

May 18, 2000

S 1344. REMOVAL OF ABANDONED VESSELS (=H 1625). *TO MAKE IT UNLAWFUL TO ABANDON VESSELS IN COASTAL WATERS AND TO AUTHORIZE THE REMOVAL OF ABANDONED VESSELS AND THE RECOVERY OF COSTS FOR REMOVAL, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Adds new GS 76-40.1 for purpose indicated in title. Makes it a Class 2 misdemeanor for anyone to abandon any vessel in the coastal fishing waters of the state or on state-owned submerged lands. The last owner of record of a vessel at the time it was abandoned is presumed to be the person who abandoned it. Vessel is presumed abandoned when left unattended for 30 consecutive days or is left wrecked, junked, or substantially dismantled. It is a defense to prosecution that the vessel was abandoned due to natural disaster or violence of nature that could not have been avoided with due care or that the vessel has been removed and the area restored. Directs the Sec'y of Environment and Natural Resources to give notice to owners of abandoned vessels that the vessels must be moved and authorized the Sec'y to remove them if the owner fails. Also authorizes the Sec'y to remove the vessel immediately if it is a hazard to safety, navigation, human health, or the environment. Authorizes Sec'y to recover costs of removal and costs of restoring the marine, estuarine, or fisheries resources affected. Authorizes Sec'y to sell abandoned vessels and their cargo, tackle, and equipment.

Intro. by Jordan.

Ref. to Judiciary II	GS 76
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