

SSB 5552 - H COMM AMD
By Committee on Appropriations

ADOPTED 04/15/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that more than
4 three-fourths of the world's flowering plants and about thirty-five
5 percent of the world's food crops depend on pollinators to reproduce.
6 In Washington state, honey bees and other pollinators are responsible
7 for the production of tree fruits, small fruits, and other crops,
8 with the value in 2016 of crops pollinated by honey bees exceeding
9 three billion dollars. The legislature further finds that, beyond
10 agriculture, pollinators are keystone species in the terrestrial
11 ecosystems of Washington, with fruit and seeds derived from insect
12 pollination providing a major part of the diet of numerous bird and
13 mammal species. The state has experienced pollinator habitat loss
14 through property conversion, fragmentation, and degradation of land,
15 and with the state's population continuing to grow at a fast pace,
16 the additional loss of habitat is a significant concern.

17 Therefore, the legislature intends by this act to initiate a
18 concerted effort to protect and expand the habitat upon which
19 pollinators depend, by providing technical and financial assistance
20 to public and private landowners, and by coordinating with other
21 state agencies and local governments in promoting practices to ensure
22 sustainable, healthy populations of managed and native pollinators.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.23
24 RCW to read as follows:

25 The department shall establish a program to promote and protect
26 pollinator habitat and the health and sustainability of pollinator
27 species. As funds are made available, the program must provide
28 technical and financial assistance to state agencies, local
29 governments, and private landowners to implement practices that
30 promote habitat for managed pollinators, as well as beekeeper and
31 grower best management practices. The program must be administered in

1 coordination with the apiary program established in chapter 15.60
2 RCW, the honey bee commission authorized in chapter 15.62 RCW, and
3 programs administered by the conservation commission and conservation
4 districts.

5 NEW SECTION. **Sec. 3.** (1) The department of agriculture shall
6 create and chair a pollinator health task force. The department of
7 agriculture shall appoint the members of the task force, which must
8 include but is not limited to representatives of the following
9 interests, organizations, and state agencies:

- 10 (a) The conservation commission;
- 11 (b) The department of natural resources;
- 12 (c) The department of fish and wildlife;
- 13 (d) The state parks and recreation commission;
- 14 (e) The Washington state department of transportation;
- 15 (f) The state noxious weed control board;
- 16 (g) The tree fruit industry;
- 17 (h) The seed industry;
- 18 (i) The berry industry;
- 19 (j) Other agricultural industries dependent upon pollinators;
- 20 (k) Washington State University;
- 21 (l) Pesticide distributors and applicators;
- 22 (m) Conservation organizations;
- 23 (n) Organizations representing beekeepers or apiarists;
- 24 (o) A member of the public from west of the crest of the Cascade
25 mountains; and
- 26 (p) A member of the public from east of the crest of the Cascade
27 mountains.

28 (2) One or more representatives of Washington tribes must also be
29 invited to participate on the task force.

30 (3) One youth representative from an organization that encourages
31 students to engage in agricultural education must also be invited to
32 participate on the task force when available.

33 (4) The task force shall build upon existing pollinator and
34 pollinator habitat plans at the national and state level including,
35 but not limited to, the state-managed pollinator plan, to develop a
36 state pollinator health strategy that includes, but is not limited
37 to, the following elements:

- 38 (a) A research action plan to focus state efforts on
39 understanding, preventing, and recovering from pollinator losses;

1 (b) A plan to expand and coordinate public education programs
2 outlining steps that individuals and businesses can take to help
3 address the loss of pollinators;

4 (c) A plan to expand research on and education related to varroa
5 mites and other pests and diseases that affect bees;

6 (d) Recommendations for developing public and private
7 partnerships to encourage pollinator protection and increase the
8 quality and amount of habitat and forage for pollinators;

9 (e) Specific targets and plans that state agencies should adopt
10 to enhance pollinator habitat on their managed lands and facilities;

11 (f) Recommendations for promoting seed banks and native plants
12 beneficial for pollinators;

13 (g) Recommendations for developing a plan to improve
14 communication between beekeepers, landowners, and pesticide
15 applicators, including a draft policy for the director of agriculture
16 to consider that would allow the release of contact information for
17 registered apiarists when requested by a landowner or pesticide
18 applicator in order to protect the apiary when possible; and

19 (h) Recommendations for legislative, administrative, or budgetary
20 actions necessary to implement the strategy.

