

HB 1457 -- Shipwreck Site Protection

Sponsor: Fraser

Currently, a person who wishes to salvage a submerged shipwreck must obtain a permit from the Department of Natural Resources and pay a permit fee. This bill prohibits the department from issuing the permit without a detailed excavation, conservation, and preservation plan and proof that the applicant has adequate funding for the salvage. The permit applicant is required to be or to hire a professional maritime archaeologist. If the applicant does not fulfill all tasks in the scope of work related to the shipwreck, all items and data regarding the shipwreck are forfeited to the state. The state may not limit visitation to a shipwreck unless there are certain apparent threats. The current permit fee is increased from \$100 to \$500.

Persons who wish to salvage historic shipwreck materials are required to positively identify the shipwreck. The person must apply for an exploratory permit from the department and pay an application fee not to exceed \$1,500 to the Director of the Department of Revenue. The Department of Natural Resources has 30 days to comment on any application. The permit allows the applicant to search for and identify the precise location of the individual shipwreck. The applicant will have two years to demonstrate that the specific shipwreck has been located.

The bill also specifies a process for professional maritime archaeologists and accredited museums to obtain a permit for a \$100 fee for research and training and establishes the conditions of the permit. If a shipwreck has been previously, positively identified and located, an exploratory permit is not necessary; and the applicant may apply for a salvage permit. Conditions are also specified for ongoing professional archaeological research and restrictions on shipwrecks located in state parks and historic sites.

The terms "embedded," "historic shipwreck materials," "land beneath navigable waters," "national register," "professional maritime archaeologist," "salvage," and "visitation" are defined.

Persons who knowingly take historic shipwreck materials from state navigable waters or vandalize a shipwreck will be guilty of a class A misdemeanor for the first offense and a class D felony for a second or subsequent offense.