

# SENATE BILL REPORT

## SB 5769

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As of February 16, 2015

**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 Schoesler, Angel, Becker, Brown, Hatfield, Braun, Ericksen, Roach, Rivers, Conway, Hewitt, Parlette and Benton.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 2/11/15.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**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.

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.

**Appropriation:** None.

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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.*

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This bill is about treating government the same as other property owners. It provides equal footing for state-owned lands to maintain the weeds on their lands just like private land owners are required to do. The state should be held accountable in the same manner as private landowners.

**Persons Testifying:** PRO: Senator Schoesler, prime sponsor; Tom Davis, WA Farm Bureau; Bill Sieverkropp, WA Cattlemen's Assn.