21 (5) The department of agriculture shall provide the strategy to
22 the appropriate committees of the senate and house of representatives
23 by December 31, 2020, in compliance with RCW 43.01.036.

24 (6) This section expires January 1, 2021.

25 **Sec. 4.** RCW 17.10.145 and 2016 c 44 s 2 are each amended to read
26 as follows:

27 (1) All state agencies shall control noxious weeds on lands they
28 own, lease, or otherwise control through integrated pest management
29 practices. Agencies shall develop plans in cooperation with county
30 noxious weed control boards to control noxious weeds in accordance
31 with standards in this chapter.

32 (2) All state agencies' lands must comply with this chapter,
33 regardless of noxious weed control efforts on adjacent lands.

34 (3) While conducting planned projects to ensure compliance with
35 this chapter, all agencies must give preference, when deemed
36 appropriate by the acting agency for the project and targeted
37 resource management goals, to replacing (~~pollen-rich or nectar-~~
38 ~~rich~~) noxious weeds with native forage plants that are pollen-rich

1 or nectar-rich and beneficial for all pollinators, including honey
2 bees.

3 **Sec. 5.** RCW 79.10.120 and 2014 c 114 s 4 are each amended to
4 read as follows:

5 Multiple uses additional to and compatible with those basic
6 activities necessary to fulfill the financial obligations of trust
7 management may include but are not limited to:

- 8 (1) Recreational areas;
- 9 (2) Recreational trails for both vehicular and nonvehicular uses
10 developed or maintained consistent with RCW 79.10.500;
- 11 (3) Special educational or scientific studies;
- 12 (4) Experimental programs by the various public agencies;
- 13 (5) Special events;
- 14 (6) Hunting and fishing and other sports activities;
- 15 (7) Maintenance of pollinator habitat and habitat beneficial for
16 the feeding, nesting, and reproduction of all pollinators, including
17 honey bees;

18 (8) Nonconsumptive wildlife activities as defined by the board of
19 natural resources;

- 20 ~~((+8))~~ (9) Maintenance of scenic areas;
- 21 ~~((+9))~~ (10) Maintenance of historical sites;
- 22 ~~((+10))~~ (11) Municipal or other public watershed protection;
- 23 ~~((+11))~~ (12) Greenbelt areas;
- 24 ~~((+12))~~ (13) Public rights-of-way;
- 25 ~~((+13))~~ (14) Other uses or activities by public agencies~~((+))~~.

26 If such additional uses are not compatible with the financial
27 obligations in the management of trust land they may be permitted
28 only if there is compensation from such uses satisfying the financial
29 obligations.

30 **Sec. 6.** RCW 79.10.200 and 2003 c 334 s 542 are each amended to
31 read as follows:

32 The department may adopt a multiple use land resource allocation
33 plan for all or portions of the lands under its jurisdiction
34 providing for the identification and establishment of areas of land
35 uses and identifying those uses which are best suited to achieve the
36 purposes of RCW 79.10.060, 79.10.070, 79.10.100 through 79.10.120,
37 79.10.130, 79.10.200 through 79.10.330, 79.44.003, and ~~((79.90.456))~~
38 79.105.050. Such plans shall take into consideration the various

1 ecological conditions, elevations, soils, natural features,
2 vegetative cover, pollinator habitat, climate, geographical location,
3 values, public use potential, accessibility, economic uses,
4 recreational potentials, local and regional land use plans or zones,
5 local, regional, state, and federal comprehensive land use plans or
6 studies, and all other factors necessary to achieve the purposes of
7 RCW 79.10.060, 79.10.070, 79.10.100 through 79.10.120, 79.10.130,
8 79.10.200 through 79.10.330, 79.44.003, and (~~79.90.456~~) 79.105.050.

9 **Sec. 7.** RCW 79.10.280 and 2003 c 334 s 545 are each amended to
10 read as follows:

11 (1) The department shall design expansion of its land use data
12 bank to include additional information that will assist in the
13 formulation, evaluation, and updating of intermediate and long-range
14 goals and policies for land use, population growth and distribution,
15 urban expansion, open space, resource preservation and utilization,
16 and other factors which shape statewide development patterns and
17 significantly influence the quality of the state's environment. The
18 system shall be designed to permit inclusion of other lands in the
19 state and will do so as financing and time permit.

20 (2) Such data bank shall contain any information relevant to the
21 future growth of agriculture, forestry, industry, business,
22 residential communities, and recreation; the wise use of land and
23 other natural resources which are in accordance with their character
24 and adaptability; the conservation and protection of the soil, air,
25 water, pollinator habitat, and forest resources; the protection of
26 the beauty of the landscape; and the promotion of the efficient and
27 economical uses of public resources.

