

SENATE BILL REPORT

SHB 1753

As Reported by Senate Committee On:
Agriculture, Water, Natural Resources & Parks, March 27, 2023

Title: An act relating to changing certain notice provisions in the derelict vessel removal program.

Brief Description: Changing certain notice provisions in the derelict vessel removal program.

Sponsors: House Committee on Agriculture and Natural Resources (originally sponsored by Representatives Bronoske, Leavitt and Reed).

Brief History: Passed House: 2/27/23, 95-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 3/23/23, 3/27/23 [DP].

Brief Summary of Bill

- Provides that notice of intent to obtain custody of a derelict vessel must be mailed ten days, rather than 20 days, prior to taking custody of the derelict vessel.
- Provides that notice of intent to obtain custody of a derelict vessel must be posted on the vessel 15 days, rather than 30 days, prior to taking custody of the derelict vessel.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Muzzall, Ranking Member; Rolfes, Shewmake, Short, Stanford, Wagoner and Warnick.

Staff: Jeff Olsen (786-7428)

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

Background: The Derelict Vessel Removal Program (DVRP) is administered by the Department of Natural Resources (DNR). Under DVRP, certain authorized public entities, including DNR and most public agencies that own or manage aquatic lands, may take custody and dispose of abandoned or derelict vessels on aquatic lands within their jurisdiction. The owner of an abandoned or derelict vessel is responsible for the cost of removal and disposal of the vessel.

Before an authorized public entity may take custody of a derelict vessel, the public entity must take certain steps, including:

- mailing notice of its intent to obtain custody of the vessel at least 20 days prior to taking custody;
- posting notice of its intent clearly on the vessel for 30 days; and
- publishing its intent at least once in a newspaper of general circulation for the county in which the vessel is located.

Summary of Bill: Notice of intent to obtain custody of a derelict vessel must be mailed to the last known address of the previous owner ten days, rather than 20 days, prior to taking custody of the derelict vessel. A notice of intent must be posted on the derelict vessel 15 days, rather than 30 days, prior to taking custody of the derelict vessel. Notice of intent no longer needs to be published in a newspaper prior to taking custody of the derelict vessel.

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 bill makes the derelict vessel removal process more efficient while protecting due process rights. Currently, there is not sufficient moorage or space to store derelict vessels, and 30 days is a long time to store these vessels. Derelict vessels can be a navigation and environmental hazard, and these vessels need to be removed from the water. If there are cases where a person is living on a derelict vessel, the public entity will work with the person to connect them with services or try to secure a safe anchorage.

Persons Testifying: PRO: Representative Dan Bronoske, Prime Sponsor; Alex Wilsie, Tacoma Fire Department; Brian Considine, Washington Department of Natural Resources; Hunter George, Metro Parks Tacoma.

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