

when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this chapter.

Passed the House March 4, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 17, 1953.

CHAPTER 89.

[Sub. H. B. 136.]

WEED EXTERMINATION AREAS.

AN ACT relating to noxious weeds; amending sections 17.08.010, 17.08.110 and 17.08.120, RCW; and adding three new sections to chapter 17.08, RCW.

Be it enacted by the Legislature of the State of Washington:

Amendment. SECTION 1. Section 17.08.010, RCW, as derived from section 1, chapter 194, Laws of 1937, is amended to read as follows:

Definitions. As used in this chapter:

"Director." "Director" means the director of agriculture;

"Weed district." "Weed district" means a weed district organized pursuant to chapter 17.04;

"Weed extermination area." "Weed extermination area" means an area set up by the board of county commissioners and the director of agriculture covering any type of land and in which they are responsible for rules, regulations, and enforcement and wherein extermination and prevention are emphasized;

"Crop land." "Crop land" means land ordinarily devoted to the usual cultivated crops in the area or livestock and including orchards, small fruits, hay meadows, and rotation pastures, and including lanes, fence rows, irrigation and drainage ditches, farmsteads, and timber lots included therein.

“Wild land” means open range land, open logged-off land, and unfenced land devoted to the growing and cutting of timber. “Wild land.”

SEC. 2. Section 17.08.110, RCW, as derived from section 4, chapter 194, Laws of 1937, is amended to read as follows: Amendment.

The cost of eradication work performed in any weed extermination area shall be paid in the following manner: One-fourth thereof shall be paid from the weed control fund of the county in which the land is located and the remaining three-fourths by the owner of the land upon which the eradication work is performed: *Provided*, That on crop land the share of the cost to be paid by the owner of the land shall be increased by the board to the full cost of the eradication work, and when prevention of seed production only is required on crop land the board, after due notice of its intention so to do in the manner set out in section 17.08.120, RCW, shall assess the full cost thereof. Costs of eradication.

SEC. 3. Section 17.08.120, RCW, as derived from section 5, chapter 194, Laws of 1937, is amended to read as follows: Amendment.

If the board and the director find that noxious or poison weeds are in danger of going to seed on crop land contrary to the adopted methods, rules and regulations, it being conclusively presumed that such noxious or poison weeds remaining standing on such date as the board and the director shall determine are in danger of going to seed, they shall give notice and follow the procedure set forth for weed districts for the eradication and control of such weeds: *Provided*, That at the conclusion of the hearing to assess costs and after evidence thereon, the board shall find whether such failure by the owner to cut or otherwise destroy such noxious or poison weeds was willful and, if it shall so find, it shall further Noxious or poison weeds going to seed on crop lands.

assess a charge in an amount not to exceed the cost of such cutting or destruction as determined at the hearing: *Provided further*, That upon willful failure to comply a second time, a penalty shall be assessed in an amount not to exceed twice the cost of such cutting or destruction as determined at the hearing.

New section.

SEC. 4. There is added to chapter 17.08, RCW, as derived from chapter 194, Laws of 1937, as last amended by chapter 213, Laws of 1951, a new section to read as follows:

Cities and towns surrounded by weed extermination area.

Any city or town surrounded by a weed extermination area shall provide for the prevention, control or extermination of all weeds which are within the city or town in the same manner and to the same extent as is provided for in the surrounding weed extermination area. Those in charge of open areas subject to the spread of noxious weeds, other than crop land or wild land, including, but not limited to school grounds, play grounds, cemeteries, parks or any land of a public or quasi-public nature and transmission line rights-of-way within any weed extermination area shall see that all weeds specified by the board are prevented, controlled, or exterminated in accordance with the rules and requirements of the weed exterminating area.

Open areas subject to spread of noxious weeds.

New section.

SEC. 5. There is added to chapter 17.08, RCW, as derived from chapter 194, Laws of 1937, as last amended by chapter 213, Laws of 1951, a new section to read as follows:

Private land within an Indian reservation.

Any private land wholly or partly within an Indian reservation may be included within a weed extermination area and shall be subject to the same rules, regulations and taxes as other lands within the weed extermination area. The director and the board may arrange with the agent in charge of any United States lands within or contiguous to the weed extermination area for the prevention, control or extermination of weeds on such government lands.

U. S. lands within or contiguous to weed extermination areas.

SEC. 6. There is added to chapter 17.08, RCW, as derived from chapter 194, Laws of 1937, as last amended by chapter 213, Laws of 1951, a new section to read as follows:

Whenever the board and the director determine that the extent of noxious weeds on any wild land within the weed extermination area constitutes a danger to adjacent lands, and that the cost of control and prevention of seed production on such wild lands should be shared by such adjacent land as would be benefited thereby, the board may by ordinance establish a weed extermination sub-district and may include within such sub-district the wild land on which the control and prevention of seed production work is to be performed and all adjacent lands which will be benefited thereby: *Provided*, That no more wild land in any weed extermination area shall be included in any weed extermination sub-district than is determined by the board to be necessary to protect the adjacent crop lands, and in any event, not more than twenty-five percent of the total acreage of the sub-district.

Such ordinance shall be adopted only after public hearing pursuant to notice by one publication in the official county newspaper at least ten days prior to the date of such hearing, which notice shall include a copy of the proposed ordinance of establishment.

Upon the establishment of the sub-district the board and the director shall determine the amount of money necessary to carry on the work of control and prevention of seed production of noxious weeds on such lands to prevent spreading and shall classify the property within such sub-district in proportion to the benefits to be derived and, in accordance with such classification, shall prorate the cost so determined and shall levy assessments to be collected with the general taxes of the county: *Provided*, That the wild land upon which the work of control and

prevention of seed production is to be performed shall be assessed on the same basis as the average benefit per acre but in no event shall wild land bear more than twenty-five percent of the total cost of such control and prevention of seed production: *Provided further*, That if any weed extermination sub-district includes any state lands, the state shall be responsible for and perform all necessary seed prevention and control work on such state lands.

"Land" defined.

Payments to county weed fund.

The term "land" shall include all rights-of-way which shall pay the same percentage of cost as that charged against the contiguous lands. Any portion of the owner's share of the expense paid out of the county weed fund, together with any penalty assessed by the board, shall be included on the tax rolls against the land for the current year and collected as other taxes, and it shall be paid into the county weed control fund.

Passed the House February 21, 1953.

Paseed the Senate March 9, 1953.

Approved by the Governor March 17, 1953.

CHAPTER 90.

[H. B. 137.]

VITAL STATISTICS.

AN ACT relating to vital statistics, and amending sections 43.20.090, 70.58.110, 70.58.120 and 70.58.130, RCW.

Be it enacted by the Legislature of the State of Washington:

Amendment.

SECTION 1. Section 43.20.090, RCW, as derived from chapter 83, section 20, Laws of 1907, as last amended by section 3, chapter 106, Laws of 1951, is amended to read as follows:

Certified copies of records; state registrar to furnish.

The state registrar shall, upon request, furnish an applicant with a certified copy of the record of any birth, death, or stillbirth, registered under the