating on the Great Lakes and the St. Lawrence Waterway. This would include vessels that do not enter Lake Michigan or Lake Superior. The draft requires operators of all of these vessels to provide information requested by DNR concerning their ballast water practices. This state may not have the legal authority to require operators of vessels that never operate within waters that are within the state's jurisdiction to provide the state with information. Also, I do not know whether information is available to DNR to identify the operators of all vessels that operate on the Great Lakes. Please consider whether you want to change these provisions in any way.

The draft also requires DNR to provide lists of vessels that comply with ballast water management practices to persons in this state who have contracts with vessel operators. I do not know whether information is available to DNR to identify those persons.

Please contact me with any questions or redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

Per Mike Bruhn -

Redraft to limit it to portion of Great Lakes
under Wis. jurisdiction

RET



State of Wisconsin
2001 - 2002 LEGISLATURE

SODD (m 8/30)

LRB-3513/1

RCT:hmh:kjf

Stays rmr

WLJ

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

TODAY IF POSSIBLE

REGEN

1 AN ACT to create 281.39 of the statutes; relating to: aquatic nuisance species
2 and ballast water management.

Analysis
Inse A

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 281.39 of the statutes is created to read:

4 **281.39 Ballast water management.** (1) DEFINITIONS. In this section:

5 (a) "Aquatic nuisance species" has the meaning given in s. 30.1255 (1).

6 (b) "Ballast water" means water and associated solids taken on board a vessel
7 to control or maintain the vessel's trim, draft, or stability, or to control stresses on the
8 vessel.

9 (c) "Ballast water treatment method" means one or more of the following
10 methods of treating ballast water and sediments to remove or destroy living
11 organisms:

- 1 1. Filtration.
- 2 2. The use of biocides or ultraviolet light.
- 3 3. Thermal methods.
- 4 4. Another treatment technique approved by the department.

5 (d) "Nonocean-going vessel" means a vessel that takes on ballast water and that
6 is not an ocean-going vessel.

7 (e) "Ocean-going vessel" means a vessel that takes on ballast water and that
8 operates on the Great Lakes or the St. Lawrence Waterway after operating outside
9 of the Great Lakes and the St. Lawrence Waterway in waters of the Atlantic Ocean.

10 (f) "Sediment" means matter that settles out of ballast water in a vessel.

11 (g) "St. Lawrence Waterway" means the St. Lawrence River, the St. Lawrence
12 Riverway, and the Gulf of St. Lawrence.

13 (2) COOPERATION. The department shall cooperate with the U.S. and Canadian
14 governments, other states, Canadian provinces, and the maritime industry to
15 prevent the introduction of aquatic nuisance species into the Great Lakes and to
16 minimize the spread of aquatic nuisance species within the Great Lakes.

17 (3) INITIAL REQUIREMENTS. (a) 1. By March 1, 2002, the department shall
18 determine whether the ballast water management practices that were proposed by
19 the Shipping Federation of Canada to the Michigan department of environmental
20 quality on June 7, 2000, are being complied with by all ocean-going vessels operating

21 on the ~~Great Lakes and the St. Lawrence Waterway~~ ^{the portions of the} within the boundaries of this state

22 2. Upon request by the department, the owner or operator of an ocean-going
23 ~~vessel~~ ^{that operates on the portions of the Great Lakes} within the boundaries of this state
shall provide information needed to determine whether the vessel is

24 complying with the ballast water management practices described in subd. 1.

1 (b) 1. By March 1, 2002, the department shall determine whether the ballast
2 water management practices that were proposed jointly by the Lake Carriers'
3 Association and the Canadian Shipowners' Association to the Michigan department
4 of environmental quality on January 26, 2001, are being complied with by all
5 nonocean-going vessels operating on the ^{portions of the} Great Lakes and the St. Lawrence

6 ~~Waterway~~ ^{within the boundaries of this state}

7 2. If a nonocean-going vessel that is a ferry used to transport motor vehicles
8 across Lake Michigan has a configuration that prevents compliance with one or more
9 of the ballast water management practices described in subd. 1., the department
10 shall, by March 1, 2002, identify alternative ballast water management practices
11 with which the vessel could comply and determine whether the vessel is complying
12 with those alternative ballast water management practices.

13 3. Upon request by the department, the owner or operator of a nonocean-going
14 vessel ^{that operates on the portions of the Great Lakes within the boundaries of this state} shall provide information showing whether the vessel is complying with the
15 ballast water management practices described in subd. 1. or 2.

