

CHAPTER 118

[Substitute Senate Bill No. 2393]

NOXIOUS WEED CONTROL—TANSY RAGWORT—FUNDING—
PENALTIES

AN ACT Relating to noxious weeds; amending section 17, chapter 113, Laws of 1969 ex. sess. as last amended by section 8, chapter 13, Laws of 1975 1st ex. sess. and RCW 17.10.170; amending section 23, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.230; amending section 20, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.200; creating a new section; prescribing penalties; and declaring an emergency.

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

Section 1. Section 17, chapter 113, Laws of 1969 ex. sess. as last amended by section 8, chapter 13, Laws of 1975 1st ex. sess. and RCW 17.10.170 are each amended to read as follows:

(1) Whenever the county noxious weed control board finds that noxious weeds are present on any parcel of land, and that the owner thereof is not taking prompt and sufficient action to control the same, pursuant to the provisions of RCW 17.10.140 and 17.10.150, it shall notify such owner that a violation of this chapter exists. Such notice shall be in writing, identify the noxious weeds found to be present, order prompt control action, and specify the time, of at least ten days from issuance of the notice, within which the prescribed action must be taken.

(2) The county board may cause citations to be issued to owners who do not take action to control tansy ragwort in accordance with the notice.

(3) If the owner does not take action to control the noxious weeds in accordance with the notice, the county board may control them, or cause their being controlled, at the expense of the owner. The amount of such expense shall constitute a lien against the property and may be enforced by proceedings on such lien except as provided for by RCW 79.44.060. The owner shall be liable for payment of the expense, and nothing in this chapter shall be construed to prevent collection of any judgment on account thereof by any means available pursuant to law, in substitution for enforcement of the lien. Funds received in payment for the expense of controlling noxious weeds shall be transferred to the county noxious weed control board to be expended as required to carry out the purposes of this chapter.

~~((3))~~ (4) The county auditor shall record in his office any lien created under this chapter, and any such lien shall bear interest at the rate of ~~((eight))~~ twelve percent per annum from the date on which the county noxious weed control board approves the amount expended in controlling such weeds.

~~((4))~~ (5) As an alternative to the enforcement of any lien created under subsection ~~((2))~~ (3) of this section, the county legislative authority may by resolution or ordinance require that each such lien created shall be collected by the treasurer in the same manner as a delinquent real property

tax, if within thirty days from the date the owner is sent notice of the lien, including the amount thereof, the lien remains unpaid and an appeal has not been made pursuant to RCW 17.10.180. Liens treated as delinquent taxes shall bear interest at the ~~((same rate as delinquent real property taxes))~~ rate of twelve percent per annum and such interest shall accrue as of the date notice of the lien is sent to the owner: PROVIDED, That any collections for such lien shall not be considered as tax.

Sec. 2. Section 23, chapter 113, Laws of 1969 ex sess. and RCW 17.10.230 are each amended to read as follows:

Any owner knowing of the existence of any noxious weeds on his land who fails to control such weeds in accordance with this chapter and rules and regulations in force pursuant thereto; any person who enters upon any land in violation of an order in force pursuant to RCW 17.10.210; any person who prevents or threatens to prevent entry upon land as authorized in RCW 17.10.160; or any person who interferes with the carrying out of the provisions of this chapter, shall be ~~((subject to))~~, upon conviction, guilty of a misdemeanor and shall be punished by a fine not to exceed one hundred dollars on account of each violation or, in the case of failure to control tansy ragwort in accordance with the provisions of RCW 17.10.170, by a fine not to exceed five hundred dollars on account of each violation.

Sec. 3. Section 20, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.200 are each amended to read as follows:

(1) In the case of land owned by the United States on which control measures of a type and extent required pursuant to this chapter have not been taken, the county noxious weed control board, with the approval of both the director of the department of agriculture and the appropriate federal agency, may perform, or cause to be performed, such work. The cost thereof, if not paid by the agency managing the land, shall be a state charge and may be paid from any funds available to the department of agriculture for the administration of this chapter.

(2) The county noxious weed control board is authorized to enter into any reasonable agreement with the appropriate authorities for the control of noxious weeds on Indian lands.

(3) The state shall make all possible efforts to obtain reimbursement from the federal government for costs incurred under this section: PROVIDED, That the state shall actively seek to inform the federal government of the need for noxious weed control on federally owned land where the presence of noxious weeds adversely affects local control efforts: PROVIDED FURTHER, That the state shall actively seek adequate federal funding for noxious weed control on federally owned land.

NEW SECTION. Sec. 4. (1) Any person who knowingly sells hay containing viable tansy ragwort seed in sufficient amounts to create a hazard of the spread of tansy ragwort by seed, and any person who knowingly sells

hay containing tansy ragwort in sufficient amounts to be injurious to the health of the animal that consumes it, is guilty of a misdemeanor.

(2) The director of agriculture shall adopt rules establishing the amount of tansy ragwort seed or tansy ragwort in hay that constitutes a violation of subsection (1) of this section. The department of agriculture shall, upon request of the buyer, inspect hay and charge fees, in accordance with chapter 22.09 RCW, to determine the presence of tansy ragwort.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 6, 1979.

Passed the House March 2, 1979.

Approved by the Governor March 26, 1979.

Filed in Office of Secretary of State March 26, 1979.

CHAPTER 119

[Senate Bill No. 2256]

INVESTMENT ADVISORY COMMITTEE—MEMBERS' CONFLICT OF INTEREST—CUSTODY, INVESTMENT OF FUNDS

AN ACT Relating to state funds; amending section 7, chapter 103, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 251, Laws of 1977 ex. sess. and RCW 43.33.050; amending section 6, chapter 251, Laws of 1977 ex. sess. and RCW 43.33.110; and amending section 2, chapter 17, Laws of 1975-'76 2nd ex. sess. as amended by section 5, chapter 251, Laws of 1977 ex. sess. and RCW 43.84.150.

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

Section 1. Section 7, chapter 103, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 251, Laws of 1977 ex. sess. and RCW 43.33.050 are each amended to read as follows:

(1) There is hereby created the investment advisory committee to consist of eight members to be appointed as ~~((hereinafter))~~ provided~~((:))~~ in subsection (1) of this section.

~~((+))~~ (a) One person shall be appointed annually by the Washington public employees' retirement board. One person shall be appointed annually by the board of trustees of the Washington state teachers' retirement system. The original members appointed pursuant to this subsection shall serve for one year, measured from July 1 of the year in which the appointment is made.

~~((2))~~ (b) Five persons shall be appointed by the state finance committee, who shall be considered experienced and qualified in the field of investments. The original members appointed by the state finance committee shall serve as follows: One member shall serve a one-year term; one member shall serve for a term of two years; one member shall serve for a term of