

2 **SHB 1153 - H AMD 0023 ADOPTED 2/10/02**
3 By Representatives Valle and Winsley

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 70.93.060 and 1983 c 277 s 1 are each amended to read
8 as follows:

9 (1) No person shall throw, drop, deposit, discard, or otherwise
10 dispose of litter upon any public property in the state or upon private
11 property in this state not owned by him or in the waters of this state
12 whether from a vehicle or otherwise including but not limited to any
13 public highway, public park, beach, campground, forest land,
14 recreational area, trailer park, highway, road, street, or alley
15 except:

16 ~~((1))~~ (a) When ~~((such))~~ the property is designated by the state
17 or ~~((by any of))~~ its agencies or political subdivisions for the
18 disposal of garbage and refuse, and ~~((such))~~ the person is authorized
19 to use such property for ~~((such))~~ that purpose;

20 ~~((2))~~ (b) Into a litter receptacle in ~~((such))~~ a manner that
21 ~~((the litter))~~ will ~~((be prevented))~~ prevent litter from being carried
22 away or deposited by the elements upon any part of said private or
23 public property or waters.

24 ~~((Any person violating the provisions of this section shall be~~
25 ~~guilty of a misdemeanor and the fine for such violation shall not be~~
26 ~~less than fifty dollars for each offense. In addition thereto, except~~
27 ~~where infirmity or age or other circumstance would create a hardship,~~
28 ~~such person shall be directed by the court in which conviction is~~

1 ~~obtained to pick up and remove litter from public property and/or~~
2 ~~private property, with prior permission of the legal owner, for not~~
3 ~~less than eight hours nor more than sixteen hours for each separate~~
4 ~~offense. The court shall schedule the time to be spent on such~~
5 ~~activities in such a manner that it does not interfere with the~~
6 ~~person's employment and does not interfere substantially with the~~
7 ~~person's family responsibilities))~~

8 (2)(a) It is a class 4 civil infraction as defined in RCW 7.80.120
9 for a person to litter in an amount less than or equal to one cubic
10 foot.

11 (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for
12 a person to litter in an amount greater than one cubic foot. Unless
13 waived, reduced, or suspended by a court, the person shall also pay a
14 litter cleanup fee of fifty dollars per cubic foot of litter. If the
15 court determines that a person has insufficient funds to pay the
16 monetary penalty or clean-up fee, the court may order a person to pick
17 up and remove litter as provided in RCW 7.80.130."

18 **"Sec. 2.** RCW 70.93.070 and 1983 c 277 s 2 are each amended to read
19 as follows:

20 The director shall prescribe the procedures for the collection of
21 ~~((fines and bail forfeitures including the imposition of additional~~
22 ~~penalty charges for late payment of fines)) penalties, costs, and other~~
23 charges allowed by chapter 7.80 RCW for violations of this chapter.
24 Included in the procedures shall be provisions requiring ~~((the~~
25 ~~distribution of))~~ that one-half of the monetary amount ~~((of fines))~~
26 actually collected ~~((under the enforcement))~~ by the state or local
27 government entity enforcing the provisions of this chapter ~~((by a local~~
28 ~~governmental agency to))~~ be distributed to that local governmental
29 ~~((agency))~~ entity."

1 "Sec. 3. RCW 70.95.240 and 1969 ex.s. c 134 s 24 are each amended
2 to read as follows:

3 After the adoption of regulations or ordinances by any county,
4 city, or jurisdictional board of health providing for the issuance of
5 permits as provided in RCW 70.95.160, it shall be unlawful for any
6 person to (~~dump or deposit or~~) permit the dumping or depositing of
7 any solid waste onto or under the surface of the ground or into the
8 waters of this state except at a solid waste disposal site for which
9 there is a valid permit(~~(: PROVIDED, That nothing herein)~~). This
10 section shall not prohibit a person from dumping or depositing solid
11 waste resulting from his own activities onto or under the surface of
12 ground owned or leased by him when such action does not violate
13 statutes or ordinances, or create a nuisance. Any person violating
14 this section shall be guilty of a misdemeanor."

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18 On page 1, line 1 of the title, after "littering;" strike the
19 remainder of the title and insert "amending RCW 70.93.060, 70.93.070,
20 and 70.95.240; and prescribing penalties."