

SENATE BILL REPORT

SHB 1919

As Passed Senate, March 1, 2024

Title: An act relating to modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees.

Brief Description: Modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees.

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

Brief History: Passed House: 2/13/24, 97-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/19/24, 2/19/24 [DP].

Floor Activity: Passed Senate: 3/1/24, 48-0.

Brief Summary of Bill

- Modifies the process and reduces the timelines required before a private moorage operator may sell an abandoned vessel for failure to pay moorage fees.

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; Short, Stanford, Wagoner and Warnick.

Staff: Jeff Olsen (786-7428)

Background: A private moorage facility operator may impound a vessel moored or stored

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within the private moorage facility so that the vessel cannot be removed from the facility if the vessel's owner fails to pay moorage fees after being notified that such fees are due.

At the time of impounding the vessel, the private moorage facility operator must attach to the vessel a notice providing certain information, including that, if the account is not paid in full within 90 days from the time the notice is attached, the vessel may be sold at public auction to satisfy the charges.

Before the vessel is sold, any person seeking to redeem an impounded vessel may commence a lawsuit in the superior court for the county in which the vessel was impounded to contest the validity of the impoundment or the amount of charges owing. This lawsuit must be commenced within 60 days of the date the notice was provided by the moorage facility.

Before the vessel is sold, notice of the sale must be published at least once, more than ten but not more than 20 days before the sale, in a newspaper of general circulation in the county in which the moorage facility is located. This notice shall include the name of the vessel, if any, the last known owner and address, and a reasonable description of the vessel to be sold.

Summary of Bill: The amount of notice that a private moorage operator must provide to a vessel owner before a vessel may be sold for failure to pay moorage fees is changed from 90 days to 45 days. The requirement to publish notice in a newspaper before a private moorage operator may sell an abandoned vessel for failure to pay moorage fees is removed. The amount of time a person has to initiate a lawsuit to contest the validity of the impoundment of the vessel or the amount of charges owing is changed from 60 days to 40 days.

Appropriation: None.

Fiscal Note: Not requested.

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: Derelict vessels are a problem, and last year changes were made for public marinas to reduce the time to deal with derelict vessels. Private marinas face a similar problem, and the changes in the bill would reduce the time and costs involved to deal with derelict vessels. The costs to deal with derelict vessels in private marinas fall on the marinas. Many of these vessels are at the end of life and have no value. It can cost \$10,000 to \$20,000 or more to get rid of a derelict vessel, and the changes in the bill would help reduce some of those costs.

Persons Testifying: PRO: Representative Dan Bronoske, Prime Sponsor; Roman Daniels-Brown, NW Marine Trade Association; Tarin Todd; Jordan Glidden, Elliott Bay Marina .

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