
HOUSE BILL 2589

State of Washington 60th Legislature 2008 Regular Session

By Representatives Lantz, Seaquist, Campbell, and Chase

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1 AN ACT Relating to a maritime historic vessel restoration and
2 preservation program; amending RCW 88.02.050, 88.02.050, and 88.02.053;
3 adding a new section to chapter 27.34 RCW; repealing RCW 88.02.052;
4 providing an effective date; and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 27.34 RCW
7 to read as follows:

8 (1) The Washington state historical society shall establish a
9 competitive grant program and process to solicit proposals for a
10 maritime historic vessel restoration and preservation program for
11 funding from the maritime historic restoration and preservation account
12 established in RCW 88.02.053.

13 (2) The Washington state historical society shall adopt policies
14 governing project eligibility and evaluation criteria.

15 (3) Application for funding of specific projects may be made to the
16 Washington state historical society by local governments, public
17 development authorities, nonprofit corporations, tribal governments,
18 and other entities, as determined by the Washington state historical
19 society.

1 (4) The Washington state historical society must evaluate and rank
2 applications in consultation with a citizen advisory committee using
3 objective criteria, and shall establish and submit a prioritized list
4 of maritime historic vessel restoration and preservation projects to
5 the governor and the legislature in the society's biennial budget
6 request. The list must include a description of each project, the
7 amount of recommended state funding, and documentation of nonstate
8 funds to be used for the project.

9 (5) The Washington state historical society shall not sign
10 contracts or otherwise financially obligate funds under this section
11 until the legislature has approved a specific list of projects. In
12 contracts for grants authorized under this section, the Washington
13 state historical society shall include provisions requiring that
14 capital improvements be held by the grantee for a specified period of
15 time appropriate to the amount of the grant and that facilities be used
16 for the express purpose of the grant. If the grantee is found to be
17 out of compliance with provisions of the contract, the grantee shall
18 repay to the maritime historic restoration and preservation account the
19 principal amount of the grant plus interest calculated at the rate of
20 interest on state of Washington general obligation bonds issued most
21 closely to the date of authorization of the grant.

22 (6) The amount of state funding may not exceed fifty percent of the
23 total cost of the project. The nonstate portion of the total project
24 cost may include cash, the value of real property when acquired solely
25 for the purpose of the project, and in-kind contributions.

26 (7) The total amount of recommended state funding for projects on
27 a biennial project list may not exceed the biennial balance of the
28 maritime historic restoration and preservation account.

29 **Sec. 2.** RCW 88.02.050 and 2007 c 342 s 5 are each amended to read
30 as follows:

31 (1) Application for a vessel registration shall be made to the
32 department or its authorized agent in the manner and upon forms
33 prescribed by the department. The application shall state the name and
34 address of each owner of the vessel and such other information as may
35 be required by the department, shall be signed by at least one owner,
36 and shall be accompanied by a vessel registration fee of ten dollars
37 and fifty cents per year and the excise tax imposed under chapter 82.49

1 RCW. One dollar of this vessel registration fee must be deposited into
2 the maritime historic restoration and preservation account created in
3 RCW 88.02.053.

4 (2) Five additional dollars must be collected annually from every
5 vessel registration application. These moneys must be distributed in
6 the following manner:

7 (a) Two dollars must be deposited into the derelict vessel removal
8 account established in RCW 79.100.100. If the department of natural
9 resources indicates that the balance of the derelict vessel removal
10 account, not including any transfer or appropriation of funds into the
11 account or funds deposited into the account collected under RCW
12 88.02.270, reaches one million dollars as of March 1st of any year, the
13 collection of the two-dollar fee must be suspended for the following
14 fiscal year.

15 (b) One dollar and fifty cents must be deposited in the aquatic
16 invasive species prevention account created in RCW 77.12.879.

17 (c) One dollar must be deposited into the freshwater aquatic algae
18 control account created in RCW 43.21A.667.

19 (d) Fifty cents must be deposited into the aquatic invasive species
20 enforcement account created in RCW 43.43.400.

21 (3) Any fees required for licensing agents under RCW 46.01.140
22 shall be in addition to the ten dollar and fifty cent annual
23 registration fee and the five-dollar fee created in subsection (2) of
24 this section.