28 The information shall be assembled from all possible sources,
29 including but not limited to, the federal government and its
30 agencies, all state agencies, all political subdivisions of the
31 state, all state operated universities and colleges, and any source
32 in the private sector. All state agencies, all political subdivisions
33 of the state, and all state universities and colleges are directed to
34 cooperate to the fullest extent in the collection of data in their
35 possession. Information shall be collected on all areas of the state
36 but collection may emphasize one region at a time.

37 (3) The data bank shall make maximum use of computerized or other
38 advanced data storage and retrieval methods. The department is

1 authorized to engage consultants in data processing to ensure that
2 the data bank will be as complete and efficient as possible.

3 (4) The data shall be made available for use by any governmental
4 agency, research organization, university or college, private
5 organization, or private person as a tool to evaluate the range of
6 alternatives in land and resource planning in the state.

7 NEW SECTION. **Sec. 8.** A new section is added to chapter 77.12
8 RCW to read as follows:

9 The department must implement practices necessary to maintain
10 pollinator habitat on department-owned and managed agricultural and
11 grazing lands where practicable. For the purposes of this section,
12 "pollinator habitat" means an area of land that is or may be
13 developed as habitat beneficial for the feeding, nesting, and
14 reproduction of all pollinators, including honey bees, as determined
15 by the department.

16 **Sec. 9.** RCW 79A.05.305 and 1984 c 82 s 2 are each amended to
17 read as follows:

18 The legislature declares that it is the continuing policy of the
19 state of Washington to set aside and manage certain lands within the
20 state for public park purposes. To comply with public park purposes,
21 these lands shall be acquired and managed to:

22 (1) Maintain and enhance ecological, aesthetic, and recreational
23 purposes;

24 (2) Preserve and maintain mature and old-growth forests
25 containing trees of over ninety years and other unusual ecosystems as
26 natural forests or natural areas, which may also be used for
27 interpretive purposes;

28 (3) Protect cultural and historical resources, locations, and
29 artifacts, which may also be used for interpretive purposes;

30 (4) Provide a variety of recreational opportunities to the
31 public, including but not limited to use of developed recreation
32 areas, trails, and natural areas;

33 (5) Preserve and maintain habitat which will protect and promote
34 endangered, threatened, and sensitive plants, (~~and~~) endangered,
35 threatened, and sensitive animal species, and habitat beneficial for
36 the feeding, nesting, and reproduction of all pollinators, including
37 honey bees; and

1 (6) Encourage public participation in the formulation and
2 implementation of park policies and programs.

3 **Sec. 10.** RCW 47.40.040 and 1961 c 13 s 47.40.040 are each
4 amended to read as follows:

5 Each application for a permit to plant, cultivate and grow any
6 hedge, shade or ornamental trees or shrubbery along or upon the
7 right-of-way of any state highway or improve such right-of-way shall
8 be in writing, signed by the applicant, and shall describe the state
9 highway or portion thereof along or upon the right-of-way of which
10 permit to plant, cultivate, grow or improve is sought, by name,
11 number, or other reasonable description, and the lands bordering
12 thereon by governmental subdivisions, and shall state the names,
13 places or residence and post office addresses of the applicant or
14 applicants owning the land abutting upon such state highway or the
15 name of the person, firm, corporation, association or organization
16 applying for the permit and the names of its officers and their
17 places of residence and their post office addresses, and shall state
18 definitely the purpose for which the permit is sought, giving a
19 description of the kind of hedge, or variety of shrubbery or trees
20 desired to be planted or the kinds of crops to be grown, or
21 improvement to be made, with a diagram illustrating the location and
22 number of hedges, trees or shrubs or the area of cultivation desired
23 or plans of the improvement proposed to be made. Whenever possible,
24 applicants should use native forage plants that are pollen-rich or
25 nectar-rich and beneficial for all pollinators, including honey bees,
26 in order to develop habitat beneficial for the feeding, nesting, and
27 reproduction of pollinators.

28 **Sec. 11.** RCW 47.40.100 and 1995 c 106 s 1 are each amended to
29 read as follows:

30 (1) (a) The department of transportation shall establish a
31 statewide adopt-a-highway program. The purpose of the program is to
32 provide volunteers and businesses an opportunity to contribute to a
33 cleaner environment, enhanced roadsides, and protection of wildlife
34 habitats. Participating volunteers and businesses shall adopt
35 department-designated sections of state highways, rest areas, park
36 and ride lots, intermodal facilities, and any other facilities the
37 department deems appropriate, in accordance with rules adopted by the

1 department. The department may elect to coordinate a consortium of
2 participants for adopt-a-highway projects.

