
HOUSE BILL 2446

State of Washington

61st Legislature

2010 Regular Session

By Representatives Kretz, Williams, McCune, Taylor, Chandler, Haler, Schmick, and Short

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1 AN ACT Relating to long-term noxious weed management on land newly
2 acquired by the fish and wildlife commission; and amending RCW
3 77.12.037.

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

5 **Sec. 1.** RCW 77.12.037 and 2000 c 107 s 4 are each amended to read
6 as follows:

7 (1) Except as otherwise provided in this section, the commission
8 may acquire by gift, easement, purchase, lease, or condemnation lands,
9 buildings, water rights, rights-of-way, or other necessary property,
10 and construct and maintain necessary facilities for purposes consistent
11 with this title. The commission may authorize the director to acquire
12 property (~~under~~) consistent with this section, but the power of
13 condemnation may only be exercised by the director when an
14 appropriation has been made by the legislature for the acquisition of
15 a specific property, except to clear title and acquire access
16 rights-of-way.

17 (2) The commission may sell, lease, convey, or grant concessions
18 upon real or personal property under the control of the department.

1 (3)(a) The authority of the commission to purchase undeveloped real
2 property is limited to instances when, prior to assuming title to the
3 property, the department has developed a long-term noxious weed
4 management plan for the property in question. If an initial long-term
5 noxious weed management plan, completed consistent with this section,
6 is not approved by the commission before the closing date of the sale
7 in question, no agency of state government may release any funds
8 required to complete the real estate transaction.

9 (b) Any long-term noxious weed management plan adopted by the
10 department under this section must include the identification of a
11 dedicated funding source to allow for the execution of the management
12 plan. The department may identify a bond or other financial guarantee
13 as a qualifying dedicated funding source. However, the dedicated
14 funding source must not be contingent on future legislative
15 appropriations. The department may seek out and accept dedicated
16 funding from the federal government or a local government or charitable
17 donations from nonprofit organizations, citizens, or private sector
18 businesses to support any financial guarantees identified in the weed
19 management plan.

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