

FIRST REGULAR SESSION

SENATE BILL NO. 356

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PURGASON.

Read 1st time February 11, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1544S.011

AN ACT

To repeal section 306.903, RSMo, and to enact in lieu thereof two new sections relating to waterways, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 306.903, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 306.105 and 306.903, to read as
3 follows:

**306.105. Any person who possesses expanded polystyrene or glass
2 containers, including but not limited to beverage containers, within
3 fifty feet of a river or stream, except in developed campgrounds, picnic
4 areas, landings, roads, and parking lots within fifty feet of a river or
5 stream is guilty of a class C misdemeanor. High density bait
6 containers, used solely for the purpose of holding fishing bait, are
7 exempt from this section.**

306.903. 1. [Any person who] **A person commits the infraction of
2 abandoning a boat dock if he or she knowingly** abandons a boat dock and
3 permits it to float freely [without being moored upon lakes having at least nine
4 hundred fifty miles of aggregate shoreline is guilty of an infraction, the penalty
5 for which shall be a fine of not less than twenty-five dollars or more than one
6 hundred dollars] **on the waters of this state.**

7 2. Any person who abandons a boat dock shall be responsible for the
8 retrieval and disposal of such boat dock. Any person who violates subsection 1
9 of this section and who does not properly retrieve and dispose of such abandoned
10 boat dock shall, upon a plea of guilty or a finding of guilt for such an offense, be
11 ordered to reimburse the appropriate law enforcement agency, including the state

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

12 water patrol, for the costs associated with the retrieval and disposal of the
13 abandoned boat dock. The law enforcement agency may establish a schedule of
14 such costs. However, the court may reduce the costs if it determines that the
15 costs are excessive.

16 3. The state water patrol may accept gifts, grants, in-kind services and
17 appropriations, and may enter into contracts with private or public entities for
18 the enforcement and administration of this section.

19 4. Beginning January 1, [1996] **2010**, any person owning a boat dock on
20 lakes having at least nine hundred fifty miles of shoreline **and lakes**
21 **constructed or maintained by the United States Army Corps of**
22 **Engineers except bodies of water owned by a person, corporation,**
23 **association, partnership, municipality or other political subdivision,**
24 **public water supply impoundments, and except drainage ditches**
25 **construction by a drainage district, but not to include any body of**
26 **water which has been leased to or owned by the state department of**
27 **conservation shall display identifying information on the dock, including but**
28 **not limited to, a permit number issued to the owner by an entity having authority**
29 **to issue such identification or permit number and the appropriate "911" street**
30 **address nearest to the dock by land. [Any person owning a boat dock on**
31 **lakes having at least nine hundred fifty miles of aggregate shoreline who violates**
32 **this subsection may be guilty of an infraction, the penalty for which shall not**
33 **exceed twenty-five dollars.] A person commits the infraction of failure to**
34 **display identifying information on a boat dock if he or she knowingly**
35 **violates any of the provisions of this subsection. The "911" address shall**
36 **be displayed on the lake side of the dock in a location most visible from**
37 **the channel or cove in at least three-inch block style lettering. The**
38 **letters must be contrasting in color to the background.**

39 5. Abandoning a boat dock in violation of subsection 1 of this
40 section and failure to display identifying information on a boat dock in
41 violation of subsection 4 of this section are infractions.

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