3 (b) The adopt-a-highway program shall include, at a minimum,
4 litter control for the adopted section, and may include additional
5 responsibilities such as planting and maintaining vegetation,
6 controlling weeds, graffiti removal, and any other roadside
7 improvement or clean-up activities the department deems appropriate.
8 Whenever possible, when planting and maintaining vegetation,
9 volunteers and businesses should use native forage plants that are
10 pollen-rich or nectar-rich and beneficial for all pollinators,
11 including honey bees, in order to develop habitat beneficial for the
12 feeding, nesting, and reproduction of pollinators. The department
13 shall not accept adopt-a-highway proposals that would have the effect
14 of terminating classified employees or classified employee positions.

15 (2) A volunteer group or business choosing to participate in the
16 adopt-a-highway program must submit a proposal to the department. The
17 department shall review the proposal for consistency with
18 departmental policy and rules. The department may accept, reject, or
19 modify an applicant's proposal.

20 (3) The department shall seek partnerships with volunteer groups
21 and businesses to facilitate the goals of this section. The
22 department may solicit funding for the adopt-a-highway program that
23 allows private entities to undertake all or a portion of financing
24 for the initiatives. The department shall develop guidelines
25 regarding the cash, labor, and in-kind contributions to be performed
26 by the participants.

27 (4) An organization whose name: (a) Endorses or opposes a
28 particular candidate for public office, (b) advocates a position on a
29 specific political issue, initiative, referendum, or piece of
30 legislation, or (c) includes a reference to a political party shall
31 not be eligible to participate in the adopt-a-highway program.

32 (5) In administering the adopt-a-highway program, the department
33 shall:

34 (a) Provide a standardized application form, registration form,
35 and contractual agreement for all participating groups. The forms
36 shall notify the prospective participants of the risks and
37 responsibilities to be assumed by the department and the
38 participants;

39 (b) Require all participants to be at least fifteen years of age;

40 (c) Require parental consent for all minors;

- 1 (d) Require at least one adult supervisor for every eight minors;
- 2 (e) Require one designated leader for each participating
3 organization, unless the department chooses to coordinate a
4 consortium of participants;
- 5 (f) Assign each participating organization a section or sections
6 of state highway, or other state-owned transportation facilities, for
7 a specified period of time;
- 8 (g) Recognize the efforts of a participating organization by
9 erecting and maintaining signs with the organization's name on both
10 ends of the organization's section of highway;
- 11 (h) Provide appropriate safety equipment. Safety equipment issued
12 to participating groups must be returned to the department upon
13 termination of the applicable adopt-a-highway agreement;
- 14 (i) Provide safety training for all participants;
- 15 (j) Pay any and all premiums or assessments required under RCW
16 51.12.035 to secure medical aid benefits under chapter 51.36 RCW for
17 all volunteers participating in the program;
- 18 (k) Require participating businesses to pay all employer premiums
19 or assessments required to secure medical aid benefits under chapter
20 51.36 RCW for all employees or agents participating in the program;
- 21 (l) Maintain records of all injuries and accidents that occur;
- 22 (m) Adopt rules that establish a process to resolve any question
23 of an organization's eligibility to participate in the adopt-a-
24 highway program;
- 25 (n) Obtain permission from property owners who lease right-of-way
26 before allowing an organization to adopt a section of highway on such
27 leased property; and
- 28 (o) Establish procedures and guidelines for the adopt-a-highway
29 program.
- 30 (6) Nothing in this section affects the rights or activities of,
31 or agreements with, adjacent landowners, including the use of rights-
32 of-way and crossings, nor impairs these rights and uses by the
33 placement of signs.

34 **Sec. 12.** RCW 79A.15.060 and 2016 c 149 s 6 are each amended to
35 read as follows:

- 36 (1) The board may adopt rules establishing acquisition policies
37 and priorities for distributions from the habitat conservation
38 account.

1 (2) Except as provided in RCW 79A.15.030(8), moneys appropriated
2 for this chapter may not be used by the board to fund staff positions
3 or other overhead expenses, or by a state, regional, or local agency
4 to fund operation or maintenance of areas acquired under this
5 chapter.

