

FIRST REGULAR SESSION

HOUSE BILL NO. 752

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SUTHERLAND.

Read 1st time February 6, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1627L.01I

AN ACT

To amend chapter 253, RSMo, by adding thereto one new section relating to state historic preservation.

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

Section A. Chapter 253, RSMo, is amended by adding thereto one new section, to be known as section 253.421, to read as follows:

253.421. 1. As used in section 253.420 and this section, the following words and phrases mean:

(1) "Department", the department of natural resources, state historic preservation office;

(2) "Historic shipwreck", artifacts and remains of historic shipwreck sites which are over fifty years in age, including but not limited to a ship's structure and rigging, machinery, hardware, tools, utensils, cargo, personal items of crew passengers, and monetary or treasure trove;

(3) "Lands beneath navigable waters":

(a) All lands within the boundaries of this state which are covered by nontidal waters that are now navigable, or were navigable under the laws of the United States at the time this state became a member of the Union or acquired sovereignty over such lands and waters thereafter, up to the ordinary high water mark as heretofore or hereafter modified by accretion, erosion, river channel shifts, and reliction;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (b) All filled in, made, or reclaimed lands which formerly were lands beneath
16 navigable waters;

17 (4) "Shipwreck", a vessel or wreck, its cargo, and other contents, reasonably
18 believed to have wrecked or been abandoned at least fifty years prior to any permit
19 application.

20 2. Under the Abandoned Shipwreck Act of 1987, 43 U.S.C. Sections 2101-2106, all
21 historic shipwreck materials and such objects having intrinsic or historical and
22 archaeological value which have been abandoned on lands beneath navigable waters shall
23 belong to the state with jurisdiction thereto vested in the department for the purposes of
24 administration and protection. The department shall have the authority to promulgate
25 rules and regulations for the acceptable visitation, study, and salvage of such historic
26 shipwreck materials.

27 3. Any plan of regulated activities submitted by an applicant under subsection 2 of
28 section 253.420 shall include authorized written permission from any affected landowner
29 allowing access both to and from sites on the property and permitting any ground-
30 disturbing activities on such property.

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