

**H C R**

**53**

Original sponsor(s): REP. JACKO

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE  
2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 53 (Transportation)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND SESSION  
5 Relating to abandoned vessels on the  
6 beaches of Alaska.  
7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
8 WHEREAS many abandoned vessels, including merchant vessels, fishing  
9 vessels, and other vessels, are grounded on the coast of Alaska; and  
10 WHEREAS abandoned vessels are an environmental hazard and are aesthet-  
11 ically unpleasing; and  
12 WHEREAS the state does not have the resources to salvage or dispose of  
13 abandoned vessels; and  
14 WHEREAS the state does not currently have statutory authority to  
15 impose liability on the owners of abandoned vessels for the cost of salvag-  
16 ing or demolishing abandoned vessels; and  
17 WHEREAS communities are not compensated for the aesthetic and physical  
18 trespass resulting from abandoned vessels;  
19 BE IT RESOLVED by the Alaska State Legislature that the governor is  
20 respectfully requested to <sup>assess</sup> ~~study~~ the problems posed by abandoned vessels and  
21 to make appropriate recommendations to the First Session of the Seventeenth  
22 Alaska State Legislature for legislation necessary to remedy existing  
23 problems and prevent future problems.

DATE: 4/4/90

FURTHER:

DATE TURNED INTO OFFICE: \_\_\_\_\_

Transportation Committee considered

CSHCR 53 (Trsp)

Abandoned vessels on the beaches of Alaska.

and recommended:

replace with 5 CS CSHCR 53 (trsp)  same title  
 or adopt \_\_\_\_\_ CS \_\_\_\_\_  new title  
 attached amendment(s)  technical  
 \_\_\_\_\_ letter of intent adopted  title change (HB only)

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

APPROVES PREVIOUS:

fiscal note(s) Dept/Date: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

fiscal note(s) Dept/Date: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_  
N. Iron (DOTRF)

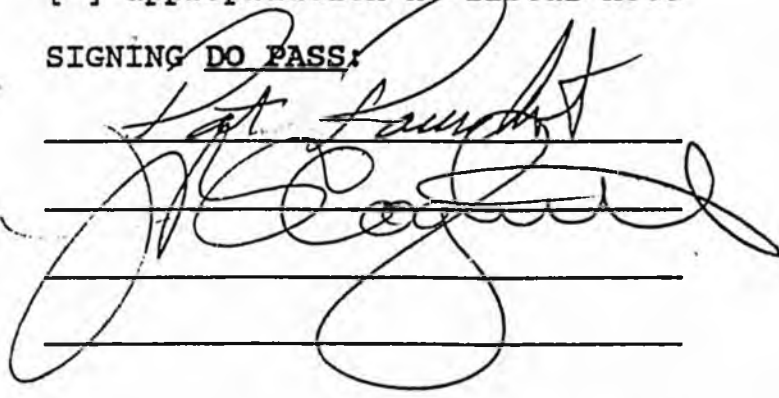
zero fiscal note(s) \_\_\_\_\_  
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appropriation-no fiscal note

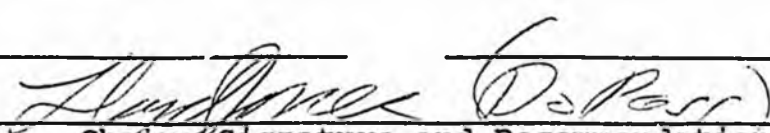
Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:



\_\_\_\_\_  
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 \_\_\_\_\_  
 Chair: Signature and Recommendation

DEPT. OF TRANSPORTATION & PUBLIC FACILITIES  
RAPICOM TRANSMITTAL LABEL

*All State Legislature  
Capitol, Rm 9*

Send to Rapicom Phone #: 465-3922 Location: Capitol, Rm 9  
 Deliver to (Name): Senator Jones (HWA) ok At Phone #: 465-3743  
 From Rapicom Phone #: 789-0529 Location: DOT&PF Juneau 7-Mile  
 From (Name): Jon Scribner At Phone #: 789-6261  
 Transmittal Date: 4/19/90 Number of Pages: 1  
 Comments: \_\_\_\_\_ (Plus Transmit Label)

MEMORANDUM (Brief Communications)

State of Alaska

|       |                                 |   |                        |
|-------|---------------------------------|---|------------------------|
| TO:   | Name<br><i>Senator Jones</i>    | Dept./Div./Sect.<br><i>Attn: Church</i> | Mail Stop              |
| FROM: | Name<br><i>Jon Scribner</i>     | Dept./Div./Sect.<br><i>DOT&amp;PF</i>   | Phone                  |
| SUBJ: | <i>HCR 53 Abandoned Vessels</i> |   | Date<br><i>4/19/90</i> |

I have an unavoidable conflict and will be unable to testify at the Senate Transportation Committee meeting at 1:30 pm 4/19/90 on HCR 53 regarding Abandoned Vessels.

