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HOUSE BILL 1817

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State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Grant and Clements

Read first time 03/01/1999.

1            AN ACT Relating to horticultural pest and disease boards; adding  
2 new sections to chapter 15.09 RCW; creating a new section; and  
3 repealing RCW 15.09.130.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 15.09 RCW  
6 to read as follows:

7            SPECIAL ASSESSMENTS, HORTICULTURAL TAX, APPROPRIATIONS FOR  
8 HORTICULTURAL PEST AND DISEASE BOARDS. Funding of the operating budget  
9 of the horticultural pest and disease board may be derived from any or  
10 all of the following:

11            (1) Moneys from the county general fund or other general revenues,  
12 as appropriated by the board of county commissioners or other county  
13 legislative authority;

14            (2) A horticultural tax, as authorized in RCW 15.08.260, levied by  
15 the county board of commissioners or other county legislative  
16 authority; or

17            (3) An assessment against all lands, except forest lands used  
18 solely for the planting, growing, or harvesting of trees and which are  
19 typified, except during a single period of five years following clear-

1 cut logging, by canopies so dense as to prohibit growth of an  
2 understory.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.09 RCW  
4 to read as follows:

5 SPECIAL ASSESSMENT--RATES. (1) Prior to the levying of an  
6 assessment authorized in section 1 of this act, the horticultural pest  
7 and disease board shall hold a public hearing at which it will gather  
8 information to serve as a basis for classification and then classify  
9 the lands into suitable classification, including but not limited to  
10 orchard lands, range lands, dry lands, nonuse lands, forest lands, or  
11 federal lands.

12 (2) The board shall develop and forward to the county board of  
13 commissioners or other county legislative authority, as a proposed  
14 level of assessment for each class, an amount that seems just. The  
15 assessment rate shall be either uniform per acre in its respective  
16 class, a flat rate per parcel, or a flat rate per parcel rate plus a  
17 uniform rate per acre: PROVIDED, That if no benefits are found to  
18 accrue to a class of land, a zero assessment may be levied.

19 (3) The county board of commissioners or other county legislative  
20 authority, upon receipt of the proposed levels of assessment from the  
21 horticultural pest and disease board, after a hearing, shall accept or  
22 modify by resolution, or refer back to the horticultural pest and  
23 disease board for its reconsideration all or any portion of the  
24 proposed levels of assessment.

25 (4) The amount of the assessment constitutes a lien against the  
26 property. The county board of commissioners or other county  
27 legislative authority may by resolution or ordinance require that  
28 notice of the lien be sent to each owner of the property for which the  
29 assessment has not been paid by the date it was due and that each lien  
30 created be collected by the treasurer in the same manner as delinquent  
31 real property tax, if within thirty days from the date on which the  
32 owner is sent notice of the lien, including its amount, the lien  
33 remains unpaid. Liens treated as delinquent taxes bear interest at the  
34 rate of twelve percent per annum and the interest accrues as of the  
35 date notice of the lien is sent to the owner, however, any collections  
36 for the lien shall not be considered a tax.

1        NEW SECTION.   **Sec. 3.**   A new section is added to chapter 15.09 RCW  
2 to read as follows:

3        AUTHORITY TO ENTER INTO AGREEMENTS.   The horticultural pest and  
4 disease board may enter into agreements with federal, state, and local  
5 government agencies and Indian tribes to perform any duties pursuant to  
6 the identification, detection, control, eradication, or education of  
7 citizens regarding horticultural pests and diseases.

8        NEW SECTION.   **Sec. 4.**   RCW 15.09.130 (Operating moneys) and 1969 c  
9 113 s 13 are each repealed.

10       NEW SECTION.   **Sec. 5.**   Captions used in sections 1 through 3 of  
11 this act are not any part of the law.

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