
SENATE BILL 6314

State of Washington

56th Legislature

2000 Regular Session

By Senators Rasmussen, Morton and Swecker

Read first time 01/13/2000. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to dairy waste management; and amending RCW
2 90.48.020, 90.48.390, and 90.64.150.

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

4 **Sec. 1.** RCW 90.48.020 and 1995 c 255 s 7 are each amended to read
5 as follows:

6 ~~((Whenever the word))~~ The definitions in this section apply
7 throughout this chapter unless the context clearly requires otherwise.

8 (1) "Person" ~~((is used in this chapter, it shall be construed to))~~
9 includes any political subdivision, government agency, municipality,
10 industry, public or private corporation, copartnership, association,
11 firm, individuals or any other entity whatsoever.

12 ~~((Wherever the words))~~ (2) "Waters of the state" ~~((shall be used in~~
13 ~~this chapter, they shall be construed to))~~ includes lakes, rivers,
14 ponds, streams, inland waters, underground waters, salt waters, and all
15 other surface waters and watercourses within the jurisdiction of the
16 state of Washington.

17 ~~((Whenever the word))~~ (3) "Pollution" ~~((is used in this chapter, it~~
18 ~~shall be construed to))~~ means such contamination, or other alteration
19 of the physical, chemical, or biological properties, of any waters of

1 the state, including change in temperature, taste, color, turbidity, or
2 odor of the waters, or such discharge of any liquid, gaseous, solid,
3 radioactive, or other substance into any waters of the state as will or
4 is likely to create a nuisance or render such waters harmful,
5 detrimental, or injurious to the public health, safety, or welfare, or
6 to domestic, commercial, industrial, agricultural, recreational, or
7 other legitimate beneficial uses, or to livestock, wild animals, birds,
8 fish or other aquatic life.

9 ~~((Wherever the word))~~ (4) "Department" ~~((is used in this chapter it
10 shall))~~ means the department of ecology.

11 ~~((Whenever the word))~~ (5) "Director" ~~((is used in this chapter it
12 shall))~~ means the director of ecology.

13 ~~((Whenever the words))~~ (6) "Aquatic noxious weed" ~~((are used in
14 this chapter, they have))~~ has the same meaning as prescribed under RCW
15 17.26.020.

16 (7) "Dairy farm" means any farm licensed to produce milk under
17 chapter 15.36 RCW.

18 **Sec. 2.** RCW 90.48.390 and 1991 sp.s. c 13 s 84 are each amended to
19 read as follows:

20 The coastal protection fund is established to be used by the
21 department as a revolving fund for carrying out the purposes of
22 restoration of natural resources under this chapter and chapter 90.56
23 RCW. To this fund there shall be credited penalties, fees, damages,
24 charges received pursuant to the provisions of this chapter and chapter
25 90.56 RCW, compensation for damages received under this chapter and
26 chapter 90.56 RCW, and an amount equivalent to one cent per gallon from
27 each marine use refund claim under RCW 82.36.330. However,
28 notwithstanding any other provision of law, dairy farm-related
29 penalties received under the provisions of this chapter shall be
30 credited to the dairy waste management account as provided in RCW
31 90.64.150.

32 Moneys in the fund not needed currently to meet the obligations of
33 the department in the exercise of its powers, duties, and functions
34 under RCW 90.48.142, 90.48.366, 90.48.367, and 90.48.368 shall be
35 deposited with the state treasurer to the credit of the fund.

36 **Sec. 3.** RCW 90.64.150 and 1998 c 262 s 15 are each amended to read
37 as follows:

1 The dairy waste management account is created in the custody of the
2 state treasurer. All receipts from monetary penalties levied pursuant
3 to violations of this chapter and from dairy farm-related violations of
4 chapter 90.48 RCW must be deposited into the account. Expenditures
5 from the account may be used only for the commission to provide grants
6 to local conservation districts for the sole purpose of assisting dairy
7 producers to develop and fully implement dairy nutrient management
8 plans. Only the ((~~chairman~~)) chair of the commission or the
9 ((~~chairman's~~)) chair's designee may authorize expenditures from the
10 account. The account is subject to allotment procedures under chapter
11 43.88 RCW, but an appropriation is not required for expenditures.

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