

FINAL BILL REPORT

SHB 2457

PARTIAL VETO

C 151 L 92

Brief Description: Changing restrictions on agricultural nuisances.

By House Committee on Agriculture & Rural Development
(originally sponsored by Representatives Chandler, Rayburn, McLean, Rasmussen, Neher, Nealey, Hochstatter, Lisk, Morton, D. Sommers, Kremen, Ballard, Van Luven, Prentice, R. Johnson, Edmondson and Bray).

House Committee on Agriculture & Rural Development
Senate Committee on Agriculture & Water Resources

Background: In 1991, the Legislature enacted legislation clarifying the types of agricultural activities that are exempt from control as nuisances.

One section of the bill specified that these exempted activities, which are in conformity with federal, state, and local laws and rules, cannot be restricted as to the time during which they may be conducted. It also stated that the exemption for nuisance control provided by law does not affect or impair a right to sue for damages. The governor vetoed this section of the bill.

Under state law, vehicles traveling on public highways must be constructed or loaded and secured to prevent loss of the load.

Summary: An agricultural activity that is in conformity with federal, state and local laws and rules cannot be restricted regarding the hours of the day or day or days of the week during which it may be conducted. The exemption from nuisance control provided by state law for agricultural activities does not affect or impair a right to sue for damages.

The requirement that the loads of vehicles traveling public highways be secured does not apply to waste products falling from vehicles hauling live farm animals when crossing a ferry capable only of transporting fewer than 25 vehicles.

Votes on Final Passage:

House 95 1

Senate 44 1 (Senate amended)
House 94 2 (House concurred)

Effective: June 11, 1992

Partial Veto Summary: The governor vetoed the provisions which provided an exemption from the requirement that vehicle loads be secured.