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UEHLING AND STURGULEWSKI

1 IN THE SENATE

2

SENATE BILL NO. 131 am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act regulating the sale and use of TBT-based
7 marine antifouling paints and coatings; and providing
8 for an effective date."

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

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

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

12 (a) Except as otherwise provided in this section, a person may not
13 sell or use TBT-based marine antifouling paint or coating in the
14 state, nor may a person sell, rent, or lease in the state, or import
15 into the state, or use in state water, a vessel, fishing gear, or
16 other item intended to be immersed or submerged in water, if the
17 vessel, gear, or item has been painted or treated with TBT-based
18 marine antifouling paint or coating.

19 (b) TBT-based marine antifouling paint or coating need not be
20 removed from fishing gear, or from a vessel or other item that was
21 painted or treated before July 1, 1987, but the vessel, gear, or item
22 may not be repainted or retreated with TBT-based marine antifouling
23 paint or coating. Fish culture or capture nets treated with TBT-based
24 marine antifouling coating before July 1, 1987, may not be used in
25 state water on or after July 1, 1992.

26 (c) This section does not apply to

- 27 (1) a vessel of the United States government;
28 (2) a foreign vessel temporarily in state water;
29 (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 marine antifouling paint or coating" means a
4 paint, coating, or treatment that contains tributyltin, or a
5 tri-organotin compound used as a substitute for tributyltin, and that
6 is intended to control fouling organisms in the fresh water or marine
7 environment;

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

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