6 (3) Moneys appropriated for this chapter may be used by grant
7 recipients for costs incidental to acquisition, including, but not
8 limited to, surveying expenses, fencing, noxious weed control, and
9 signing.

10 (4) The board may not approve a local project where the local
11 agency share is less than the amount to be awarded from the habitat
12 conservation account.

13 (5) In determining acquisition priorities with respect to the
14 habitat conservation account, the board shall consider, at a minimum,
15 the following criteria:

16 (a) For critical habitat and natural areas proposals:

17 (i) Multiple benefits for the project;

18 (ii) Whether, and the extent to which, a conservation easement
19 can be used to meet the purposes for the project;

20 (iii) Community support for the project based on input from, but
21 not limited to, local citizens, local organizations, and local
22 elected officials;

23 (iv) The project proposal's ongoing stewardship program that
24 includes estimated costs of maintaining and operating the project
25 including, but not limited to, control of noxious weeds and
26 detrimental invasive species, and that identifies the source of the
27 funds from which the stewardship program will be funded;

28 (v) Recommendations as part of a watershed plan or habitat
29 conservation plan, or a coordinated regionwide prioritization effort,
30 and for projects primarily intended to benefit salmon, limiting
31 factors, or critical pathways analysis;

32 (vi) Immediacy of threat to the site;

33 (vii) Uniqueness of the site;

34 (viii) Diversity of species using the site;

35 (ix) Quality of the habitat;

36 (x) Long-term viability of the site;

37 (xi) Presence of endangered, threatened, or sensitive species;

38 (xii) Enhancement of existing public property;

39 (xiii) Consistency with a local land use plan, or a regional or
40 statewide recreational or resource plan, including projects that

1 assist in the implementation of local shoreline master plans updated
2 according to RCW 90.58.080 or local comprehensive plans updated
3 according to RCW 36.70A.130;

4 (xiv) Educational and scientific value of the site;

5 (xv) Integration with recovery efforts for endangered,
6 threatened, or sensitive species;

7 (xvi) The statewide significance of the site;

8 (xvii) Habitat benefits for the feeding, nesting, and
9 reproduction of all pollinators, including honey bees.

10 (b) For urban wildlife habitat proposals, in addition to the
11 criteria of (a) of this subsection:

12 (i) Population of, and distance from, the nearest urban area;

13 (ii) Proximity to other wildlife habitat;

14 (iii) Potential for public use; and

15 (iv) Potential for use by special needs populations.

16 (c) For riparian protection proposals, the board must consider,
17 at a minimum, the following criteria:

18 (i) Whether the project continues the conservation reserve
19 enhancement program. Applications that extend the duration of leases
20 of riparian areas that are currently enrolled in the conservation
21 reserve enhancement program are eligible. These applications are
22 eligible for a conservation lease extension of at least twenty-five
23 years of duration;

24 (ii) Whether the projects are identified or recommended in a
25 watershed plan, salmon recovery plan, or other local plans, such as
26 habitat conservation plans, and these must be highly considered in
27 the process;

28 (iii) Whether there is community support for the project;

29 (iv) Whether the proposal includes an ongoing stewardship program
30 that includes control of noxious weeds, detrimental invasive species,
31 and that identifies the source of the funds from which the
32 stewardship program will be funded;

33 (v) Whether there is an immediate threat to the site;

34 (vi) Whether the quality of the habitat is improved or, for
35 projects including restoration or enhancement, the potential for
36 restoring quality habitat including linkage of the site to other high
37 quality habitat;

38 (vii) Whether the project is consistent with a local land use
39 plan or a regional or statewide recreational or resource plan. The
40 projects that assist in the implementation of local shoreline master

1 plans updated according to RCW 90.58.080 or local comprehensive plans
2 updated according to RCW 36.70A.130 must be highly considered in the
3 process;

4 (viii) Whether the site has educational or scientific value;
5 (~~and~~)

6 (ix) Whether the site has passive recreational values for walking
7 trails, wildlife viewing, the observation of natural settings, or
8 other multiple benefits; and

9 (x) Whether the project provides habitat benefits for the
10 feeding, nesting, and reproduction of all pollinators, including
11 honey bees.

12 (d) Moneys appropriated for this chapter to riparian protection
13 projects must be distributed for the acquisition or enhancement or
14 restoration of riparian habitat. All enhancement or restoration
15 projects, except those qualifying under (c)(i) of this subsection,
16 must include the acquisition of a real property interest in order to
17 be eligible.

