
HOUSE BILL 1703

State of Washington

55th Legislature

1997 Regular Session

By Representatives McMorris, Koster and Wood

Read first time 02/05/97. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to noxious weed control; and adding a new section
2 to chapter 17.10 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 17.10 RCW
5 to read as follows:

6 (1) The director of the department of agriculture may control class
7 A or class B noxious weeds, or cause the weeds to be controlled, on
8 state-owned or managed land located anywhere in the state if:

9 (a) The director finds that the state-owned or managed land is
10 infested with class A noxious weeds or class B noxious weeds designated
11 for control in the region in which the land is located;

12 (b) The director notifies the state agency responsible for the
13 management of the state land regarding the infestation, identifies the
14 weeds that must be controlled on the land and the approximate location
15 or locations of the infestation, and requests that the weeds be
16 controlled within a reasonable period of time, as determined by the
17 director; and

18 (c) The agency fails to control the infestation within the period
19 of time identified in the notice.

1 (2) Each notice sent under subsection (1) of this section shall
2 specify a reasonable period of time within which the noxious weed
3 control must be accomplished. Only class A noxious weeds or class B
4 noxious weeds designated for control in the region in which the land is
5 located may be identified in such a notice.

6 (3) The noxious weed control conducted or caused to be conducted by
7 the director under this section shall be consistent with the weed
8 control that the director or a county noxious weed control board would
9 require under this chapter if the infestation of the noxious weeds were
10 located on privately owned land of the same type and similarly
11 situated. The agency receiving the notice may request dispute
12 resolution under RCW 43.17.330. However, the dispute resolution may
13 not have the effect of postponing the date by which noxious weed
14 control must be accomplished as specified in the notice for any noxious
15 weed identified in the notice unless it is determined during the
16 dispute resolution process that the noxious weeds designated for
17 control on the land are not actually present on the land.

18 (4) The control of noxious weeds conducted by the director of the
19 department of agriculture or caused to be conducted by the director
20 under this section on state-owned or managed land is the financial
21 responsibility of the state agency owning or managing the land. The
22 director shall bill the agency for the costs the director incurs in
23 controlling the noxious weeds or causing them to be controlled and the
24 agency shall fully reimburse the department of agriculture for those
25 costs within sixty days of receiving the bill. An agency receiving
26 such a bill and disputing the amount owed may request dispute
27 resolution under RCW 43.17.330. The dispute resolution may postpone
28 the date by which the department is to be reimbursed for the director's
29 costs to a date that is not later than one hundred twenty days after
30 the date the agency received the bill that is the subject of the
31 dispute resolution.

32 (5) If a county weed board or a weed district finds that state land
33 located within its jurisdiction is infested with class A noxious weeds
34 or class B noxious weeds designated for control in the region in which
35 the land is located, the board or district may, in addition to any
36 other authorities the board or district may possess under this chapter
37 or chapter 17.04 or 17.06 RCW, notify the director of the department of
38 agriculture regarding the infestation and request control of the
39 infestation. The director shall promptly investigate each instance of

1 infestation for which a notice is received under this subsection, shall
2 determine whether the notice set forth in subsection (1) of this
3 section is to be sent to a state agency in response to the board's or
4 district's request, and shall notify the requesting board or district
5 of the director's determination in the matter.

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