Our department has only two comments regarding this resolution:

1. Although our department has certain responsibilities under the current law ~~it~~ regarding abandoned vessels in boat harbors the law should be modified to remove that authority from DOT&PF. It more appropriately should be placed with Public Safety or the land (tideland) manager, Dept of Natural Resources.
2. Should our department be asked to perform the study, we would need \$50,000. We are unable to speculate whether others would need funds to do the study.

*cc Katelyn McHugh*

02-001C (Rev. 8/65) DOT&PF does support the intent of the resolution subject to these comments.

# FISCAL NOTE

**REQUEST:**

Revision Date: 3/28/90

Agency Affected: DOT/PF

Title: Relating to abandoned vessels

BRU: \_\_\_\_\_

Sponsor: Rep. Jacko

Components: \_\_\_\_\_

Requestor: House Transportation

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

| OPERATING         | FY 91 | FY 92 | FY 93 | FY 94 | FY 95 | FY 96 |
|-------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES |       |       |       |       |       |       |
| TRAVEL            |       |       |       |       |       |       |
| CONTRACTUAL       |       |       |       |       |       |       |
| SUPPLIES          |       |       |       |       |       |       |
| EQUIPMENT         |       |       |       |       |       |       |
| LAND & STRUCTURES |       |       |       |       |       |       |
| GRANTS, CLAIMS    |       |       |       |       |       |       |
| MISCELLANEOUS     |       |       |       |       |       |       |
| TOTAL OPERATING   | -0-   | -0-   | -0-   | -0-   | -0-   | -0-   |

|         |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|
| CAPITAL | -0- | -0- | -0- | -0- | -0- | -0- |
|---------|-----|-----|-----|-----|-----|-----|

|         |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|
| REVENUE | -0- | -0- | -0- | -0- | -0- | -0- |
|---------|-----|-----|-----|-----|-----|-----|

**FUNDING:** (Thousands of Dollars)

|               |     |     |     |     |     |     |
|---------------|-----|-----|-----|-----|-----|-----|
| GENERAL FUND  | -0- | -0- | -0- | -0- | -0- | -0- |
| FEDERAL FUNDS |     |     |     |     |     |     |
| OTHER         |     |     |     |     |     |     |
| TOTAL         | -0- | -0- | -0- | -0- | -0- | -0- |

**POSITIONS:**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

ANALYSIS : (Attach a separate page if necessary)

Prepared by: [Signature]

Phone: 465 4858

Division: House Transportation Committee

Date: 3/28/90

Approved by Commissioner: [Signature]

Date: 3/28/90

Agency: House Transportation

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management

Impacted Agency

This fiscal note  
applies to TRSP  
SCSCSHCR5304

Fiscal note - DOT/PF



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

P O Box Y, State Capitol  
Juneau, Alaska 99811-1100  
Mail Stop 1100  
(907) 465-1991

June 15, 1989

MEMORANDUM

TO: Representative George Jacko

ATTN: Ingrid Jacobsen

FROM: Karla Hart *KH*  
Legislative Analyst

RE: Responsibility for Abandoned Vessels on Alaska Beaches  
Research Request 89.389

You requested information on abandoned vessels on Alaska beaches. Specifically, you asked what resources are dedicated to their removal, what agencies are involved, who is liable for the costs of removal and what environmental ramifications exist.

This memorandum addresses vessels which end up on Alaska beaches, whether abandoned on site or following accidental loss or grounding. In summary, there are no resources dedicated to the removal of abandoned vessels, nor is there any estimate on the number or environmental consequences of such vessels.

AGENCY RESPONSIBILITY AND INVOLVEMENT

Virtually all Alaska beaches are state-owned below mean high tide. Above mean high tide, where most vessels are ultimately grounded, property may be of federal, state, municipal or private ownership.

