

SEC. 9. The state parks committee shall succeed to all the files and records of the heretofore existing state board of park commissioners.

Records of state board of park commissioners.

SEC. 10. Nothing herein contained shall be construed to repeal, by implication or otherwise, any existing criminal statute of this state.

Scope of act.

SEC. 11. In case any section or portion of this act shall be held to be unconstitutional or invalid, it shall not affect the remainder of the act.

Partial validity.

SEC. 12. For the purpose of carrying out the provisions of this act, there is hereby appropriated from the State Park and Parkways Fund, the sum of fifty thousand (\$50,000.00) dollars (in no case to exceed the amounts placed to the credit of this fund.

Appropriation \$50,000.

Passed the House March 4, 1921.

Passed the Senate March 8, 1921.

Approved by the Governor March 19, 1921.

## CHAPTER 150.

[H. B. 180.]

### EXTERMINATION OF NOXIOUS WEEDS.

AN ACT relating to noxious weeds, and authorizing the county commissioners to create and administer weed districts and to levy a tax therefor.

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

SECTION 1. For the purpose of preventing, destroying or exterminating any and all weeds or plants including Scotch Broom now classed, or hereafter to be classed by the department of agriculture or the director of Business Control of this state, as noxious weeds or plants detrimental to or de-

Creation of weed districts authorized.

structive of crops, fruit trees, shrubs, valuable plants, forage or other agricultural plants or products, and to prevent the introduction, propagation, cultivation or increase in number of any of the above described weeds or plants, the board of county commissioners of any county may create a weed district or districts within such county, and may enlarge any district or territory contained in a larger territory within the whole county, or reduce any district, or create or combine or consolidate districts, or divide or create new districts, from time to time in the manner hereinafter set forth.

Petition for inclusion.

SEC. 2. Whenever one or more freeholders, owning more than fifty per cent of the acreage desired to be included in a proposed weed district, shall petition that their land be included, either separately or with other lands designated in the petition, in a district to be formed for the purpose of preventing, destroying or exterminating any and all weeds as described in section 1 of this act, or that such lands be included within a district already formed by the enlargement of such district, or a new district or districts to be formed out of a district or districts then in existence or out of territory partly in districts already formed and not included in any district, and such petition states the boundaries of such districts, which shall include not less than four sections of land, the board shall fix a time for the hearing of such petition and shall give at least thirty days' notice of the time and place of such hearing by posting copies of such notice in three conspicuous places within the proposed district and posting one copy of such notice at the court house or place of business of the board, and by mailing copies of such notice to each of the land owners in the petition to the addresses named therein and a copy to the State Land Commissioner, provided the state owns land in the district.

SEC. 3. Upon the hearing of such petition the board shall determine whether such district shall be created and, if so, shall fix the boundaries thereof, but shall not enlarge the boundaries of proposed districts, or enlarge or change the boundary or boundaries of any district or districts already formed without first giving notice to all parties interested, as provided in section 2 of this act: *Provided, however,* That the boundary of such district shall be along an established road or along scab, uncleared, or grazing land except lands in Western Washington infested in Scotch Broom: *Provided also,* That no scab, uncleared, or grazing land shall be included in such district, except such as shall lie wholly within the cultivated or farming lands in the district petitioned for. Any quarter section of land 75% of which is cultivated for farming shall be considered cultivated and farming land for the purposes of this act.

Hearing and order.

SEC. 4. If the board shall find that the lands to be included will be benefited by the creation of such a district or districts, or the changing thereof, it shall designate the territory included therein as weed district No..... for..... county.

Designation of district.

SEC. 5. The county treasurer shall be *ex-officio* treasurer for each of such districts so formed and the county assessor and other county officers shall take notice of the formation of such district or districts and shall be governed thereby according to the provisions of this act. The tax levies as hereinafter provided for shall be extended on the tax rolls against the property liable therefor the same as other taxes are extended, and shall become a part of the general tax against such property and be collected and accounted for the same as other taxes are, with the terms and penalties attached thereto. The moneys so collected shall be held and disbursed

Collection of tax levies.

as a special fund for such district and shall be paid out only on warrants issued by the county auditor upon voucher approved by the board of county commissioners.

