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5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that in Washington,  
8 the loss of state lands from productive use due to infestation by  
9 noxious weeds is a major public concern.

10 It is the intent of the legislature that serious and fundamental  
11 policy direction be given to state agencies to:

12 (1) Ensure that state lands set an example of excellence in noxious  
13 weed control and eradication on state lands;

14 (2) Halt the spread of noxious weeds from state to private lands;

15 (3) Recognize that state agencies are ultimately responsible for  
16 noxious weed control on state land, regardless of type, timing, or  
17 amount of use;

18 (4) Recognize that the public is not well served by the spread of  
19 noxious weeds on state lands, in part, because of the decrease in  
20 wildlife habitat and loss of land productivity.

21 The legislature further finds that biological control agents  
22 represent one of the only cost-effective control measures for existing,  
23 widespread noxious weed infestations. Members of the genus *Centaurea*,  
24 commonly referred to as knapweeds, currently infest and destroy the  
25 productivity of hundreds of thousands of acres in Washington.

26 NEW SECTION. **Sec. 2.** The state noxious weed control board shall  
27 develop a study to determine the cost of controlling weeds on state-  
28 owned or managed lands, included along state-owned rights of way. The  
29 board may conduct the study, or may contract with either public or  
30 private agencies to conduct and complete the study. The departments of  
31 natural resources, transportation, and fish and wildlife, and the parks  
32 and recreation commission shall cooperate with the weed board or the  
33 contractor in the study.

34 As part of the study, the state noxious weed control board shall  
35 identify those weed species that are practical to control and should be

1 controlled. The board shall also identify the impacts and estimate the  
2 costs of not controlling these weeds. The board may exclude from the  
3 study those weeds that, due to high cost or impracticality, cannot be  
4 controlled on private lands. The board shall develop a prioritized  
5 list of weeds that are practical to control and that should be  
6 controlled on state-owned and managed lands.

7 NEW SECTION. **Sec. 3.** The state noxious weed control board shall  
8 study alternative funding mechanisms for Washington's noxious weed  
9 control program. The departments of natural resources, transportation,  
10 and fish and wildlife, and the parks and recreation commission shall  
11 cooperate with the weed board in the study. As part of the study, the  
12 state noxious weed control board shall identify the impacts and costs  
13 of each alternative. Funding alternatives shall address weed control  
14 needs of private citizens, local governments, county weed boards, state  
15 agencies, the state noxious weed control board, and federal agencies.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 17.10 RCW  
17 to read as follows:

18 All state agencies shall control noxious weeds on lands they own,  
19 lease, or otherwise control. Agencies shall develop plans to control  
20 noxious weeds in accordance with standards in this chapter. All state  
21 agencies' lands must comply with this chapter, regardless of noxious  
22 weed control efforts on adjacent lands. Agencies may not shift their  
23 burden of complying with this chapter to anyone else, including but not  
24 limited to lessees and permittees. County noxious weed control boards  
25 shall assist landowners to meet and exceed the standards on state  
26 lands.

27 NEW SECTION. **Sec. 5.** (1) The standing committee on agriculture  
28 and agricultural trade and development of the senate and the standing  
29 committee on agriculture and ecology of the house of representatives  
30 shall jointly study land leasing practices of state agencies in regard  
31 to weed control and report their findings to the legislature in 1996.

32 (2) State agencies shall list noxious weed control projects in  
33 their respective jurisdictions in order of priority, along with their  
34 plans to control these infestations, and shall submit the lists and  
35 plans to the legislative committees identified in subsection (1) of  
36 this section before the beginning of the 1996 regular session of the

1 legislature.

2       **Sec. 6.** RCW 17.10.240 and 1987 c 438 s 31 are each amended to read  
3 as follows:

4       The activated county noxious weed control board of each county  
5 shall annually submit a budget to the county legislative authority for  
6 the operating cost of the county's weed program for the ensuing fiscal  
7 year: PROVIDED, That if the board finds the budget approved by the  
8 legislative authority is insufficient for an effective county noxious  
9 weed control program it shall petition the county legislative authority  
10 to hold a hearing as provided in RCW 17.10.890. Control of weeds is a  
11 special benefit to the lands within any such section. Funding for the  
12 budget shall be derived from (~~either or both~~) any or all of the  
13 following:

14       (1) The county legislative authority may, in lieu of a tax, levy an  
15 assessment against the land for this purpose. Prior to the levying of  
16 an assessment the county noxious weed control board shall hold a public  
17 hearing at which it shall gather information to serve as a basis for  
18 classification and shall then classify the lands into suitable  
19 classifications, including but not limited to dry lands, range lands,  
20 irrigated lands, nonuse lands, forest lands, or federal lands. The  
21 board shall develop and forward to the county legislative authority, as  
22 a proposed level of assessment for each class, such an amount as shall  
23 seem just. The assessment rate shall be either uniform per acre in its  
24 respective class or a flat rate per parcel rate plus a uniform rate per  
25 acre: PROVIDED, That if no special benefits should be found to accrue  
26 to a class of land, a zero assessment may be levied. The legislative  
27 authority, upon receipt of the proposed levels of assessment from the  
28 board, after a hearing, shall accept, modify, or refer back to the  
29 board for its reconsideration all or any portion of the proposed levels  
30 of assessment. The findings by the county legislative authority of  
31 such special benefits, when so declared by resolution and spread upon  
32 the minutes of said authority shall be conclusive as to whether or not  
33 the same constitutes a special benefit to the lands within the section.  
34 The amount of such assessment shall constitute a lien against the  
35 property. The county legislative authority may by resolution or  
36 ordinance require that notice of the lien be sent to each owner of  
37 property for which the assessment has not been paid by the date it was  
38 due and that each such lien created shall be collected by the treasurer

1 in the same manner as delinquent real property tax, if within thirty  
2 days from the date the owner is sent notice of the lien, including the  
3 amount thereof, the lien remains unpaid and an appeal has not been made  
4 pursuant to RCW 17.10.180. Liens treated as delinquent taxes shall  
5 bear interest at the rate of twelve percent per annum and such interest  
6 shall accrue as of the date notice of the lien is sent to the owner:  
7 PROVIDED FURTHER, That any collections for such lien shall not be  
8 considered as tax; or

9 (2) The county legislative authority may appropriate money from the  
10 county general fund necessary for the administration of the county  
11 noxious weed control program. In addition the county legislative  
12 authority may make emergency appropriations as it deems necessary for  
13 the implementation of this chapter.

14 (3) Forest lands used solely for the planting, growing, or  
15 harvesting of trees and which are typified, except during a single  
16 period of five years following clear-cut logging, by canopies so dense  
17 as to prohibit growth of an understory may be subject to an annual  
18 noxious weed assessment levied by a county legislative authority that  
19 shall not exceed one-tenth of the weighted average per acre noxious  
20 weed assessment levied on all other lands in unincorporated areas  
21 within the county that are subject to the weed assessment. This  
22 assessment shall be computed in accordance with the formula in  
23 subsection (4) of this section.

24 (4) The calculation of the "weighted average per acre noxious weed  
25 assessment" shall be a ratio expressed as follows: (a) The numerator  
26 shall be the total amount of funds estimated to be collected from the  
27 per acre assessment on all lands except (i) forest lands as identified  
28 in subsection (3) of this section, (ii) lands exempt from the noxious  
29 weed assessment, and (iii) lands located in an incorporated area. (b)  
30 The denominator shall be the total acreage from which funds in (a) of  
31 this subsection are collected. For lands of less than one acre in  
32 size, the denominator calculation may be based on the following  
33 assumptions: (i) Unimproved lands shall be calculated as being one-  
34 half acre in size on the average, and (ii) improved lands shall be  
35 calculated as being one-third acre in size on the average. The county  
36 legislative authority may choose to calculate the denominator for lands  
37 of less than one acre in size using other assumptions about average  
38 parcel size based on local information.

39 (5) For those counties that levy a per parcel assessment to help

1 fund noxious weed control programs, the per parcel assessment on forest  
2 lands as defined in subsection (3) of this section shall not exceed  
3 one-tenth of the per parcel assessment on nonforest lands.

4 (6) Counties choosing to not activate noxious weed control boards  
5 shall provide payment to the department of agriculture for the expense  
6 of carrying out the functions of a county noxious weed control board in  
7 that county. This payment shall be equal to the number of parcels in  
8 the county multiplied by no more than three dollars, as set by rule of  
9 the department of agriculture. The county legislative authority may  
10 levy an assessment against the land for this purpose, consistent with  
11 subsection (1) of this section, or the county may appropriate money  
12 from its general fund for this purpose.

13 NEW SECTION. Sec. 7. The sum of thirty thousand dollars, or as  
14 much thereof as may be necessary, is appropriated from the general fund  
15 for the biennium ending June 30, 1997, to Washington State University  
16 for the use of the cooperative extension service in the selection,  
17 testing, and production of biological control agents for knapweed  
18 species on the state noxious weed list adopted under RCW 17.10.080,  
19 with the intent of improving field availability of these agents.

20 NEW SECTION. Sec. 8. The sum of twenty thousand dollars, or as  
21 much thereof as may be necessary, is appropriated from the general fund  
22 for the biennium ending June 30, 1997, to the state noxious weed  
23 control board to study, or contract for a study, on the cost of  
24 controlling weeds on state-owned or managed lands.

25 NEW SECTION. Sec. 9. This act is necessary for the immediate  
26 preservation of the public peace, health, or safety, or support of the  
27 state government and its existing public institutions, and shall take  
28 effect July 1, 1995."

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