Federal

The U.S. Coast Guard is directly concerned with abandoned vessels under two circumstances: 1) if the vessel has petroleum products on board--making it a potential polluter, and 2) if the vessel is a hazard to navigation. In both instances, the Coast Guard first attempts to contact the owner of the vessel to address the problem. If no contact is made, then the incident becomes a federal case, with federal funds expended to remove potential pollutants and/or remove or destroy a vessel which is a hazard to navigation. Once the vessel no longer poses a pollution or navigation hazard, direct Coast Guard involvement ceases. Indirectly, local Coast Guard search and rescue personnel are aware of abandoned vessels which may confuse search and rescue operations in their jurisdiction.

Background Research

Representative Jacko  
June 15, 1989  
Page 2

The U.S. Forest Service has responsibility for the vast majority of coastal lands above mean high tide in southeast and portions of southcentral Alaska.<sup>1</sup> Although resources are not specifically allocated to the removal of abandoned vessels, such vessels may be removed by the Forest Service when a Forest Service vessel in the area can effect the removal while performing other tasks.

Abandoned vessels are treated under abandoned personal property regulations, requiring the Forest Service to provide 30 days notice before disposing of any abandoned personal property. If an abandoned vessel has registration numbers, the Forest Service attempts to contact the owner to remove the vessel. The Forest Service may cite individuals for illegally placing personal property (including boats) on National Forest Lands. [36 CFR 261.10(a), (e) and (j)]

Other federal agencies, including the National Park Service, Bureau of Land Management and Department of Defense, may also be concerned with abandoned vessels on property under their jurisdiction. These agencies were not contacted.

#### State of Alaska

Abandonment of vessels in Alaska is unlawful. Upon conviction, a person abandoning a vessel is guilty of a misdemeanor and is punishable by a fine of not more than \$500, or by imprisonment for a period of not more than six months, or both (AS 30.30.010).

The Department of Transportation and Public Facilities (DOT&PF) has statutory authority to deal with abandoned and derelict vessels (AS 30.30.010-100). Peace officers may also take abandoned vessels into custody, to be disposed of by DOT&PF. According to Jon Scribner, southeast regional director, DOT&PF, the department is concerned only with vessels which are abandoned within state harbor facilities (and most of those facilities are under municipal control and responsibility). The department does not expend, and has never expended, resources on vessels abandoned outside of state harbor facilities.

As manager of state lands, including all tidelands, the Department of Natural Resources (DNR) is concerned with abandoned vessels; however, DNR has neither statutory authority nor funding to address this concern. Gary Gustafson, director, Division of Land and Water Management, DNR, said that in addition to

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<sup>1</sup>The Forest Service is interested in any state efforts to deal with abandoned boats. Contact: Vivian Keyes, USFS, Juneau 789-3111.

Representative Jacko  
June 15, 1989  
Page 3

being potential pollutants and nuisances, abandoned vessels pose potential liability problems.<sup>2</sup>

The Department of Environmental Conservation is involved with abandoned vessels only to the extent that they pose pollution concerns. No resources are allocated specifically for problems associated with abandoned vessels.

#### Municipal

Municipalities may adopt ordinances addressing vessels abandoned within their boundaries. In addition, municipal peace officers may take possession of abandoned vessels and turn them over to DOT&PF for disposal (AS 30.30.010-020).

#### ALTERNATIVES FOR CONSIDERATION

The Department of Natural Resources may be a more appropriate agency than the Department of Transportation and Public Facilities to address the removal or destruction of vessels abandoned outside of improved harbors. Of three coastal states with statutes specifically addressing abandoned vessels, Hawaii places authority within their Department of Transportation, Florida within the Department of Natural Resources and Oregon with their sheriffs.

Under present Alaska statutes relating to abandoned and derelict vessels, there are no provisions for recovering the cost of removing or destroying an abandoned vessel. In Florida, "All costs incurred by the department [of Natural Resources] in the removal of any abandoned or derelict vessel [when the same obstructs or threatens navigation or in any way constitutes a danger to the environment] shall be recoverable against the owner thereof."<sup>3</sup>

To support the removal of abandoned vessels (and perhaps marine litter in general), a grant program could be established.<sup>4</sup> One source of funding for

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<sup>2</sup>The Department of Natural Resources is presently involved in legal action, in cooperation with the Departments of Law and Environmental Conservation and local governments and a village corporation, against the owners and insurers of two crab processing vessels which are grounded near the communities of St. Paul and Dutch Harbor.

