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HOUSE BILL 1423

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Curtis, Linville, Clibborn and Chase

Read first time 01/24/2005.      Referred to Committee on Economic Development, Agriculture & Trade.

1            AN ACT Relating to controlling invasive knotweed; adding a new  
2 section to chapter 17.26 RCW; creating a new section; making  
3 appropriations; providing an effective date; and declaring an  
4 emergency.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 17.26 RCW  
7 to read as follows:

8            (1) The legislature finds that the presence of invasive knotweed on  
9 public and private land threatens wildlife habitat, agricultural  
10 production, and environmental quality statewide. The legislature  
11 further finds that invasive knotweed found on private lands is a source  
12 of renewed infestation on public lands. The legislature therefore  
13 finds that it is in the public interest to protect public resources by  
14 making concerted efforts to control or contain invasive knotweed on  
15 both public and private lands statewide.

16            (2) Subject to the availability of amounts appropriated for this  
17 specific purpose, the state department of agriculture, in consultation  
18 with the state noxious weed control board, shall establish a program  
19 for the control or containment of invasive knotweed statewide.

1 (a) The department of agriculture may enter into agreements for  
2 this purpose with eligible entities including but not limited to:  
3 State agencies, local governments, special purpose districts, Indian  
4 tribes, and nonprofit corporations.

5 (b) The department of agriculture may adopt rules to implement this  
6 program.

7 (c) This program is intended to build upon the 2004 knotweed  
8 control pilot project conducted in southwest Washington.

9 (3) For purposes of this section, "invasive knotweed" means the  
10 following plants: *Polygonum cuspidatum* (Japanese knotweed), *Polygonum*  
11 *polystachyum* (Himalayan knotweed), *Polygonum sachalinense* (giant  
12 knotweed), *Polygonum x bohemicum* (Bohemian knotweed), and hybrids and  
13 crosses of these species.

14 NEW SECTION. **Sec. 2.** (1) The sum of two million dollars, or as  
15 much thereof as may be necessary, is appropriated for the fiscal year  
16 ending June 30, 2006, from the general fund to the department of  
17 agriculture for the purposes of this act.

18 (2) The sum of two million dollars, or as much thereof as may be  
19 necessary, is appropriated for the fiscal year ending June 30, 2007,  
20 from the general fund to the department of agriculture for the purposes  
21 of this act.

22 (3) The department of agriculture may use no more than five percent  
23 of the appropriated funds for its own costs related to the  
24 administration of this program.

25 (4) It is the intent of the legislature that this appropriation  
26 represents an ongoing commitment to a program to control and contain  
27 invasive knotweed and that appropriations for it will continue in the  
28 future.

29 NEW SECTION. **Sec. 3.** Within the dollars available for  
30 administration as specified in section 2(3)of this act, by December 1,  
31 2006, the department of agriculture shall prepare and submit a report  
32 to the legislature documenting progress made and future recommendations  
33 for containing and controlling invasive knotweed under this program.

34 NEW SECTION. **Sec. 4.** This act is necessary for the immediate

1 preservation of the public peace, health, or safety, or support of the  
2 state government and its existing public institutions, and takes effect  
3 July 1, 2005.

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