25 (4) Upon receipt of the application and the registration fee, the
26 department shall assign a registration number and issue a decal for
27 each vessel. The registration number and decal shall be issued and
28 affixed to the vessel in a manner prescribed by the department
29 consistent with the standard numbering system for vessels set forth in
30 volume 33, part 174, of the code of federal regulations. A valid decal
31 affixed as prescribed shall indicate compliance with the annual
32 registration requirements of this chapter.

33 (5) The vessel registrations and decals are valid for a period of
34 one year, except that the director of licensing may extend or diminish
35 vessel registration periods, and the decals therefor, for the purpose
36 of staggered renewal periods. For registration periods of more or less
37 than one year, the department may collect prorated annual registration
38 fees and excise taxes based upon the number of months in the

1 registration period. Vessel registrations are renewable every year in
2 a manner prescribed by the department upon payment of the vessel
3 registration fee, excise tax, and the derelict vessel fee. Upon
4 renewing a vessel registration, the department shall issue a new decal
5 to be affixed as prescribed by the department.

6 (6) When the department issues either a notice to renew a vessel
7 registration or a decal for a new or renewed vessel registration, it
8 shall also provide information on the location of marine oil recycling
9 tanks and sewage holding tank pumping stations. This information will
10 be provided to the department by the state parks and recreation
11 commission in a form ready for distribution. The form will be
12 developed and prepared by the state parks and recreation commission
13 with the cooperation of the department of ecology. The department, the
14 state parks and recreation commission, and the department of ecology
15 shall enter into a memorandum of agreement to implement this process.

16 (7) A person acquiring a vessel from a dealer or a vessel already
17 validly registered under this chapter shall, within fifteen days of the
18 acquisition or purchase of the vessel, apply to the department or its
19 authorized agent for transfer of the vessel registration, and the
20 application shall be accompanied by a transfer fee of one dollar.

21 **Sec. 3.** RCW 88.02.050 and 2007 c 342 s 6 are each amended to read
22 as follows:

23 Application for a vessel registration shall be made to the
24 department or its authorized agent in the manner and upon forms
25 prescribed by the department. The application shall state the name and
26 address of each owner of the vessel and such other information as may
27 be required by the department, shall be signed by at least one owner,
28 and shall be accompanied by a vessel registration fee of ten dollars
29 and fifty cents per year and the excise tax imposed under chapter 82.49
30 RCW. One dollar of this vessel registration fee must be deposited into
31 the maritime historic restoration and preservation account created in
32 RCW 88.02.053. In addition, two additional dollars must be collected
33 annually from every vessel registration application. These moneys must
34 be deposited into the derelict vessel removal account established in
35 RCW 79.100.100. If the department of natural resources indicates that
36 the balance of the derelict vessel removal account, not including any
37 transfer or appropriation of funds into the account or funds deposited

1 into the account collected under RCW 88.02.270, reaches one million
2 dollars as of March 1st of any year, the collection of the two-dollar
3 fee must be suspended for the following fiscal year. Any fees required
4 for licensing agents under RCW 46.01.140 shall be in addition to the
5 ten dollar and fifty cent annual registration fee and the two-dollar
6 derelict vessel fee.

7 Upon receipt of the application and the registration fee, the
8 department shall assign a registration number and issue a decal for
9 each vessel. The registration number and decal shall be issued and
10 affixed to the vessel in a manner prescribed by the department
11 consistent with the standard numbering system for vessels set forth in
12 volume 33, part 174, of the code of federal regulations. A valid decal
13 affixed as prescribed shall indicate compliance with the annual
14 registration requirements of this chapter.

15 The vessel registrations and decals are valid for a period of one
16 year, except that the director of licensing may extend or diminish
17 vessel registration periods, and the decals therefor, for the purpose
18 of staggered renewal periods. For registration periods of more or less
19 than one year, the department may collect prorated annual registration
20 fees and excise taxes based upon the number of months in the
21 registration period. Vessel registrations are renewable every year in
22 a manner prescribed by the department upon payment of the vessel
23 registration fee, excise tax, and the derelict vessel fee. Upon
24 renewing a vessel registration, the department shall issue a new decal
25 to be affixed as prescribed by the department.

