

HOUSE BILL REPORT

HB 2158

As Reported By House Committee On:
Natural Resources & Parks

Title: An act relating to abandoned vessels.

Brief Description: Authorizing public agencies to secure abandoned vessels at public facilities.

Sponsors: Representatives Pruitt and Hansen; by request of Parks and Recreation Commission.

Brief History:

Reported by House Committee on:
Natural Resources & Parks, January 26, 1994, DPS.

HOUSE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Pruitt, Chair; R. Johnson, Vice Chair; McMorris, Assistant Ranking Minority Member; Dunshee; Linville; Schoesler; Sheldon; B. Thomas; Valle; and Wolfe.

Staff: Tim Burke (786-7103).

Background: The Parks and Recreation Commission manages numerous marine facilities used by boaters. Some vessel owners have abandoned their vessels at park facilities. Others have left their vessels at park facilities for much longer than allowed and have failed to pay the required moorage charges. Sometimes these abandoned vessels and vessels left without authorization have sunk or resulted in gasoline or oil discharges into marine waters. Commonly, they have interfered with the public's use of state parks. The commission has met with serious difficulties in providing for the removal of these problem vessels.

Summary of Substitute Bill: The Parks and Recreation Commission is authorized to "secure" vessels located on park property that are: on the property without authorization; present a nuisance or threat to the environment, public health or park property; or are in danger of sinking.

The commission is authorized to hold a "secured" vessel until the vessel owner makes arrangements with the commission for the vessel's removal and pays the commission

its charges for securing the vessel. If the vessel is not claimed within a certain period, the commission is authorized to sell the vessel to the highest bidder at a public sale. The commission must provide detailed notices of vessel securing and sale.

Substitute Bill Compared to Original Bill: Generally, the original bill applied to vessels left on any government agency's property and did not provide for notice to holders of security interests. The substitute narrows the bill to vessels on Parks and Recreation Commission property and provides for notice to holders of security interests. The substitute also makes numerous corrective changes.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For (original bill): The Parks and Recreation Commission has no authority to deal with vessels that are abandoned at park facilities or wash up on park beaches. The commission has to use state moneys to deal with abandoned vessels and vessels which are posing an immediate threat or hazard, and has no means for recovering those funds. The commission needs an orderly process for securing and disposing of vessels in these situations.

Testimony Against (original bill): The bill's application to "public agencies" is too broad and should be restricted just to Parks and Recreation Commission. The bill should only apply to activities at park facilities. There is no notice provided for holders of security interests.

Witnesses: Cleve Pinnix and Paul George, Washington State Parks and Recreation Commission; Dave Williams; and Trevor Sandison, Washington Bankers Association (all in favor).