

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6781**

Chapter 147, Laws of 2000

(partial veto)

56th Legislature  
2000 Regular Session

DAIRY NUTRIENT MANAGEMENT TASK FORCE

EFFECTIVE DATE: 3/27/00

Passed by the Senate March 9, 2000  
YEAS 45 NAYS 0

BRAD OWEN  
**President of the Senate**

Passed by the House March 8, 2000  
YEAS 98 NAYS 0

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

FRANK CHOPP  
**Speaker of the  
House of Representatives**

Approved March 27, 2000, with the  
exception of section 4, which is  
vetoed.

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the  
Senate of the State of Washington, do  
hereby certify that the attached is  
**SUBSTITUTE SENATE BILL 6781** as passed  
by the Senate and the House of  
Representatives on the dates hereon  
set forth.

TONY M. COOK  
**Secretary**

FILED

March 27, 2000 - 2:46 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6781**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2000 Regular Session

**State of Washington                      56th Legislature                      2000 Regular Session**

**By** Senate Committee on Agriculture & Rural Economic Development  
(originally sponsored by Senators Rasmussen and Morton)

Read first time 02/03/2000.

1            AN ACT Relating to dairy nutrients; adding new sections to chapter  
2 90.64 RCW; creating new sections; providing expiration dates; and  
3 declaring an emergency.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 90.64 RCW  
6 to read as follows:

7            (1) A dairy nutrient management task force is created that shall be  
8 comprised of no more than fifteen members, who are appointed as  
9 follows:

10           (a) Two members of the house of representatives, one from each  
11 major caucus, appointed by the co-speakers of the house of  
12 representatives;

13           (b) Two members of the senate, one from each major caucus,  
14 appointed by the president of the senate;

15           (c) A representative of the department of ecology, appointed by the  
16 director of ecology;

17           (d) A representative of the state conservation commission,  
18 appointed by its executive secretary;

1 (e) A representative of local conservation districts, appointed by  
2 the president of a state-wide association of conservation districts;

3 (f) A representative of local health departments, appointed by the  
4 Washington state association of local public health officials;

5 (g) A representative of commercial shellfish growers, appointed by  
6 a state-wide organization representing oyster growers;

7 (h) Four representatives of the dairy industry, appointed by a  
8 state-wide organization representing the dairy industry in the state;

9 (i) A representative of an environmental interest organization with  
10 familiarity and expertise in water quality issues, appointed by a  
11 state-wide organization representing environmental interests;

12 (j) A representative of the United States environmental protection  
13 agency, appointed by the regional director of the agency if the agency  
14 chooses to be represented on the task force; and

15 (k) A representative of the United States natural resources  
16 conservation service, appointed by the state conservationist of that  
17 agency for this state, if the agency chooses to be represented on the  
18 task force.

19 (2) The task force shall convene as soon as possible upon  
20 appointment of its members. The task force shall elect a chair and  
21 adopt rules for conducting the business of the task force. Staff  
22 support for the task force shall be provided by the Washington state  
23 conservation commission.

24 (3) This section expires June 30, 2004.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.64 RCW  
26 to read as follows:

27 (1) By December 31, 2000, the task force shall recommend to the  
28 department and to the legislature:

29 (a) Clarification of key terms and phrases such as, but not limited  
30 to, "potential to pollute," that are used in the administration of this  
31 chapter and other statutes on water quality;

32 (b) How frequently dairy nutrient management plans should be  
33 updated, considering the evolution of technical standards developed by  
34 the natural resources conservation service;

35 (c) Considering the report under section 3 of this act, the  
36 disposition of penalties collected from dairy producers under chapter  
37 90.48 RCW;

1 (d) Considering the report under section 4 of this act, recommended  
2 sources of funding to meet the needs identified in the report;

3 (e) The extent to which engineering expertise is required to  
4 implement the provisions of this chapter;

5 (f) How to address responsibility for contamination originating  
6 from neighboring farms; and

7 (g) Clarification of the duties of the department as they pertain  
8 to initial inspections of dairy farms.

9 (2) The task force shall make recommendations to the department and  
10 to the legislature on any other issues, and at such times, as the task  
11 force deems important to the successful implementation of this chapter.

12 (3) This section expires June 30, 2004.

13 NEW SECTION. **Sec. 3.** (1) By September 1, 2000, the department of  
14 ecology shall report to the dairy nutrient management task force on the  
15 penalties assessed on dairy producers for violations of chapters 90.48  
16 and 90.64 RCW since January 1, 1998. The report shall indicate the  
17 amount of money from these penalties that was deposited into the  
18 coastal protection fund created under RCW 90.48.390 and the amount  
19 deposited into the dairy waste management account created under RCW  
20 90.64.150. The report shall also indicate the purposes for which  
21 moneys reported under this section were expended.

22 (2) This section expires December 31, 2000.

23 \*NEW SECTION. **Sec. 4.** (1) *By September 1, 2000, the office of*  
24 *financial management shall make recommendations to the dairy nutrient*  
25 *management task force on how to provide adequate funding for the dairy*  
26 *nutrient management program. The recommendations shall include an*  
27 *identification of need, if any, for additional funding for each of the*  
28 *following purposes:*

29 (a) *To perform functions required by conservation districts and the*  
30 *state conservation commission;*

31 (b) *To provide technical assistance for development of dairy*  
32 *nutrient management plans; and*

33 (c) *For cost-share moneys for implementation of the plans based on*  
34 *fifty percent of the eligible costs to be derived from public sources.*  
35 *The recommendations shall be for the amount of funding for these*  
36 *purposes that is required each fiscal year through June 30, 2004, in*  
37 *order to meet the deadlines established in chapter 90.64 RCW.*

1       (2) *The office of financial management shall submit its written*  
2 *recommendations to the co-chief clerks of the house of representatives*  
3 *and the secretary of the senate.*

4       (3) *This section expires December 31, 2000.*

5       \*Sec. 4 was vetoed. See message at end of chapter.

6       NEW SECTION.   **Sec. 5.** This act is necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of the  
8 state government and its existing public institutions, and takes effect  
9 immediately.

      Passed the Senate March 9, 2000.

      Passed the House March 8, 2000.

      Approved by the Governor March 27, 2000, with the exception of  
      certain items that were vetoed.

      Filed in Office of Secretary of State March 27, 2000.

1       Note: Governor's explanation of partial veto is as follows:

2       "I am returning herewith, without my approval as to section 4,  
3 Substitute Senate Bill No. 6781 entitled:

4       "AN ACT Relating to dairy nutrients;"

5       This bill refines the Dairy Nutrient Management Act that was  
6 created in the 1989 legislative session. Among other things, it  
7 creates a dairy nutrient management task force consisting of  
8 legislative, executive, federal and interest group members. Section 4  
9 of the bill would have required the Office of Financial Management to  
10 make recommendations to the task force on funding the dairy nutrient  
11 management program. Such recommendations are more properly the  
12 function of the industry.

13       For these reasons, I have vetoed section 4 of Substitute Senate  
14 Bill No. 6781.

15       With the exception of section 4, Substitute Senate Bill No. 6781 is  
16 approved."