

2 **SB 5898** - H COMM AMD

3 By Committee on Agriculture & Ecology

4 ADOPTED AS AMENDED 4/12/95

5 Strike everything after the enacting clause and insert the  
6 following:

7 "**Sec. 1.** RCW 70.94.656 and 1991 sp.s. c 13 s 28 are each amended  
8 to read as follows:

9 It is hereby declared to be the policy of this state that strong  
10 efforts should be made to minimize adverse effects on air quality from  
11 the open burning of field and turf grasses grown for seed. To such end  
12 this section is intended to promote the development of economical and  
13 practical alternate agricultural practices to such burning, and to  
14 provide for interim regulation of such burning until practical  
15 alternates are found.

16 (1) The department shall approve of a study or studies for the  
17 exploration and identification of economical and practical alternate  
18 agricultural practices to the open burning of field and turf grasses  
19 grown for seed. Any study conducted pursuant to this section shall be  
20 conducted by Washington State University. The university may not  
21 charge more than eight percent for administrative overhead. Prior to  
22 the issuance of any permit for such burning under RCW 70.94.650, there  
23 shall be collected a fee not to exceed one dollar per acre of crop to  
24 be burned. Any such fees received by any authority shall be  
25 transferred to the department of ecology. The department of ecology  
26 shall deposit all such acreage fees in a special grass seed burning  
27 research account, hereby created, in the state treasury.

28 (2) The department shall allocate moneys annually from this account  
29 for the support of any approved study or studies as provided for in  
30 (~~this~~) subsection (1) of this section. (~~For the conduct of any such~~  
31 ~~study or studies, the department may contract with public or private~~  
32 ~~entities: PROVIDED, That~~) Whenever the department of ecology shall  
33 conclude that sufficient reasonably available alternates to open  
34 burning have been developed, and at such time as all costs of any  
35 studies have been paid, the grass seed burning research account shall  
36 be dissolved, and any money remaining therein shall revert to the

1 general fund. The fee collected under (~~this~~) subsection (1) of this  
2 section shall constitute the research portion of fees required under  
3 RCW 70.94.650 for open burning of grass grown for seed.

4 (~~(2)~~) (3) Whenever on the basis of information available to it,  
5 the department after public hearings have been conducted wherein  
6 testimony will be received and considered from interested parties  
7 wishing to testify shall conclude that any procedure, program,  
8 technique, or device constitutes a practical alternate agricultural  
9 practice to the open burning of field or turf grasses grown for seed,  
10 the department shall, by order, certify approval of such alternate.  
11 Thereafter, in any case which any such approved alternate is reasonably  
12 available, the open burning of field and turf grasses grown for seed  
13 shall be disallowed and no permit shall issue therefor.

14 (~~(3)~~) (4) Until approved alternates become available, the  
15 department or the authority may limit the number of acres on a pro rata  
16 basis among those affected for which permits to burn will be issued in  
17 order to effectively control emissions from this source.

18 (~~(4)~~) (5) Permits issued for burning of field and turf grasses  
19 may be conditioned to minimize emissions insofar as practical,  
20 including denial of permission to burn during periods of adverse  
21 meteorological conditions.

22 (6) By November 1, 1996, and every two years thereafter until grass  
23 seed burning is prohibited, Washington State University shall submit to  
24 the appropriate standing committees of the legislature a brief report  
25 assessing the potential of the university's research to result in  
26 economical and practical alternatives to grass seed burning.

27 **Sec. 2.** RCW 70.94.120 and 1969 ex.s. c 168 s 14 are each amended  
28 to read as follows:

29 (1) The city selection committee of each county which is included  
30 within an authority shall meet within one month after the activation of  
31 such authority for the purpose of making its initial appointments to  
32 the board of such authority and thereafter whenever necessary for the  
33 purpose of making succeeding appointments. All meetings shall be held  
34 upon at least two weeks written notice given by the county auditor to  
35 each member of the city selection committee of each county and he shall  
36 give such notice upon request of any member of such committee. A  
37 similar notice shall be given to the general public by a publication of  
38 such notice in a newspaper of general circulation in such authority.

1 The county auditor shall act as recording officer, maintain its records  
2 and give appropriate notice of its proceedings and actions.

3 (2) As an alternative to meeting in accordance with subsection (1)  
4 of this section, the county auditor may mail ballots by certified mail  
5 to the members of the city selection committee, specifying a date by  
6 which to complete the ballot, and a date by which to return the  
7 completed ballot. Each mayor who chooses to participate in the  
8 balloting shall write in the choice for appointment, sign the ballot,  
9 and return the ballot to the county auditor. Each completed ballot  
10 shall be date-stamped upon receipt by the mayor or staff of the mayor  
11 of the city or town. The timely return of completed ballots by a  
12 majority of the members of each city selection committee constitutes a  
13 quorum and the common choice by a majority of the quorum constitutes a  
14 valid appointment.

15 (3) Balloting shall be preceded by at least two weeks' written  
16 notice, given by the county auditor to each member of the city  
17 selection committee. A similar notice shall be given to the general  
18 public by publication in a newspaper of general circulation in the  
19 authority.

20 NEW SECTION. Sec. 3. This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and shall take  
23 effect immediately."

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27 On page 1, line 1 of the title, after "seed;" strike the remainder  
28 of the title and insert "amending RCW 70.94.656 and 70.94.120; and  
29 declaring an emergency."

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