
HOUSE BILL 2216

State of Washington

55th Legislature

1997 Regular Session

By Representatives Mastin, Chandler and Grant

Read first time 02/27/97. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to field and turf grasses grown for seed; and
2 amending RCW 70.94.656.

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

4 **Sec. 1.** RCW 70.94.656 and 1995 c 261 s 1 are each amended to read
5 as follows:

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

13 (1) The department shall approve of a study or studies for the
14 exploration and identification of economical and practical
15 ((~~alternate~~)) alternative agricultural practices to the open burning of
16 field and turf grasses grown for seed. Any study conducted pursuant to
17 this section shall be conducted by Washington State University. The
18 university may not charge more than eight percent for administrative
19 overhead. Prior to the issuance of any permit for such burning under

1 RCW 70.94.650, there shall be collected a fee not to exceed one dollar
2 per acre of crop to be burned. Any such fees received by any authority
3 shall be transferred to the department of ecology. The department of
4 ecology shall deposit all such acreage fees in a special grass seed
5 burning research account, hereby created, in the state treasury.

6 (2) The department shall allocate moneys annually from this account
7 for the support of any approved study or studies as provided for in
8 subsection (1) of this section. Whenever the department of ecology
9 shall conclude that sufficient reasonably available ((alternates))
10 alternatives to open burning have been developed, and at such time as
11 all costs of any studies have been paid, the grass seed burning
12 research account shall be dissolved, and any money remaining therein
13 shall revert to the general fund. The fee collected under subsection
14 (1) of this section shall constitute the research portion of fees
15 required under RCW 70.94.650 for open burning of grass grown for seed.

16 (3) Whenever on the basis of information available to it, the
17 department after public hearings have been conducted wherein testimony
18 will be received and considered from interested parties wishing to
19 testify shall conclude that any procedure, program, technique, or
20 device constitutes a practical ((alternate)) alternative agricultural
21 practice to the open burning of field or turf grasses grown for seed,
22 the department shall, by order, certify approval of such ((alternate))
23 alternative. Thereafter, in any case which any such approved
24 ((alternate)) alternative is reasonably available, the open burning of
25 field and turf grasses grown for seed shall be disallowed and no permit
26 shall issue therefor.

27 (4) Until approved ((alternates)) alternatives become available,
28 the department or the authority may limit in a county with a population
29 of three hundred fifty thousand or more the number of acres on a pro
30 rata basis among those affected for which permits to burn will be
31 issued in order to effectively control emissions from this source.

32 (5) Permits issued for burning of field and turf grasses may be
33 conditioned to minimize emissions insofar as practical, including
34 denial of permission to burn during periods of adverse meteorological
35 conditions.

36 (6) By November 1, 1996, and every two years thereafter until grass
37 seed burning is prohibited, Washington State University shall submit to
38 the appropriate standing committees of the legislature a brief report

1 assessing the potential of the university's research to result in
2 economical and practical alternatives to grass seed burning.

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