26 When the department issues either a notice to renew a vessel
27 registration or a decal for a new or renewed vessel registration, it
28 shall also provide information on the location of marine oil recycling
29 tanks and sewage holding tank pumping stations. This information will
30 be provided to the department by the state parks and recreation
31 commission in a form ready for distribution. The form will be
32 developed and prepared by the state parks and recreation commission
33 with the cooperation of the department of ecology. The department, the
34 state parks and recreation commission, and the department of ecology
35 shall enter into a memorandum of agreement to implement this process.

36 A person acquiring a vessel from a dealer or a vessel already
37 validly registered under this chapter shall, within fifteen days of the

1 acquisition or purchase of the vessel, apply to the department or its
2 authorized agent for transfer of the vessel registration, and the
3 application shall be accompanied by a transfer fee of one dollar.

4 **Sec. 4.** RCW 88.02.053 and 1996 c 3 s 2 are each amended to read as
5 follows:

6 (1) The maritime historic restoration and preservation account is
7 created in the custody of the state treasurer. ~~((All receipts from the
8 voluntary donations made simultaneously with the registration of
9 vessels under chapter 88.02 RCW shall be deposited into this account.
10 These deposits are not public funds and are not subject to allotment
11 procedures under chapter 43.88 RCW.))~~ Moneys in the account may be
12 spent only after appropriation and only for purposes of the maritime
13 historic vessel restoration and preservation program created in section
14 1 of this act.

15 (2) At the end of each fiscal year, the state treasurer shall pay
16 from this account to the department of licensing an amount equal to the
17 reasonable administrative expenses of that agency for that fiscal year
18 for collecting the voluntary donations and transmitting them to the
19 state treasurer and shall pay to the state treasurer an amount equal to
20 the reasonable administrative expenses of that agency for that fiscal
21 year for maintaining the account and disbursing funds from the account.

22 (3) At the end of each fiscal year, the Washington state
23 ~~((treasurer))~~ historical society shall ~~((pay one half))~~ transfer ten
24 percent of the balance of the funds in the account ~~((after payment of
25 the administrative costs provided in subsection (2) of this section,))~~
26 to the Grays Harbor historical seaport or its corporate successor and
27 ~~((the remainder))~~ ten percent of the balance of the funds in the
28 account to the Steamer Virginia V foundation or its corporate
29 successor.

30 (4) If either the Grays Harbor historical seaport and its corporate
31 successors or the Steamer Virginia V foundation and its corporate
32 successors legally ceases to exist, the ~~((state treasurer shall, at the
33 end of each fiscal year, pay the balance of the funds in the account to
34 the remaining organization))~~ Washington state historical society shall
35 retain those funds that would have been transferred.

36 (5) If both the Grays Harbor historical seaport and its corporate
37 successors and the Steamer Virginia V foundation and its corporate

1 successors legally cease to exist, the ((department of licensing shall
2 discontinue the collection of the voluntary donations in conjunction
3 with the registration of vessels under RCW 88.02.052, and the balance
4 of the funds in the account escheat to the state. If funds in the
5 account escheat to the state, one half of the fund balance shall be
6 provided to the office of archaeology and historic preservation and the
7 remainder shall be deposited into the parks renewal and stewardship
8 account.

9 (6) The secretary of state, the directors of the state historical
10 societies, the director of the office of archaeology and historic
11 preservation within the department of community, trade, and economic
12 development, and two members representing the recreational boating
13 community appointed by the secretary of state, shall review the success
14 of the voluntary donation program for maritime historic restoration and
15 preservation established under RCW 88.02.052 and report their findings
16 to the appropriate legislative committees by January 31, 1998. The
17 findings must include the progress of the program and the potential to
18 expand the voluntary funding to other historic vessels)) entire account
19 balance will be available for the maritime historic vessel preservation
20 and restoration program established in section 1 of this act.

21 NEW SECTION. Sec. 5. RCW 88.02.052 (Voluntary donations in
22 conjunction with registration--Maritime historic restoration and
23 preservation) and 1996 c 3 s 1 are each repealed.

24 NEW SECTION. Sec. 6. Section 2 of this act expires June 30, 2012.

25 NEW SECTION. Sec. 7. Section 3 of this act takes effect June 30,
26 2012.

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