Supervision.

SEC. 6. The board of county commissioners shall have general supervision of the methods and means of preventing, destroying and exterminating any noxious weeds as in this act defined, and of the expenditure of the funds of such district to accomplish the purposes for which such funds were raised. Any member of the board of county commissioners engaged in the administration of this act shall be entitled to his actual expenses and his per diem as county commissioner the same as if he were doing other county business.

Inclusion of county or state lands.

SEC. 7. Whenever there shall be included within any weed district lands belonging to the county, the board of county commissioners shall determine the amount of the tax for which such lands would be liable if the same were in private ownership for each subdivision of forty acres or fraction thereof. The assessor shall transmit to the county commissioners a statement of the amounts so due from county lands and the county commissioners shall appropriate from the current expense fund of the county sufficient money to pay such amounts. Whenever any state, granted, school or other public lands of the state shall be situated within any weed district organized under the provisions of this act, the county treasurer shall certify annually and forward to the Commissioner of Public Lands or to the State Board of Control (or Director of Business Control) (if such lands are occupied by or used in connection with any state institution) a statement of the amounts assessed against said lands under the provisions of this act separately describing each such lot or parcel of the state's lands and the Com-

missioner of Public Lands shall then certify said statement to the State Auditor and the State Board of Control (or Director of Business Control) shall cause a proper record to be made in its office of such charges against the lands occupied by the state institutions or used in connection therewith and shall certify said statement to the State Auditor and the State Auditor at the next session of the Legislature shall certify to the Legislature the amount of such charges against the lands of the state and the Legislature shall provide for the payment of the same with interest, by appropriation out of the general fund of the state, provided that no penalty shall be provided or enforced against the state and no interest on the assessments levied greater than six per cent per annum shall be attached to or allowed by the state on the charges so certified under the provisions of this act.

SEC. 8. No district shall be permitted to contract obligations in excess of the estimated revenues for the two years next succeeding the incurring of such indebtedness and it shall be unlawful for the county commissioners to approve of any bills which will exceed the revenue to any district which shall be estimated to be received by such district during the next two years.

Contractual  
limitations.

SEC. 9. Upon complaint of any freeholder or lessee of said district the county commissioners shall investigate and determine whether on any tract or tracts of land within the district the weeds are being properly destroyed or exterminated according to law. If they determine that such weeds are not being so destroyed or exterminated, they shall order them exterminated in the manner provided in sections 126, 127, 128, 129 and 130 Pierce's Code, 3040 to 3042-2 inclusive of Rem. & Bal. Code, except that for the purposes of this act the term "road super-

Complaints.

visor'' as used in said sections 126, 127, 128, 129 and 130 Pierce's Code, 3040 to 3042-2 inclusive shall be held and construed to mean and include any person designated by the county commissioners to report, investigate or exterminate such noxious weeds: *Provided*, That this section shall not apply to such weeds growing among growing grain.

Passed the House March 2, 1921.

Passed the Senate March 8, 1921.

Approved by the Governor March 21, 1921.

---

## CHAPTER 151.

[H. B. 129.]

### UNINCORPORATED AREA WITHIN CERTAIN FIRST CLASS CITIES.

AN ACT relating to the incorporation of areas lying wholly within the limits of certain cities of the first class,

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

SECTION 1. Any unincorporated area now lying wholly within the limits of any city of the first class having a population of 250,000 or upwards is hereby declared to be incorporated in, and to become a part of, the territorial limits of such city, and same shall be subject to the jurisdiction, laws and ordinances relating thereto: *Provided*, That no property so situated and so incorporated shall ever be taxed or assessed to pay any portion of the existing indebtedness of such city at the time this act shall take effect and contracted prior to, or existing, at the date of the passage of this act.

Passed the House February 23, 1921.

Passed the Senate March 7, 1921.

Approved by the Governor March 21, 1921.

Area  
becomes part  
of city.