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1 IN THE HOUSE

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HOUSE BILL NO. 138

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act regulating the sale and use of TBT-based

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marine antifouling paints and coatings; and providing

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for an effective date."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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* Section 1. AS 46.03 is amended by adding a new section to read:

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Sec. 46.03.715. SALE AND USE OF TBT-BASED ANTIFOULING PAINT.

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(a) Except as otherwise provided in this section, a person may not

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sell or use TBT-based marine antifouling paint or coating in the

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state, nor may a person sell, rent, or lease in the state, or import

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into the state, or use in state water, a vessel, fishing gear, or

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other item intended to be immersed or submerged in water, if the

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vessel, gear, or item has been painted or treated with TBT-based

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marine antifouling paint or coating.

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(b) TBT-based marine antifouling paint or coating need not be

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removed from fishing gear, or from a vessel or other item that was

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painted or treated before July 1, 1987, but the vessel, gear, or item

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may not be repainted or retreated with TBT-based marine antifouling

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paint or coating. Fish culture or capture nets treated with TBT-based

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marine antifouling coating before July 1, 1987, may not be used in

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state water on or after July 1, 1992.

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(c) This section does not apply to

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(1) a vessel of the United States government;

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(2) a foreign vessel temporarily in state water;

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(3) a vessel of 5,000 gross tons or more; or

1 (4) a passenger vessel of 3,000 gross tons or more.

2 (d) In this section

3 (1) "TBT-based" means tributyltin-based;

4 (2) "vessel" means watercraft used or capable of being used
5 as a means of transportation on water, including aircraft equipped to
6 land on water.

7 * Sec. 2. This Act takes effect July 1, 1987.