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SENATE BILL 5087

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Sheldon, Honeyford, Hatfield, and Shin

Read first time 01/13/11. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to noxious weed lists; and amending RCW 17.10.007,  
2 17.10.080, and 17.10.090.

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

4 **Sec. 1.** RCW 17.10.007 and 1997 c 353 s 1 are each amended to read  
5 as follows:

6 (1) The purpose of this chapter is to limit economic loss and  
7 adverse effects to Washington's agricultural, natural, and human  
8 resources due to the presence and spread of noxious weeds on all  
9 terrestrial and aquatic areas in the state without causing further  
10 detriment to the state's agricultural and natural resource industries.

11 (2) The intent of the legislature is that this chapter be liberally  
12 construed, and that the jurisdiction, powers, and duties granted to the  
13 county noxious weed control boards by this chapter are limited only by  
14 specific provisions of this chapter or other state and federal law.

15 **Sec. 2.** RCW 17.10.080 and 1997 c 353 s 10 are each amended to read  
16 as follows:

17 (1) The state noxious weed control board shall each year or more  
18 often, following a hearing, adopt a state noxious weed list identifying

1 the plant species that satisfy the definition of noxious weed.  
2 However, after the effective date of this section, a plant species may  
3 not be added to the state noxious weed list if the state noxious weed  
4 control board has knowledge that the plant is being actively cultivated  
5 in Washington as a commercial crop or is derived from an actively  
6 cultivated commercial crop.

7 (2) Any person may request during a comment period established by  
8 the state noxious weed control board the inclusion, deletion, or  
9 designation change of any plant to the state noxious weed list.

10 (3) The state noxious weed control board shall send a copy of the  
11 list to each activated county noxious weed control board, to each weed  
12 district, and to the county legislative authority of each county with  
13 an inactive noxious weed control board.

14 (4) The record of rule making must include the written findings of  
15 the board for the inclusion of each plant on the list. The findings  
16 shall be made available upon request to any interested person.

17 **Sec. 3.** RCW 17.10.090 and 1997 c 353 s 11 are each amended to read  
18 as follows:

19 (1) Each county noxious weed control board shall, within ninety  
20 days of the adoption of the state noxious weed list from the state  
21 noxious weed control board and following a hearing, select those weeds  
22 from the class C list and those weeds from the class B list not  
23 designated for control in the noxious weed control region in which the  
24 county lies that it finds necessary to be controlled in the county.

25 (2) The weeds ~~((thus))~~ selected ~~((and))~~ by a county noxious weed  
26 control board from the class C list, all class A weeds, and those class  
27 B weeds that have been designated for control in the noxious weed  
28 control region in which the county lies shall be classified within that  
29 county as noxious weeds, and those weeds comprise the county noxious  
30 weed list.

31 (3) All weeds identified by a county noxious weed control board are  
32 subject to the provisions of this chapter. However, nothing in this  
33 chapter limits a county noxious weed control board, or other branch of  
34 county or city government, from conducting education, outreach, or  
35 other assistance regarding plant species not included, or eligible to

1 be included, on the state or county noxious weed list if the county  
2 determines that plant species causes localized risk or concern.

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