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**HOUSE BILL 2400**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representative Orcutt

AN ACT Relating to an adopt-a-waterway program; and adding a new section to chapter 79A.05 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 79A.05 RCW to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the commission shall establish a statewide adopt-a-waterway program. The purpose of the program is to provide organizations, businesses, and individuals an opportunity to clean, protect, and preserve the state's waterways and contribute to the protection of sensitive wildlife habitats. Participants shall adopt commission-designated sections of state waterways, in accordance with rules adopted by the commission. The commission may elect to coordinate a consortium of participants for adopt-a-waterway projects.

(b) The adopt-a-waterway program shall include, at a minimum, litter control and clean-up activities the commission deems appropriate for the adopted section of waterway. Selected participants must engage in clean-up activities for the assigned section or sections of waterways at least once during the duration of the agreement, and at least once per year for agreements lasting longer than a year. The commission shall not accept adopt-a-waterway proposals that would have the effect of terminating classified employees or classified employee positions.

(2) Organizations, businesses, and individuals are eligible to participate in the adopt-a-waterway program, either as volunteers or through sponsorship of private contracts, provided there is a section of a waterway available, in the opinion of the commission, that can be safely assigned. Interested participants must submit a proposal to the commission. The commission shall review the proposal for consistency with commission policies and rules. The commission may accept, reject, or modify an applicant's proposal.

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

(4) An applicant is not eligible if the applicant's name (a) endorses or opposes a particular candidate for public office, (b) advocates a position on a specific political issue, initiative, referendum, or piece of legislation, (c) includes a reference to a political party, or (d) includes a reference to anything that may be considered or construed to be obscene or offensive to the general public.

(5) Organizations, businesses, or individuals that have been denied participation due to lack of compliance to a previous adopt-a-waterway agreement shall not be eligible to participate for a period of five years following the termination date of the previous agreement.

(6) In administering the adopt-a-waterway program, the commission shall:

(a) Assign each participating group a section or sections of state waterways, for a specified period of time, excluding sections of waterways that are deemed hazardous by the commission;

(b) Provide a standardized application form, contractual agreement, and registration form for all participating groups. Each participant must complete and sign a registration form before participating in a clean-up activity. The registration form shall notify the prospective participants of the risks and responsibilities to be assumed by the commission and the participants;

(c) Approve requests by participating groups to participate in clean-up activities on a given date;

(d) Require all participants to be at least 15 years of age;

(e) Require parental consent for all minor participants;

(f) Require at least one adult supervisor for every eight minor participants;

(g) Require one designated leader for each participating group, unless the commission chooses to coordinate a consortium of participants;

(h) Provide the designated leader with trash bags and access information to the desired location prior to any clean-up activities on a specific waterway;

(i) Provide safety guidelines or training for all participants;

(j) Provide appropriate safety equipment. Safety equipment issued to participating groups must be returned to the commission upon termination of the applicable adopt-a-waterway agreement;

(k) Recognize the efforts of a participating organization, business, or individual by erecting and maintaining signs with the organization's, business's, or individual's name on both ends of the organization's, business's, or individual's section of the waterway. Signage must be consistent with criteria established by the commission relating to size, materials, colors, wording, and location. The commission may charge reasonable fees to defray the cost of manufacture, installation, maintenance, and removal of adopt-a-waterway signs;

(l) Pay any and all premiums or assessments required under RCW 51.12.035 to secure medical aid benefits under chapter 51.36 RCW for all volunteers participating in the program;

(m) Require participating businesses to pay all employer premiums or assessments required to secure medical aid benefits under chapter 51.36 RCW for all employees or agents participating in the program;

(n) Maintain records of dates of clean-up activities and of all injuries and accidents that occur;

(o) Adopt rules that establish a process to resolve any question of an applicant's eligibility to participate in the adopt-a-waterway program;

(p) Obtain permission from property owners who lease a right-of-way before allowing an organization, business, or individual to adopt a section of waterway that would require access to such leased property; and

(q) Establish procedures and guidelines for the adopt-a-waterway program.

(7) Nothing in this section affects the rights or activities of, or agreements with, adjacent landowners, including the use of rights-of-way and crossings, nor impairs these rights and uses by the placement of signs.

(8) As used in this section, "waterway" means any natural waterway within the state.

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