<sup>3</sup>Florida Statutes 823.11.

<sup>4</sup>A portion of the Florida Coastal Protection Trust Fund (revenues derived from taxes and fees levied against potential pollutants upon importation to Florida) is used to fund a grant program to coastal local governments for the removal of derelict vessels from the public waters of the state.

Representative Jacko  
June 15, 1989  
Page 4

such a program would be to impose an additional fee on boat owners at the time of vessel registration. Legislation to provide for state conducted registration of vessels is presently under consideration (HB 134 and SB 111).

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I hope this information is helpful. If you have questions, please call.

Article 1. Abandoned Vessels.

|   |   |
|---|---|
| <p><b>Section</b></p> <p>10. Abandonment of vessel unlawful</p> <p>20. Disposition of certain abandoned vessels</p> <p>30. Limitation on applicability</p> <p>40. Notice to owner</p> | <p><b>Section</b></p> <p>50. Public auction</p> <p>60. Possession by interested party</p> <p>70. When public auction not required</p> <p>80. Effect of sale</p> |
|---|---|

**Sec. 30.30.010. Abandonment of vessel unlawful.** (a) A person may not store or leave a vessel in a wrecked, junked or substantially dismantled condition or abandoned upon any public water, or at a port or harbor, of the state, without the consent of the agency having jurisdiction of the water, port or harbor, or docked at any private property without the consent of the owner of the property.

(b) The department or a peace officer may remove a derelict vessel from public water in any instance when the vessel obstructs or threatens to obstruct navigation, contributes to air or water pollution, or in any other way constitutes a danger or potential danger to the environment.

(c) This section may not be construed to contravene any applicable federal law or regulation.

(d) A person who violates this section, upon conviction, is guilty of a misdemeanor and is punishable by a fine of not more than \$500, or by imprisonment for a period of not more than six months, or by both. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.020. Disposition of certain abandoned vessels.** A vessel that has been left unattended for a continuous period of more than 30 days and is in the waters of the state or on public property, or is on private property without authorization of the owner or occupant of the property, may be taken into custody by the department or a peace officer and disposed of by the department under this chapter. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.030. Limitation on applicability.** Wherever outside of an organized municipality in the state it is, or has become, the custom, common or accepted practice to anchor, moor or otherwise leave a vessel in a port or harbor, or in the public waters, of the state in such a manner that it does not threaten or obstruct navigation, or to store or otherwise leave a vessel without permission on public or private property, unattended for a period of more than 30 days, where climatic conditions make use of the vessel impracticable, or applicable provisions of law preclude use of the vessel during that period of time, the unattended anchoring, mooring, storing or leaving of the vessel does not constitute abandonment of the vessel as that term is used in AS 30.30.010 — 30.30.020. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.040. Notice to owner.** On taking custody of an abandoned vessel, a written notice immediately shall be posted on the vessel

and a duplicate return receipt owner's last known address of a state or federal vessel, if not received. A notice need whose interest a federal agency

**Sec. 30.30.** within 20 days disposed of by after public general circulation than five days received, the donated to a

**Sec. 30.30.** an interest in date of the port or harbor use and any other the vessel. registered vessel, pay security when security, if receipt. (§ 1

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**Sec. 30.30.** under AS 30.30.040 from the department governed by

and a duplicate of that notice sent by registered or certified mail, with a return receipt, to the registered owner of the vessel at the registered owner's last known address and to all lienholders shown on the records of a state or federal agency. The notice shall contain a brief description of the vessel, the location of custody, and the intended disposition of the vessel if not repossessed within 20 days after the mailing of the notice. A notice need not be sent to the purported owner or any other person whose interest in the vessel is not recorded with a state department or a federal agency. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.050. Public auction.** If the vessel is not repossessed within 20 days after the mailing of the notice, the vessel shall be disposed of by public auction, through oral tenders, or by sealed bids, after public advertisement has been made once in a newspaper of general circulation. However, the public auction may not be held less than five days after the publication of the advertisement. If no bid is received, the vessel may be sold by negotiation, disposed of as junk, donated to a governmental agency, or destroyed. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.060. Possession by interested party.** A person having an interest in an abandoned vessel may take possession of it before the date of the public auction upon payment to the department of all port or harbor use fees, towing, handling, storage, appraisal, advertising and any other expenses incurred by the department in connection with the vessel. If the person taking possession of the vessel is not the registered owner, the person shall, before taking possession of the vessel, pay the expenses incurred by the department and post adequate security which may not exceed the appraised value of the vessel. The security, if not forfeited, shall be returned to the person one year after receipt. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.070. When public auction not required.** Public auction is not required when the appraised value of an abandoned vessel, as determined by an independent appraiser is less than \$100. The appraiser must have at least one year of experience in the sale, purchase or appraisal of vessels. Upon that determination and after public advertisement has been made once in a newspaper of general circulation, the department may sell the vessel by negotiation, dispose of it as junk, donate the vessel to a governmental agency, or destroy it. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.080. Effect of sale.** The transfer of interest by sale under AS 30.30.050 — 30.30.070 shall be evidenced by a bill of sale from the department, considered a transfer by operation of law, and governed by applicable provisions of law. (§ 1 ch 131 SLA 1975)