16 (c) By March 1, 2002, the department shall determine whether the St.
17 Lawrence Seaway Management Corporation and the Saint Lawrence Seaway
18 Development Corporation have made the ballast water management practices
19 described in pars. (a) 1. and (b) 1. conditions of passage on the St. Lawrence Seaway.

20 (d) 1. By March 1, 2002, the department shall determine whether one or more
21 ballast water treatment methods could be used by ocean-going vessels to prevent the
22 introduction of aquatic nuisance species into the Great Lakes while protecting the
23 safety of the vessels, their crews, and their passengers, and, if so, identify the ballast
24 water treatment method or ballast water treatment methods.

1 2. If the department identifies one or more ballast water treatment methods
2 under subd. 1. the department shall, by March 1, 2002, determine a date after which
3 one or more of those ballast water treatment methods could be used by all oceangoing
4 vessels operating on the ^{portions of the} Great Lakes ^{within the boundaries of this state}

5 3. If the department does not identify any ballast water treatment methods
6 under subd. 1. the department shall, by March 1, 2002, determine the actions needed
7 to develop, test, and make available to vessel owners one or more ballast water
8 treatment methods that would satisfy the requirements in subd. 1.

9 4. If the department does not identify any ballast water treatment methods
10 under subd. 1. but at any time after making the determination under subd. 1.
11 identifies one or more ballast water treatment methods that satisfy the
12 requirements of subd. 1., the department shall determine a date after which one or
13 more of those ballast water treatment methods could be used by all oceangoing
14 vessels operating on the ^{portions of the} Great Lakes ^{within the boundaries of this state}

15 (e) By March 1, 2002, the department shall submit to the governor and, under
16 s. 13.172 (3), to the standing committees of the legislature with primary jurisdiction
17 over issues relating to natural resources and the environment a report that describes
18 the determinations made by the department under pars. (a) to (d).

19 (4) MARCH 1, 2003 DEADLINE. (a) By March 1, 2003, if the department has
20 identified one or more ballast water treatment methods under sub. (3) (d) 1. or 4., the
21 department shall determine whether all oceangoing vessels that are operating on the
22 ^{portions of the} Great Lakes ^{within the boundaries of this state} are using one of those ballast water treatment methods to prevent the

23 introduction of aquatic nuisance species into the Great Lakes. If the department
24 determines that some oceangoing vessels operating on the ^{portions of the} Great Lakes ^{within the boundaries} are not using ^{of} ^{this state}

1 one of those ballast water treatment methods by the date specified under sub. (3) (d)

2 2. or 4., the department shall determine the reasons that they are not doing so.

3 2. Upon request ^{the portions of} by the department, the owner or operator of an oceangoing
4 vessel ^{that operates on the Great Lakes within the boundaries of this state} shall provide information needed to determine whether the vessel is using a

5 ballast water treatment method identified under sub. (3) (d) 1. or 4. by the date
6 specified under sub. (3) (d) 2. or 4.

7 (b) By March 1, 2003, the department shall determine whether the St.
8 Lawrence Seaway Management Corporation and the Saint Lawrence Seaway
9 Development Corporation have made the use of a ballast water treatment method
10 a condition of passage on the St. Lawrence Seaway.

11 (c) By March 1, 2003, the department shall submit to the governor and, under
12 s. 13.172 (3), to the standing committees of the legislature with primary jurisdiction
13 over issues relating to natural resources and the environment a report that describes
14 the determinations made by the department under pars. (a) and (b).

15 (5) LISTS. (a) Beginning on March 1, 2002, ^{portions of the} the department shall compile and
16 maintain a list of all oceangoing vessels ^{operating on the Great Lakes within the boundaries of} that it determines have complied with the ^{this state}
17 ballast water management practices described in sub. (3) (a) 1. during the previous ^{portions of the}
18 12 months and of all of the nonoceangoing vessels ^{operating on the Great Lakes within the boundaries} that it determines have complied
19 with the ballast water management practices described in sub. (3) (b) 1. or 2. during ^{of this state}
20 the previous 12 months. The department shall update the list continually and shall
21 provide access to the list on the Internet.

22 (b) Beginning after the date determined by the department under sub. (3) (d)
23 2. or 4., the department shall compile and maintain a list of all oceangoing vessels
24 ^{operating on the Great Lakes within the boundaries of this state} that have been using a ballast water treatment method identified under sub. (3) (d)

1 1. or 4. during the previous 12 months. The department shall update the list
2 continually and shall provide access to the list on the Internet.

