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REPRESENTATIVE PAUL SEATON HOUSE DISTRICT 30

HB 131 Sectional Analysis

Section 1. AS 30.30.010(a)

A person may not store a derelict vessel, or abandon a vessel in:

- The waters of the state
- A state or municipal port
- Private property without consent

Sec. 2. AS 30.30.010(b)

A hazardous derelict vessel may be removed from state waters by:

- A state agency
- A municipality
- A peace officer

Sec. 3. AS 30.30.010(e)

If a vessel is denied entrance to a harbor, all of the following materials must be removed before it is stored in state waters for more than 14 consecutive days:

- Hazardous materials
- Petroleum products

Sec. 4. AS 30.30.020

A vessel left unattended for more than 30 consecutive days on state or private property without consent may be removed and disposed of by:

- A state agency
- A municipality

- A peace officer

Sec. 5. AS 30.30.030

Outside of organized municipalities, a vessel may be left unattended for more than 30 consecutive days if it is considered an accepted local practice.

Sec. 6. AS 30.30.040

Upon taking a vessel into custody, the municipality, or state agency must attempt to notify the owners on record of their custody 20 days prior to repossession of the vessel.

Sec. 7. AS 30.30.060

A person or interested party may take possession of the boat before the public auction date if they pay all the fees associated with the vessel.

If they are not the registered owner, they must post adequate security.

Sec. 8. AS 30.30.070

A public auction for a repossessed vessel is not needed if it is appraised at less than \$100. Upon determination that the value of the vessel is less than \$100 and following advertisement in a newspaper of general circulation the state agency or municipality may sell the vessel by negotiation, dispose of it, or donate it to a government agency.

Sec. 9. AS 30.30.080

A bill of sale is required for any transfers under this legislation.

Sec. 10. AS 30.30.090

A vessel is considered derelict if it is left unattended for 24 consecutive hours under the following conditions:

- Is sunk, sinking, or posing a threat, or has been moored or left in the waters of the state illegally with no current registration and the owner cannot be determined.

Sec. 11. AS 30.30.100(a)

When a municipality, state agency, or peace officer takes possession of a derelict, they must:

- Publish notice of intended disposition
- Post notice of intended disposition
- Serve the registered owners, if known, and financiers with the notice

Sec. 12. AS 30.30.120

A vessel at a repair business is considered abandoned if the following conditions have been met:

- The vessel has been towed and requested repairs have been preformed
- No authorization for further service is given
- The state agency or municipality and the owner are notified
- The vessel is not claimed 30 days after the notice

Sec. 13. AS 30.30.170

Definitions:

- Municipality – as currently defined
- State Agency – executive branch department or agency
- Vessel – water transportation device that is not a float plane
- Waters of the state – navigable waters within three mile limit

Sec. 14. AS 30.30.160

Repeal of specific DOT&PF regulation authority to implement the abandoned and derelict vessel statute as the bill broadens the authority for abandoned and derelict vessels to include the other state agencies.