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**Article 2. Derelict Vessels.**

**Section**

- 90. Derelict vessel
- 100. Disposition of derelict vessel

**Sec. 30.30.090. Derelict vessel.** A vessel that has been left unattended for a continuous period of more than 24 hours is a derelict if

- (1) the vessel is sunk or in immediate danger of sinking, is obstructing a waterway, or is endangering life or property; or
- (2) the vessel has been moored or otherwise left in the water of the state or on public property contrary to law, or regulations adopted by the department, or the vessel has been left on private property without authorization of the owner or occupant of the property and if
  - (A) the vessel's certificate of number or marine document has expired and the registered owner no longer resides at the address listed in the vessel registration or marine document records of a state department or the United States Coast Guard;
  - (B) the last registered owner of record disclaims ownership and the current owner's name or address cannot be determined;
  - (C) the vessel identification numbers and other means of identification have been obliterated or removed in a manner that nullifies or precludes efforts to locate or identify the owner; or
  - (D) the vessel registration records of a state department and the marine document records of the United States Coast Guard contain no record that the vessel ever has been registered or documented and the owner's name or address cannot be determined. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.100. Disposition of derelict vessel.** (a) The department may take or cause a derelict vessel to be taken into custody immediately. Upon taking custody of a derelict vessel the department shall concurrently

- (1) publish a notice of intended disposition once in a newspaper of general circulation;
- (2) when possible, post a notice of intended disposition on the vessel; and
- (3) serve a duplicate of the notice of intended disposition by certified mail, with a return receipt, on
  - (A) the registered owner of the vessel, if known, at the registered owner's last known address or the address on record with a state department or the United States Coast Guard; and
  - (B) all lienholders who have filed a financing statement indexed in the name of the registered owner, or who are shown on the records of a state department or the United States Coast Guard.

(b) If the vessel is not repossessed within 20 days after the publication or mailing of the notice, whichever occurs later, the vessel may be disposed of by negotiated sale except that when two or more

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**Article**

**Section**

- 110. Disposit  
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prospective purchasers indicate an interest in purchasing the vessel the vessel will be sold at public auction to the highest bidder in the same manner prescribed under AS 30.30.050.

(c) If no prospective purchaser indicates a desire to purchase the vessel, the vessel may be disposed of as junk, donated to a governmental agency, or destroyed. (§ 1 ch 131 SLA 1975)

Collateral references. — Wrecked vessels: rights in and ownership of wrecked or derelict vessels and their contents not cast upon the shore, 63 ALR2d 1369.

### Article 3. Vessels Abandoned on Business Premises of Persons Engaged in Repair Business.

| Section  | Section                            |
|--|------------------------------------|
| 110. Disposition of vessels by persons in vessel repair business | 130. Sale or disposition of vessel |
| 120. When vessel abandoned                                       | 140. Disposition of proceeds       |
|  | 150. Effect of transfer of title   |

**Sec. 30.30.110. Disposition of vessels by persons in vessel repair business.** When a person abandons a vessel on the premises of a vessel repair business, the owner of the business or the business owner's authorized representative may sell or dispose of the vessel under AS 30.30.110 — 30.30.150. (§ 1 ch 131 SLA 1975)

**Sec. 30.30.120. When vessel abandoned.** A vessel is abandoned on the premises of a vessel repair business when all of the following conditions have been satisfied:

(1) the service requested or required by a person whose vessel is towed or brought to a vessel repair business, including but not limited to towing and rendering estimates of the cost of repairs, has been performed;

