

HOUSE BILL REPORT

HB 2757

As Reported By House Committee On:

Natural Resources

Title: An act relating to littering in state parks.

Brief Description: Littering in state parks.

Sponsors: Representative Pennington.

Brief History:

Committee Activity:

Natural Resources: 2/2/96 [DPS].

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Fuhrman, Chairman; Buck, Vice Chairman; Pennington, Vice Chairman; Regala, Assistant Ranking Minority Member; Elliot; Hatfield; Jacobsen; Keiser; Stevens; B. Thomas; L. Thomas and Thompson.

Staff: Rick Anderson (786-7114).

Background: The penalty for littering is a civil infraction. Littering in amounts of one cubic foot or less is subject to a penalty of \$50, plus any other statutory assessments. Littering in amounts greater than one cubic foot is subject to penalty of up to \$250, plus a cleanup fee of \$25 per cubic foot of litter plus any other statutory assessments. A judge may require a litter violator to remove the litter from the property as an alternative to or in addition to the penalty and cleanup fee.

Current state litter law requires the director of the Department of Ecology to develop procedures for the collection and distribution of litter penalties, including a provision allowing half of the collected penalties to be distributed to local governments. These procedures were never developed. Local governments that enforce litter laws generally do so under their local ordinances.

Summary of Substitute Bill: A person that litters in a state park must perform 24 hours of community service in the park where the litter violation occurred. The Parks and Recreation Commission must adopt a policy for supervising and evaluating community service activities. Each state park must notify the commission if it intends

to participate in the community service program. The commission must transmit a list of state parks that elect to participate in the community service to the district courts.

The director of the Department of Ecology is authorized but not required to develop procedures for the collection of litter penalties. The director is not required to include provisions for disbursing litter penalties to local governments.

Substitute Bill Compared to Original Bill: The substitute bill deletes provisions that would have (1) doubled the litter penalty for a Class 3 (\$50) infraction, and (2) suspended the driver's license of a person who did not satisfactorily complete community service requirements.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Many of the state parks that have high day use also have litter problems. This bill will help send a message that it's not okay to litter in state parks. Many state parks can use the extra labor provided by this bill to improve those parks.

Testimony Against: None.

Testified: Representative John Pennington, prime sponsor; and Russ Cahill, State Parks and Recreation Commission (pro).