18 (6) Before November 1st of each even-numbered year, the board
19 shall recommend to the governor a prioritized list of all projects to
20 be funded under RCW 79A.15.040. The governor may remove projects from
21 the list recommended by the board and shall submit this amended list
22 in the capital budget request to the legislature. The list shall
23 include, but not be limited to, a description of each project and any
24 particular match requirement, and describe for each project any
25 anticipated restrictions upon recreational activities allowed prior
26 to the project.

27 NEW SECTION. **Sec. 13.** A new section is added to chapter 15.58
28 RCW to read as follows:

29 The department must develop educational materials regarding the
30 best practices for avoiding adverse effects from pesticides on
31 populations of bees, honey bees, and other pollinating insects. The
32 educational materials must include, but not be limited to, measures
33 that anyone applying pesticides can take to protect bees, honey bees,
34 and other pollinating insects. The department must design
35 requirements to ensure that any pesticide applicator applying or
36 supervising the application of a restricted-use pesticide is highly
37 knowledgeable regarding alternatives to, the appropriateness of, and
38 precautions for, the use of restricted-use pesticides that may be

1 injurious to the health of bees, honey bees, and other pollinating
2 insects.

3 NEW SECTION. **Sec. 14.** A new section is added to chapter 35.21
4 RCW to read as follows:

5 (1) A city or town may, by ordinance, establish an urban
6 agriculture zone within the boundaries of the city or town.

7 (2) To establish an urban agriculture zone, the city or town must
8 conduct at least one public hearing on the question of whether to
9 establish the urban agriculture zone.

10 (3) An ordinance adopted pursuant to this section must not
11 prohibit the use of structures that support agricultural activity
12 including, without limitation, apiaries, toolsheds, greenhouses,
13 produce stands, and instructional spaces.

14 NEW SECTION. **Sec. 15.** A new section is added to chapter 35.21
15 RCW to read as follows:

16 A city or town may authorize, by ordinance, the use of vacant or
17 blighted city land for the purpose of community gardening under the
18 terms and conditions established for the use of the city land set
19 forth by the ordinance. The ordinance may establish fees for the use
20 of the city land, provide requirements for liability insurance, and
21 provide requirements for a deposit to use the city land, which may be
22 refunded. The ordinance must require that a portion of the community
23 garden include habitat beneficial for the feeding, nesting, and
24 reproduction of all pollinators, including honey bees.

25 NEW SECTION. **Sec. 16.** A new section is added to chapter 35A.21
26 RCW to read as follows:

27 (1) A code city may, by ordinance, establish an urban agriculture
28 zone within the boundaries of the code city.

29 (2) To establish an urban agriculture zone, the code city must
30 conduct at least one public hearing on the question of whether to
31 establish the urban agriculture zone.

32 (3) An ordinance adopted pursuant to this section must not
33 prohibit the use of structures that support agricultural activity
34 including, without limitation, apiaries, toolsheds, greenhouses,
35 produce stands, and instructional spaces.

1 NEW SECTION. **Sec. 17.** A new section is added to chapter 35A.21
2 RCW to read as follows:

3 A code city may authorize, by ordinance, the use of vacant or
4 blighted city land for the purpose of community gardening under the
5 terms and conditions established for the use of the city land set
6 forth by the ordinance. The ordinance may establish fees for the use
7 of the city land, provide requirements for liability insurance, and
8 provide requirements for a deposit to use the city land, which may be
9 refunded. The ordinance must require that a portion of the community
10 garden include habitat beneficial for the feeding, nesting, and
11 reproduction of all pollinators, including honey bees.

12 NEW SECTION. **Sec. 18.** A new section is added to chapter 36.34
13 RCW to read as follows:

14 A county may, by ordinance, authorize the use of vacant or
15 blighted county land for the purpose of community gardening under the
16 terms and conditions established for the use of the county land set
17 forth by the ordinance. The ordinance may establish fees for the use
18 of the county land, provide requirements for liability insurance, and
19 provide requirements for a deposit to use the county land, which may
20 be refunded. The ordinance must require that a portion of the
21 community garden include habitat beneficial for the feeding, nesting,
22 and reproduction of all pollinators, including honey bees.

23 NEW SECTION. **Sec. 19.** If specific funding for the purposes of
24 this act, referencing this act by bill or chapter number, is not
25 provided by June 30, 2019, in the omnibus appropriations act, this
26 act is null and void."

27 Correct the title.

EFFECT: Adds a null and void clause. The bill is null and void
unless funded in the budget.

--- END ---