LEGISLATURE OF THE STATE OF IDAHO

Sixty-fourth Legislature   First Regular Session - 2017

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 231

BY HEALTH AND WELFARE COMMITTEE

1   AN ACT
2 RELATING TO NOXIOUS WEEDS; AMENDING CHAPTER 24, TITLE 22, IDAHO CODE, BY THE
3   ADDITION OF A NEW SECTION 22-2414, IDAHO CODE, TO DESIGNATE THE JAPAN-
4   ESE YEW AS A NOXIOUS WEED, TO PROHIBIT CERTAIN CONDUCT, TO DEFINE A TERM,
5   TO PROVIDE FOR ADHERENCE TO CONTROL GUIDELINES, TO PROVIDE FOR ERADICA-
6   TION, TO PROVIDE FOR RULEMAKING, TO PROVIDE FOR EXEMPTIONS AND TO PRO-
7   VIDE FOR PENALTIES AND VIOLATIONS.

8 Be It Enacted by the Legislature of the State of Idaho:

9   SECTION 1. That Chapter 24, Title 22, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 22-2414, Idaho Code, and to read as follows:

12   22-2414. JAPANESE YEW (TAXUS CUSPIDATA) -- DESIGNATED AS NOXIOUS
13 WEED. The Japanese yew (Taxus cuspidata) is hereby designated as a noxious
14 weed in the state of Idaho. It is unlawful to sell, plant or possess Japanese
15 yew in the state of Idaho on and after the effective date of this act. For
16 purposes of this section, "possess" shall mean a landowner with knowledge of
17 the presence of Japanese yew on the landowner's property. It shall be the
18 duty of all persons to adhere to the control guidelines as provided in this
19 chapter, including eradication by landowners in possession of Japanese yew.
20 The department shall promulgate rules providing procedures for landowners
21 to follow in the eradication and disposal of Japanese yew. Landowners may
22 apply to the department for an exemption from application of the provisions
23 of this section and the director shall have the authority, at the director's
24 discretion, to grant such exemption. Any person failing to comply with the
25 provisions of this chapter involving the sale, planting or possession of
26 Japanese yew shall be subject to the provisions of section 22-2409, Idaho
27 Code.