
**Agriculture & Natural Resources
Committee**

HB 1256

Brief Description: Providing the department of natural resources with discretionary authority to use resources available in the derelict vessel removal account to fund complementary derelict vessel prevention programs.

Sponsors: Representatives Tharinger, Fitzgibbon, Buys, Hansen, Lytton, Wylie, Fey, Dunshee, Riccelli, Jinkins, Reykdal, Stanford and Clibborn.

Brief Summary of Bill

- Provides the Department of Natural Resources with the discretionary authority to use any funds in the Derelict Vessel Removal Account to help fund locally-focused derelict vessel prevention programs that are designed to identify potentially problem vessels and connect vessel owners with relevant community resources.

Hearing Date: 1/28/15

Staff: Jason Callahan (786-7117).

Background:

An authorized public entity (APE), which includes most state and local owners of aquatic lands and shorelines, has the discretionary authority to remove and destroy a vessel within its jurisdiction that has become abandoned or derelict. The Department of Natural Resources (DNR) has an oversight and rulemaking role in the removal and disposal process. The DNR also has authority to remove any vessel within the jurisdiction of an APE that asks the DNR to act in its place.

The DNR manages the Derelict Vessel Removal Account (Account) as part of its derelict vessel program. Monies in the Account are primarily used to reimburse the APEs for 90 percent of the costs associated with removing and disposing of abandoned or derelict vessels when the owner

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of the vessel is unknown or unable to pay. The Account may also be used to develop and administer a vessel turn in program that allows the DNR to dismantle and dispose of vessels that pose a high risk of becoming a derelict vessel or abandoned vessel, but that do not yet meet the definition of those terms.

The Account receives funds from two primary sources. The first is from recreational vessel owners who are required to annually register their vessels. The vessel registration program requires the payment of a \$2 derelict vessel removal fee. In addition, there is a \$1 derelict vessel surcharge dedicated to removing larger boats. The second fee that funds the Account is a fee on certain commercial vessels. The commercial vessel fee is set at \$3 per vessel foot and collected annually by the Department of Revenue at the time, and during the years, personal property taxes for the vessel are due.

The DNR is authorized to use up to 20 percent of the funds in the Account for the state's administrative expenses in implementing a derelict vessel program.

Summary of Bill:

The DNR is provided with the authority to use any funds in the Account to help fund locally-focused derelict vessel prevention programs that are designed to identify potentially problematic vessels and connect vessel owners with relevant community resources. The authority for the DNR to use funds in the Account for local prevention programs is discretionary. The DNR may only use funds in the Account for prevention if the DNR determines that it is the most effective use of the funds in the Account. Any spending by the DNR on prevention programs is exempted from the limit on the percentage of funds in the Account that may be used for administration.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.