

**HB0979/203422/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 979

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Foley**” and substitute “**Delegates Foley, Guyton, Ruth, and Stein**”; line 11, after “assessments” insert “and data”; in line 12, after “manner;” insert “requiring the Committee to review the qualifications of a qualified independent assessor;”; and in line 19, after the semicolon insert “authorizing the State Highway Administration to conduct certain activities related to controlling and disposing of invasive plant species under certain circumstances and in a certain manner;”.

AMENDMENT NO. 2

On page 4, in line 7, strike “**EXTENSIVE**” and substitute “**AT LEAST 2 YEARS OF**”; in lines 28 and 29, strike “the risk assessment protocol” and substitute “**AN ASSESSMENT PROTOCOL**”; and in the same line, strike “**AND**”.

On page 5, in line 1, strike “**REVIEW**” and substitute “**(I) IN CONSULTATION WITH THE SECRETARY AND THE SECRETARY OF NATURAL RESOURCES, REVIEW THE QUALIFICATIONS OF THE QUALIFIED INDEPENDENT ASSESSOR; AND**

**(II) REPORT TO THE SECRETARY ANY PROPOSED CHANGES TO THE QUALIFICATIONS OF THE QUALIFIED INDEPENDENT ASSESSOR;**

**(4) REVIEW**”;

in line 4, after “**SPECIES**” insert “**; AND**

**(5) (I) REVIEW ANY DATA SUBMITTED TO THE COMMITTEE THAT INDICATES A CULTIVAR, SELECTION, OR INFRA-SPECIFIC HYBRID OF A PROHIBITED INVASIVE PLANT IS NOT INVASIVE; AND**

**(II) IF THE DATA SUBMITTED UNDER ITEM (I) OF THIS ITEM IS DEEMED ACCURATE AND SUFFICIENT, ADVISE THE SECRETARY TO DECLASSIFY OR PREEMPTIVELY NOT CLASSIFY THE CULTIVAR, SELECTION, OR INFRA-SPECIFIC HYBRID AS A PROHIBITED INVASIVE PLANT**”;

and in line 13, strike “Considers” and substitute “**CONSIDER**”.

On page 6, in line 17, after “Areas” insert “**IF THE PLANT IS ASSESSED AS AN INVASIVE PLANT SPECIES IN ACCORDANCE WITH SUBSECTIONS (C) AND (D) OF THIS SECTION**”.

On page 8, in line 19, strike “OR TIER 2”; after line 20, insert:

**“(B) EACH TERRESTRIAL PLANT CLASSIFIED BY REGULATION BEFORE JANUARY 1, 2024, AS A TIER 2 INVASIVE PLANT SHALL BE ASSESSED IN ACCORDANCE WITH § 9.5-301 OF THIS SUBTITLE BY DECEMBER 31, 2025, AND SHALL BE:**

**(1) IF THE RESULTS OF THE ASSESSMENT DETERMINE THE PLANT IS AN INVASIVE PLANT, CLASSIFIED AS A PROHIBITED INVASIVE PLANT UNDER THE REGULATIONS ADOPTED UNDER § 9.5-301 OF THIS SUBTITLE; OR**

**(2) IF THE RESULTS OF THE ASSESSMENT DETERMINE THE PLANT IS NOT AN INVASIVE PLANT, PLACED ON THE WATCH LIST.**”;

**HB0979/203422/01 Environment and Transportation Committee  
Amendments to HB 979  
Page 3 of 3**

in lines 21 and 25, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 27, strike “TITLE” and substitute “SUBTITLE”; and in line 28, strike “SUBSECTIONS (A) AND (B) OF”.

On page 9, in line 13, strike “paragraph” and substitute “PARAGRAPHS (2) AND”; in the same line, strike the second set of brackets; in the same line, strike “(2)”; in line 14, strike “and in accordance with regulations adopted by the Secretary”; in line 17, after “may” insert “, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT,”; and after line 27, insert:

“(3) (I) NOTWITHSTANDING PARAGRAPH (2)(I) OF THIS SUBSECTION AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE STATE HIGHWAY ADMINISTRATION MAY CONDUCT AN ACTIVITY PROHIBITED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE PURPOSE OF CONTROLLING OR DISPOSING OF A PROHIBITED INVASIVE PLANT ALONG STATE HIGHWAYS WITHOUT PRIOR APPROVAL OF THE SECRETARY.

“(II) THE STATE HIGHWAY ADMINISTRATION SHALL CONTROL OR DISPOSE OF PROHIBITED INVASIVE PLANTS ALONG STATE HIGHWAYS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN A MANNER CONSISTENT WITH REGULATIONS ADOPTED BY THE DEPARTMENT.

“(III) THE DEPARTMENT SHALL NOTIFY THE STATE HIGHWAY ADMINISTRATION OF ANY CHANGES TO REGULATIONS ADOPTED BY THE DEPARTMENT THAT IMPACT THE CONTROL OR DISPOSAL OF PROHIBITED INVASIVE PLANTS.”.