

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY SUPPORTING HOUSE BILL NO. 131, "AN ACT RELATING TO ABANDONED AND DERELICT VESSELS."

WHEREAS, the Haines Borough recognizes the majority of the public boat harbors in Alaska were constructed by the state during the 1960s and 1970s; and

WHEREAS, the state established statutes and regulations for its purposes that dealt with abandoned and derelict vessels at these state harbor facilities, and the specific state statute is called the Abandoned and Derelict Vessel Act (AS 30.30); and

WHEREAS, during the past 20 years the state of Alaska has transferred ownership of most of these state-owned harbors to local municipalities; and

WHEREAS, the municipalities took over this important responsibility because these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

WHEREAS, these municipal-owned harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the state of Alaska, especially in coastal Alaskan communities; and

WHEREAS, consequently, local municipal harbor masters found themselves without sufficient legal protection due to some abandoned and derelict vessels left in these harbor facilities, and the cost of cleanup or disposal can easily exceed \$1 million, creating a major financial burden that local municipal governments cannot afford; and

WHEREAS, local municipal governments, where they had the legal and financial resources, created codes to protect themselves from the liabilities and hazards of abandoned and derelict vessels; and

WHEREAS, some local municipal governments do not have the legal and financial resources to create or change codes to protect themselves from the liabilities and hazards of abandoned and derelict vessels; and

WHEREAS, the unincorporated areas of the state also need protection from the liabilities and hazards due to abandoned and derelict vessels; and

WHEREAS, the Alaska Department of Transportation and Public Facilities' mission is to build, maintain and promote transportation of all modes, and the department is not funded to perform environmental cleanup work of marine vessels; and

WHEREAS, other state agencies or peace officers may find it in the public's best interest to impound an abandoned or derelict vessel, especially in the unincorporated areas of the state, to prevent or cleanup the environmental mess left behind from an abandoned or derelict vessel,

NOW, THEREFORE BE IT RESOLVED that the Haines Borough Assembly supports House Bill No. 131 and urges that AS 30.30 be modified to allow any municipality or state agency to have the full protections afforded in the Abandoned and Derelict Vessel Act; and

BE IT FURTHER RESOLVED that this resolution shall be provided to the Governor Sean Parnell, all members of the state of Alaska Legislature, and Michael Lukshin, ADOT&PF engineer.

ADOPTED by a duly constituted quorum of the Haines Borough Assembly this 12th day of March, 2013.


Stephanie Scott, Mayor

Attest:


Julie Cozzi, MMC, Borough Clerk

