
SENATE BILL 5755

State of Washington

52nd Legislature

1991 Regular Session

By Senator Barr.

Read first time February 19, 1991. Referred to Committee on
Agriculture & Water Resources.

1 AN ACT Relating to classification of range or scab land for
2 purposes of noxious weed control; and amending RCW 17.10.150.

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

4 **Sec. 1.** RCW 17.10.150 and 1987 c 438 s 15 are each amended to read
5 as follows:

6 (1) The county noxious weed control board in each county may
7 classify lands for the purposes of this chapter. In regard to any land
8 which is classified by the county noxious weed control board as not
9 being used for agricultural purposes, the owner thereof shall have the
10 following limited duty to control noxious weeds present on such land:

11 (a) The owner shall eradicate all class A noxious weeds, and shall
12 control and prevent the spread of class B noxious weeds designated for
13 control within the region in which such land lies. The owner shall
14 also control and prevent the spread of class C noxious weeds on any
15 portion of such land which is within the buffer strip around land used

1 for agricultural purposes. The buffer strip shall be all land which is
2 within one thousand feet of land used for agricultural purposes.

3 (b) In any case of a serious infestation of a particular noxious
4 weed, which infestation exists within the buffer strip of land
5 described in paragraph (a) of subsection (1) of this section, and which
6 extends beyond said buffer strip of land, the county noxious weed
7 control board may require that the owner of such buffer strip of land
8 take such measures, both within said buffer strip of land as well as on
9 other land owned by said owner contiguous to said buffer strip of land
10 on which such serious infestation has spread, as are necessary to
11 control and prevent the spread of such particular noxious weed.

12 (c) Forest lands classified pursuant to RCW 17.10.240(3) shall be
13 subject to the weed control requirements established in subsection (1)
14 (a) and (b) of this section at all times whether such lands are used
15 for agricultural purposes or are not used for such purposes. In
16 addition, forest lands shall be subject to RCW 17.10.140 and all other
17 provisions of this chapter for a single five-year period designated by
18 the county noxious weed control board following the harvesting of trees
19 for timber.

20 (2) In regard to any land which is classified by the county noxious
21 weed control board as scab or range land, the board may limit the duty
22 of the owner thereof to control class C noxious weeds present on such
23 land. The board may share the cost of controlling such weeds, may
24 provide for a buffer strip around the perimeter of such land or may
25 take any other reasonable measures to control or contain noxious weeds
26 on such land at an equitable cost to the owner.

27 (3) The board (~~((shall))~~) may classify as range or scab land all that
28 land within the county for which the board finds that the cost of
29 controlling all of the noxious weeds present would be
30 disproportionately high when compared to the benefits derived from

1 noxious weed control on such land.