

# FINAL BILL REPORT

## E2SSB 6044

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Synopsis as Enacted

**Brief Description:** Regarding the removal of derelict vessels.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Rockefeller and Swecker).

**Senate Committee on Natural Resources, Ocean & Recreation**

**Senate Committee on Ways & Means**

**House Committee on Agriculture & Natural Resources**

**House Committee on Appropriations**

**Background:** In 2005, the Legislature created the Oil Spill Advisory Council (Council) to provide advice as to how the state can maintain its vigilance in the prevention of oil spills. The Council submitted a required report to the Legislature in 2006 that outlined proposals for long-term, sustainable funding for oil spill prevention, preparedness, and response. Technical Advisory Subcommittees of the Council examined various aspects of Washington's prevention and response programs and made several recommendations to the Council on how to improve the derelict vessel removal program which is administered by the Department of Natural Resources (DNR).

With few exceptions, no person may own or operate a vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal. A \$2 derelict vessel removal fee is collected at the time of registering a vessel and is deposited into the Derelict Vessel Removal Account (Derelict Vessel Account). If the Derelict Vessel Account balance reaches \$1 million as of March 1 of any year, collection of fees associated with the account must be suspended for the following fiscal year.

Under the current derelict vessel removal program, authorized public entities may take temporary possession of a vessel that is in immediate danger of sinking, breaking up, or blocking a navigational channel and the owner cannot be located or is unwilling to assume immediate responsibility of the vessel. The current program also allows authorized public entities to be reimbursed for up to 90 percent of the total reasonable and auditable administrative costs of removal and disposal where the previous owner is unknown or insolvent.

**Summary:** Authorized public entities are given the authority to take temporary possession of a vessel when the vessel poses an imminent danger to public health and safety or to the environment.

A derelict vessel removal surcharge of \$1 is applied to all vessels registering with the Department of Licensing, until 2014. The surcharge is exempted from the calculation that ceases the collection of the derelict vessel fee.

Private marina owners are authorized to contract with a local government to participate in the derelict vessel program. The private marina owner must bear the cost share with DNR (which is 10 percent of the total cost of removal) and must reimburse the local government for reasonable administrative costs.

DNR, in consultation with the Department of Revenue, and other stakeholders, must: (1) examine the costs and benefits of extending the derelict vessel fees to vessels that are not subject to the state registration requirements; and (2) examine the use of alternative revenue sources, such as the watercraft excise tax, in order to more equitably distribute the financial responsibility of supporting the cost of the derelict vessel program. DNR must report back to the Legislature by November 1, 2007.

The definitions for "abandoned vessel" and "vessel" are amended.

**Votes on Final Passage:**

Senate	49	0	
House	91	3	(House amended)
Senate			(Senate refused to concur)
House			(House insisted on position)
Senate	46	2	(Senate concurred)

**Effective:** July 22, 2007

June 30, 2012 (Section 6)