

# SENATE BILL REPORT

## SB 5754

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As Passed Senate, February 27, 2017

**Title:** An act relating to the management of noxious weeds on state lands.

**Brief Description:** Concerning the management of noxious weeds on state lands.

**Sponsors:** Senators Short and Schoesler.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 2/14/17, 2/16/17 [DP, DNP].

**Floor Activity:**

Passed Senate: 2/27/17, 44-5.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Allows unpaid costs of noxious weed control actions taken by a county board on state lands to be enforced by lien proceedings.</li></ul>
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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** Do pass.

Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato.

**Minority Report:** Do not pass.

Signed by Senator McCoy.

**Staff:** Curt Gavigan (786-7437)

**Background:** Where landowners do not control noxious weeds as required, statute sets a process by which a county noxious weed board (county board) can:

- order prompt control of the noxious weed;
- issue a civil infraction; and
- take measures to control noxious weeds at the expense of the owner. If the landowner does not pay the expenses, this amount constitutes a lien against the property and may be enforced by proceedings on the lien.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Prior to taking any control action, the county board must provide notice to the landowner and provide them an opportunity to take corrective action on their own. In general, the landowner must be provided at least ten days to control noxious weeds.

Statute specifically requires state agencies to control noxious weeds on lands that they manage, and to develop control plans in cooperation with county boards. In general, state lands are not subject to a lien for unpaid assessments. Instead, agency directors must pay amounts due or submit amounts due to the Office of Financial Management for payment.

**Summary of Bill:** The unpaid costs of noxious weed control actions taken by a county board on state lands may be enforced by lien proceedings, removing the existing exemption for state lands.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The purpose of the bill is to start a conversation about the need for the state to manage noxious weeds on its lands. This would also create equity between the way noxious weed enforcement is handled on state and private lands.

**Persons Testifying:** PRO: Senator Shelly Short, Prime Sponsor; Heather Hansen, WA Friends of Farms & Forests.

**Persons Signed In To Testify But Not Testifying:** No one.