

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5959**

Chapter 176, Laws of 1997

55th Legislature  
1997 Regular Session

SEED POTATO PRODUCTION--PRODUCTION AREAS ESTABLISHED

EFFECTIVE DATE: 4/23/97

Passed by the Senate March 17, 1997  
YEAS 49 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House April 11, 1997  
YEAS 94 NAYS 2

CLYDE BALLARD

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**Speaker of the  
House of Representatives**

Approved April 23, 1997

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5959** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

\_\_\_\_\_  
**Secretary**

FILED

April 23, 1997 - 4:46 p.m.

GARY LOCKE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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ENGROSSED SENATE BILL 5959

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Passed Legislature - 1997 Regular Session

State of Washington

55th Legislature

1997 Regular Session

By Senators Anderson and Morton

Read first time 02/21/97. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to seed potato production; adding a new chapter to  
2 Title 15 RCW; creating a new section; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the production of  
5 high quality certified seed potatoes within the state requires  
6 conditions that are as free as possible from insect pests and plant  
7 diseases and that ensuring these conditions exist is in the public  
8 interest. The legislature further finds that the production of other  
9 potatoes intermixed with or in close proximity to a concentrated seed  
10 potato production area poses an increased risk of introduction of plant  
11 diseases and insect pests.

12 NEW SECTION. **Sec. 2.** Growers of seed potatoes, certified in  
13 accordance with rules adopted under chapter 15.14 RCW, may submit a  
14 petition to the director of the department of agriculture requesting  
15 that the director establish a restricted seed potato production area.  
16 The petition shall include the proposed geographic boundaries of the  
17 restricted seed potato production area, and the types of restrictions  
18 that are proposed to apply to the growing of nonseed potatoes. The

1 petition shall contain the signatures of at least fifty percent of the  
2 growers of certified seed potatoes who have produced at least fifty  
3 percent of the certified seed potatoes within the proposed restricted  
4 seed potato production area in each of the two preceding years.

5 Upon receipt of a petition submitted in accordance with this  
6 section, the director of the department of agriculture shall, within  
7 sixty days of receipt of the petition, investigate the need of  
8 establishing a restricted seed potato production area. The director  
9 may propose rules and hold public hearings in the area affected by the  
10 proposed rules. The director has the authority to adopt rules in  
11 accordance with chapter 34.05 RCW to establish restricted seed potato  
12 production areas to prevent the increased exposure to plant diseases  
13 and insect pests that adversely affect the ability to meet standards  
14 for certification of seed potatoes established under chapter 15.14 RCW.

15 NEW SECTION. **Sec. 3.** The director of the department of  
16 agriculture may bring an action to enjoin the violation or threatened  
17 violation of any provision of this chapter or any rule made pursuant to  
18 this chapter in a court of competent jurisdiction of the county in  
19 which such violation occurs or is about to occur.

20 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act constitute a  
21 new chapter in Title 15 RCW.

22 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
23 preservation of the public peace, health, or safety, or support of the  
24 state government and its existing public institutions, and takes effect  
25 immediately.

Passed the Senate March 17, 1997.

Passed the House April 11, 1997.

Approved by the Governor April 23, 1997.

Filed in Office of Secretary of State April 23, 1997.