(2) no authorization is given to perform any further service with respect to the vessel, but the vessel is left on the repair business premises;

(3) the owner of the repair business or the business owner's authorized representative has given notice by registered or certified mail, with a return receipt, to the registered owner of the vessel at the address on record at the vessel repair business and the address on record in a state department or the United States Coast Guard, and to any person with a recorded interest in the vessel, stating that if the vessel is not repossessed within 30 days after the mailing of the notice it will be sold or disposed of; the notice also shall contain a description of the vessel and its location, and it need not be sent to an owner or a person with an unrecorded interest in the vessel whose name or address cannot be determined; and

(4) the vessel is not repossessed within the 30-day period specified in (3) of this section. (§ 1 ch 131 SLA 1975)

Sec. 30.30.130. Sale or disposition of vessel. When a vessel is abandoned, the owner of the vessel repair business, or the business owner's authorized representative, after one public advertisement in a newspaper of general circulation in the state, may negotiate a sale of the vessel or dispose of it. However, the vessel may not be sold or disposed of within less than five days after publication of the advertisement. (§ 1 ch 131 SLA 1975)

Sec. 30.30.140. Disposition of proceeds. The authorized seller of the abandoned vessel is entitled to the proceeds of the sale to the extent that compensation is due to the seller for services rendered with respect to the vessel, including reasonable and customary charges for towing, handling, storage, and the cost of notices and advertising required by AS 30.30.130. A lienholder shall receive priority of payment from the balance of the proceeds to the extent of the lien. Any remaining balance shall be forwarded to the registered owner of the vessel, if the registered owner can be found. If the registered owner cannot be found, the balance shall be deposited with the commissioner of administration and shall be paid out to the registered owner of the vessel if a proper claim is filed for it within one year from the execution of the sale agreement. If no claim is made within that year, the money shall escheat to the state. (§ 1 ch 131 SLA 1975)

Sec. 30.30.150. Effect of transfer of title. The transfer of title and interest by sale under AS 30.30.140 is a transfer by operation of law. However, a bill of sale executed by an authorized seller is satisfactory evidence authorizing the transfer of the title or interest. (§ 1 ch 131 SLA 1975)

Article 4. Miscellaneous.

Section

- 160. Regulations
- 170. Definitions
- 180. Short title

Sec. 30.30.160. Regulations. The department shall adopt regulations under the Administrative Procedure Act (AS 44.62) to carry out the provisions of this chapter. (§ 1 ch 131 SLA 1975)

Sec. 30.30.170. Definitions. In this chapter

- (1) "department" means the Department of Transportation and Public Facilities, division of waters and harbors;
- (2) "municipality" means a home rule or general law borough or city including but not limited to a unified municipality organized under AS 29.68;
- (3) "vessel" means every description of watercraft or other artificial contrivance, other than a seaplane on the water, used or capable of being used as a means of transportation on or through the water;

(4) "water territorial state, as of § 11 (197

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## Chapter 15. State Participation in Port Facilities and Development.

### Section

#### 70. Definitions

**Sec. 30.15.070. Definitions.** In this chapter

(1) "commissioner" means commissioner of transportation and public facilities;

(2) "department" means Department of Transportation and Public Facilities;

(3) *[Repealed, § 88 ch 74 SLA 1985.]*

(4) "port facilities" means docks, wharves, bulkheads, seawalls, landfills, warehouses, staging areas, transfer spans and aprons, lifting equipment and similar structures together with the necessary equipment and facilities required to accommodate waterborne commerce and shipping, including but not limited to combined port and ferry terminal facilities;

(5) "project costs" means the cost of financing or borrowing, site acquisition and rights-of-way, planning, engineering and designing, construction, equipment acquisition and installation, but does not include the cost of operation or maintenance of the port facilities once constructed or the cost of feasibility studies required in making application for a grant under this chapter. (§ 1 ch 85 SLA 1974; am E.O. No. 39, § 11 (1977); am § 88 ch 74 SLA 1985)

**Effect of amendments.** -- The 1985 amendment repealed paragraph (3), which defined "municipality."

## Chapter 30. Abandoned and Derelict Vessels.

### Article

#### 4. Miscellaneous (§ 30.30.170)

### Article 4. Miscellaneous.

### Section

#### 170. Definitions

**Sec. 30.30.170. Definitions.** In this chapter

(1) "department" means the Department of Transportation and Public Facilities, division of waters and harbors;

(2) *[Repealed, § 88 ch 74 SLA 1985.]*

(3) "vessel" means every description of watercraft or other artificial contrivance, other than a seaplane on the water, used or capable of being used as a means of transportation on or through the water;

(4) "waters territorial limit" means the boundary between the state, as defined in § 11 (1977);

**Effect of amendment repealed** which defined "r"

§ 30.30.170

## Facilities

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aprons, lifting  
cessary equip-  
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port and ferry

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1974; am E.O.

