
**Agriculture and Natural Resources
Committee**

HB 1753

Brief Description: Changing certain notice provisions in the derelict vessel removal program.

Sponsors: Representatives Bronoske, Leavitt and Reed.

Brief Summary of Bill

- Changes the manner in which notice of intent to seize a derelict vessel must be provided under the Derelict Vessel Removal Program (DVRP).
- Changes certain timelines by which notice of intent to seize a derelict vessel must be provided under the DVRP.
- Changes the timeline by which a hearing must be requested to appeal the seizure of a derelict vessel under the DVRP.

Hearing Date: 2/14/23

Staff: Robert Hatfield (786-7117).

Background:

The Derelict Vessel Removal Program (DVRP) is administered by the Department of Natural Resources (DNR). Under the DVRP, certain authorized public entities, including the DNR and most public agencies that own or manage aquatic lands, may take custody and dispose of abandoned or derelict vessels on aquatic lands within their jurisdiction. The owner of an abandoned or derelict vessel is responsible for the cost of removal and disposal of the vessel.

Before an authorized public entity may take custody of a derelict vessel, the public entity must take certain steps, including:

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- mailing notice of its intent to obtain custody of the vessel at least 20 days prior to taking custody;
- posting notice of its intent clearly on the vessel for 30 days; and
- publishing its intent at least once in a newspaper of general circulation for the county in which the vessel is located.

Any owner of a vessel that has been seized under the DVRP may request a hearing before the Pollution Control Hearings Board to appeal either the seizure or the amount of reimbursement owed to the agency that removed the vessel. The hearing must be requested within 30 days of the date that the authorized public entity acquired custody of the vessel.

Summary of Bill:

An authorized public entity is authorized to email notice of its intent to obtain custody of a derelict vessel.

Notice of intent must be mailed or emailed 10 days, rather than 20 days, prior to taking custody of the derelict vessel.

Notice of intent must be posted on the derelict vessel 15 days, rather than 30 days, prior to taking custody of the derelict vessel.

Notice of intent no longer needs to be published in a newspaper prior to taking custody of the derelict vessel.

A hearing to appeal the seizure of a vessel must be requested within 15 days, rather than 30 days, of the date that the authorized public entity acquired custody of the vessel.

Appropriation: None.

Fiscal Note: Available.

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