3 (c) The department shall annually distribute copies of the lists under pars. (a)
4 and (b) to each person in this state who has contracts for the transportation of cargo
5 with operators of oceangoing vessels or nonoceangoing vessels.

6 (d) The department shall provide copies of the initial lists under pars. (a) and
7 (b) and of the annual lists under par. (c) to the governor and, under s. 13.172 (3), to
8 the standing committees of the legislature with primary jurisdiction over issues
9 relating to natural resources and the environment.

10

Notwithstanding ss. 281.75 (7)(a) and 292.65(8)(c),
(6) INELIGIBILITY. (a) After March 1, 2002, the department may not award a

11

grant, ^aloan, or other financial assistance to any of the following:

12

1. A person who ^(portions of the)owns or operates an oceangoing vessel or a nonoceangoing
that operate on the Great Lakes within the boundaries of this state and
13 vessel that is not on the list compiled under sub. (5) (a).

13

14

2. A person in this state who has a contract for the transportation of cargo with
15 a person described in subd. 1.

16

(b) After the department compiles a list under sub. (5) (b), the department may
17 not make a grant, ^aloan, or other financial assistance to any of the following:

17

18

1. A person who owns or operates an oceangoing vessel ^(portions of the)that is not on the list *within*
19 compiled under sub. (5) (b). *the boundaries*

19

20

2. A person in this state who has a contract for the transportation of cargo with
21 a person described in subd. 1. *of this state and*

21

22

(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3513/lins
RCT:.....

Analysis insert

This bill relates to the treatment and other management of ballast water in vessels operating on the Great Lakes to prevent the introduction and ^{to} minimize the spread of aquatic nuisance species. Aquatic nuisance species are plants and animals that are not native and that threaten the diversity or abundance of native species or the ecological stability of infected waters or that threaten commercial, agricultural, or recreational activities that are dependent on infected waters.

maintain * The bill requires the department of natural resources (DNR) to determine, by March 1, 2002, whether ballast water management practices proposed by the Shipping Federation of Canada are being complied with by all oceangoing vessels operating on the portions of the Great Lakes within the boundaries of this state. By that date, DNR must also determine whether ballast water management practices proposed jointly by the Lake Carrier's Association and the Canadian Shipowners' Association are being complied with by all nonoceangoing vessels operating on the portions of the Great Lakes within the boundaries of this state. The bill requires DNR to ~~prepare~~ ^{maintain} a list, beginning on March 1, 2002, of the vessels that are complying with these standards. The bill prohibits DNR from awarding a grant, ^a loan, or other financial assistance to the owner or operator of a vessel that operates on the portions of the Great Lakes within the boundaries of this state and that is not on the list or to a person in this state who has a contract for the transportation of cargo with a person who owns or operates a vessel that operates on the portions of the Great Lakes within the boundaries of this state and that is not on the list. ^{available}

* The bill requires DNR to identify, also by March 1, 2002, any ^{available} ballast water treatment methods that could be used by oceangoing vessels to prevent the introduction of aquatic nuisance species into the Great Lakes while protecting the safety of the vessels. If DNR does identify any ballast water management methods, it must also determine a date after which those methods could be used by all oceangoing vessels operating on the portions of the Great Lakes within the boundaries of this state. If DNR is not able to identify any ballast water treatment methods that satisfy these requirements by March 1, 2002, but later does so, it must determine a date after which such a ballast water treatment method could be used by all oceangoing vessels operating on the portions of the Great Lakes within the boundaries of this state. ^{maintain} The bill requires DNR to ~~prepare~~ ^{maintain} a list, beginning after the date on which it determines that a safe ballast water treatment method ^{could} be used by all oceangoing vessels, of the vessels that are complying with such a ballast water treatment method. The bill prohibits DNR from awarding a grant, ^a loan, or other financial assistance to a person who owns or operates an oceangoing vessel that operates on the portions of the Great Lakes within the boundaries of this state and that is not on the list or to a person in this state who has a contract for the transportation of cargo with the owner or operator of an oceangoing vessel that operates on the portions of the Great Lakes within the boundaries of this state and that is not on the list.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

September 21, 2001

MEMORANDUM

To: Representative Gunderson

From: Rebecca C. Tradewell, Managing Attorney

Re: LRB-3513/1 Great Lakes shipping and aquatic nuisance species

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-7290 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.