

2 **SB 5898** - H COMM AMD **ADOPTED 4/12/95**
3 By Committee on Agriculture & Ecology

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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 NEW SECTION. Sec. 2. This act is necessary for the immediate
28 preservation of the public peace, health, or safety, or support of the
29 state government and its existing public institutions, and shall take
30 effect immediately."

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1 On page 1, line 1 of the title, after "seed;" strike the remainder
2 of the title and insert "amending RCW 70.94.656; and declaring an
3 emergency."

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