

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 6055

Chapter 147, Laws of 2018

65th Legislature
2018 Regular Session

APPLE MAGGOT--OUTDOOR BURNING PILOT PROGRAM

EFFECTIVE DATE: June 7, 2018

Passed by the Senate March 7, 2018
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Passed by the House March 6, 2018
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 21, 2018 11:54 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6055** as passed by Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

March 23, 2018

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6055

AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

State of Washington 65th Legislature 2018 Regular Session

By Senate Energy, Environment & Technology (originally sponsored by Senators Hawkins, Carlyle, Palumbo, and Mullet)

READ FIRST TIME 02/01/18.

1 AN ACT Relating to creating a pilot program for outdoor burning
2 for cities or towns located partially inside a quarantine area for
3 apple maggot; amending RCW 17.24.051; adding a new section to chapter
4 70.94 RCW; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.94
7 RCW to read as follows:

8 (1) A city or town that is located partially inside a quarantine
9 area for apple maggot (*Rhagoletis pomonella*) established by the
10 Washington state department of agriculture may apply for a permit
11 pursuant to RCW 70.94.6528 for the burning of brush and yard waste
12 generated within the city or town, provided that the city or town
13 satisfies the following requirements:

14 (a) Burning must be conducted by city or town employees, by
15 contractors under the supervision of city or town employees, or by
16 the city or town fire department or other local fire officials;

17 (b) Burning must be conducted under the supervision of the city
18 or town fire department or other local fire officials and in
19 consultation with the department of agriculture and the department of
20 ecology or an air pollution control authority, as applicable;

1 (c) Burning must not be conducted more than four times per
2 calendar year; and

3 (d) The city or town must issue a media advisory announcing any
4 burning conducted under this section prior to engaging in any such
5 burning.

6 (2) The department and the department of agriculture are directed
7 to submit to the appropriate policy committees of the legislature no
8 later than November 1, 2018, a report that addresses the available
9 options for the processing and disposal of municipal yard waste
10 generated in areas subject to the apple maggot quarantine, including:

11 (a) Techniques that neutralize any apple maggot larvae that may
12 be contained within such yard waste;

13 (b) Identification of facilities that are capable of receiving
14 such yard waste;

15 (c) Alternatives to outdoor burning, such as composting,
16 chipping, biochar production, and biomass electrical generation; and

17 (d) A comparison of the costs of such alternatives.

18 (3) This section expires July 1, 2020.

19 **Sec. 2.** RCW 17.24.051 and 1991 c 257 s 9 are each amended to
20 read as follows:

21 (1) The introduction into or release within the state of a plant
22 pest, noxious weeds, bee pest, or any other organism that may
23 directly or indirectly affect the plant life of the state as an
24 injurious pest, parasite, predator, or other organism is prohibited,
25 except under special permit issued by the department under rules
26 adopted by the director. A special permit is not required for the
27 introduction or release within the state of a genetically engineered
28 plant or plant pest organism if the introduction or release has been
29 approved under provisions of federal law and the department has been
30 notified of the planned introduction or release. The department shall
31 be the sole issuing agency for the permits. Except for research
32 projects approved by the department, no permit for a biological
33 control agent shall be issued unless the department has determined
34 that the parasite, predator, or plant pathogen is target organism or
35 plant specific and not likely to become a pest of nontarget plants or
36 other beneficial organisms. The director may also exclude biological
37 control agents that are infested with parasites determined to be
38 detrimental to the biological control efforts of the state. The
39 department may rely upon findings of the United States department of

1 agriculture or any experts that the director may deem appropriate in
2 making a determination about the threat posed by such organisms. In
3 addition, the director may request confidential business information
4 subject to the conditions in RCW 17.24.061.

5 (2) Plant pests, noxious weeds, or other organisms introduced
6 into or released within this state in violation of this section shall
7 be subject to detention and disposition as otherwise provided in this
8 chapter.

9 (3) Upon the request of a city or town that is located partially
10 inside a quarantine area for apple maggot established by the
11 department, the department may issue a special transit permit for the
12 limited purpose of transporting brush and yard waste or debris
13 generated within the city or town through a pest free area to a
14 destination located inside a quarantine area for apple maggot
15 established by the department, subject to conditions and provisions
16 which the director may prescribe to prevent introduction, escape, or
17 spread of the quarantined pests.

Passed by the Senate March 7, 2018.

Passed by the House March 6, 2018.

Approved by the Governor March 21, 2018.

Filed in Office of Secretary of State March 23, 2018.

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