## Vessels.

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gh the water;

§ 30.30.170 NAVIGATION, HARBORS AND SHIPPING § 30.30.170

(4) "waters of this state" means the navigable waters within the territorial limits of the state, and the marginal sea adjacent to the state, as defined in AS 44.03. (§ 1 ch 131 SLA 1975; am E.O. No. 39, § 11 (1977); am § 88 ch 74 SLA 1985)

**Effect of amendments.** — The 1985 amendment repealed paragraph (2), which defined "municipality."

Boyle Edward 465-4942

| DATE      | NAME                           | WHERE             | POLLUTION   | DISPOSITION                                       | UCN    |
|-----------|--------------------------------|-------------------|-------------|---|--------|
| 2 OCT     | TUG EASTERN                    | WILKSTONE NARROWS | NONE        | REFLOATED   | UCN 01 |
| 10 NOV 88 | M/V CITY OF SEATTLE            | ATKA              | UNK         | UNK   | UCN 8  |
| 3 DEC     | F/V OPTY                       | SHEMYA            | UNK         | UNK   | INFO 0 |
| 10 DEC    | M/V RUSSELL MAJAN              | AKUN              | NONE        | THERE TO STAY<br>DETACHED/BURNED                  | UCN 1  |
| 12 DEC    | F/V DRYBARREL                  | CLARENCE STRAIT   | NONE        | UNK   | UCN 1  |
| 13 JAN    | M/V NO. 6 CHIL 30 DAN          | UNALYKA ISLAND    | YES (SHEEN) | THERE TO STAY<br>DETACHED/BURNED<br>STILL BURNING | UCN 0  |
| 25 JAN    | F/V TERMINATOR                 | ST PAUL           | YES         | (POSSIBILITY OF ILLUSTRATING)                     | INFO 0 |
| 11 JAN    | F/V CHRISTINE                  | WATSONS NARROWS   | NONE        | REFLOATED   | UCN 0  |
| 25 JAN    | F/V HIGHWAY 15                 | WATSONS NARROWS   | NONE        | REFLOATED   | UCN 0  |
| 02 MAR    | F/V SULLIVE                    | USHAGAT ISLAND    | NONE        | UNK<br>(BELIEVE REFLOATED)                        | UCN 0  |
| 02 MAR    | F/V DAILY BURNING              | USHAGAT ISLAND    | NONE        | UNK<br>(BELIEVE REFLOATED)                        | UCN 0  |
| 05 MAR    | F/V SPENCER 1                  | PORT HUGHTONS     | UNK         | UNK<br>(BELIEVE STILL THERE)                      | UCN 0  |
| 25 MAR    | F/V KREBEKING                  | SNOW PATZ         | NONE        | REFLOATED   | UCN 0  |
| 24 MAR    | H/I MANNING SEAL               | SUSANSON HBR      | NONE        | REFLOATED   | UCN 0  |
| 5 APR     | F/V MARIANA <del>TRAWLER</del> | CRUIQ             | NONE        | REFLOATED   | UCN 0  |
| 28 FEB    | M/V SMALLWOOD                  | DUTCH HARBOR      | YES         | STILL APPROX<br>(PROBABLY TO STAY)                |        |
| 14 MAR    | T/V EXXON VDE                  | BIGHILL, P.W. 9   | YES         | REFLOATED   |        |

1 OCT 88 TO 24 APR 89

17 GROUNDINGS  
 4-5 STRANDED  
 7-9 REFLOATED  
 4 POLLUTION INCIDENTS  
 (OIL IN WATER)

FOR FURTHER INFO:

A MARINE SAFETY ANCHORAGE 271-513-  
 B MARINE SAFETY KETCHIKAN 225-449  
 C MARINE SAFETY OFFICE <sup>VALDEZ</sup> 835-4791

List of Vessels