

# Senator Peter A. Micciche

## *Alaska State Legislature*

### **Session Address:**

Alaska State Capitol, Rm. 508  
Juneau, Alaska 99801-1182  
Phone: (907) 465-2828  
Toll Free: (800) 964-5733



### **Interim Address:**

145 Main Street Loop, Ste. 226  
Kenai, Alaska 99611-7771  
Phone: (907) 283-7996  
Fax: (907) 283-8127

SB92 Ver. I.A

### Sectional Analysis

#### **Section 1**

Adds titling to the requirements for boats placed on the waters of the state and expands to include documented vessels.

#### **Section 2**

Requires a barge that is operated on the waters of the state for 60 consecutive days to register with the state.

#### **Section 3**

Adds barges to existing boat registration requirements and includes federally documented vessels in existing registration requirements.

#### **Section 4**

Adds new section for titling of vessels, exempts vessels 24 feet and under, creates a mechanism for titling of vessels with inadequate proof of ownership.

#### **Section 5**

Repeals and reenacts existing fine provision in Title 5. There is no change and titling provision is not referenced.

#### **Section 6**

Adds barge registration at \$75 for a three-year period. This section also adds a titling fee or replacement title fee at \$20.

## **Section 7**

Adds definition for “barge”.

## **Section 8**

Repeals and reenacts existing definitions from Title 5.

## **Sections 9 & 10**

Clarifies existing language.

## **Section 11**

Raises the fine for violating the chapter from not less than \$500 to not less than \$5,000 or more than \$10,000 and lowers the maximum term of imprisonment from six months to 90 days.

## **Section 12**

Allows the department or a municipality to report violations to the Attorney General in order to enforce criminal penalties.

## **Section 13**

Adds new section allowing an aggrieved person to file a civil injunction with a penalty of not more than \$1,000 per violation.

## **Section 14**

Allows the department to provide written authorization for a vessel to be left within 14 days and clarifies language.

## **Section 15**

Changes section to pre-impoundment notice and hearing. Requires 30 days’ notice prior to impoundment, requires the impounding authority to post notice on vessel when possible and online.

## **Section 16**

Adds new subsections establishing notice specifications and defines the procedure for pre-impoundment hearings.

### **Section 17**

Adds new section establishing requirements for the notice of disposition.

### **Section 18**

New section providing clear guidelines of procedure for impoundment of a vessel by the state or by a municipality.

### **Section 19**

Removes requirement that an interested party taking possession of a derelict vessel post security.

### **Section 20**

Establishes procedure for the immediate impoundment of derelict vessels that pose an imminent threat to safety.

### **Section 21**

Adds new section stating that the individual owning an impounded vessel is liable for all costs incurred in the process.

### **Section 22**

Provides situations that would make a vessel considered derelict.

### **Section 23**

Gives the department the power to establish and administer the derelict vessel prevention program which includes education, outreach, an advisory council and creates a program fund which consists of money appropriated from donations, vessel sales under this chapter, federal funds, civil penalties and money collected from barge registration and titling of vessels.

### **Section 24**

Adds a section which gives peace officers, DNR, and municipalities the authority to enforce the chapter.

### **Section 25**

Adds "floating facility" to the definition of "vessel".

### **Section 26**

Adds definitions.

### **Section 27**

Names this chapter the Derelict Vessels Act.

### **Section 28**

Adds titling to Title 37.

### **Section 29**

Allows civil penalties collected under AS 30.30 to be deposited to the derelict vessel prevention program fund.

### **Section 30**

Removes repealed sections allowing the fund to remain without federal funding.

### **Section 31**

Repealing sections of AS 30.30.

### **Section 32**

Allows DNR and DOA to promulgate regulations.

### **Section 33-36**

Effective date sections