

HOUSE BILL REPORT

HB 2331

*As Reported By House Committee on:
Environmental Affairs*

Title: An act relating to penalties for littering.

Brief Description: Reclassifying littering as a civil infraction.

Sponsor(s): Representatives Valle, Horn, Rust, D. Sommers, Sprenkle, Franklin, Nealey and J. Kohl.

Brief History:

Reported by House Committee on:
Environmental Affairs, January 24, 1992, DPS.

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 10 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; J. Kohl; Neher; Sprenkle; and Van Luven.

Staff: Rick Anderson (786-7114).

Background: From 1975 to 1982, the amount of litter generated per person decreased dramatically. Since 1982, per capita litter generation has increased steadily. Increases in population and litter generation rates have caused the overall amount of litter to exceed 1975 levels.

Under current state law littering is a misdemeanor, punishable by a fine of not less than \$50 and a possible eight to 16 hour requirement of picking up litter. There are no state laws, other than the misdemeanor provisions for littering, governing the indiscriminate dumping of solid waste.

Local government enforcement of the state litter law appears to be quite limited, at least in part due to the time and expense involved in using the district or municipal court system to enforce the law.

Summary of Substitute Bill: The penalty for littering is reduced from a misdemeanor to a civil infraction.

Littering in amounts of one cubic foot or less is subject to a fine of \$25. Littering in amounts greater than one cubic foot is subject to a fine of \$250 plus a cleanup fee of \$50 per cubic foot of litter.

Substitute Bill Compared to Original Bill: The substitute bill imposes a specific fee schedule for litter cleanup in order to facilitate enforcement as a civil infraction. The substitute bill also specifies that a court can suspend or modify the cleanup fee.

Fiscal Note: Available.

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

Testimony For: The bill will improve enforcement of the litter law and may reduce enforcement costs of the local judicial system.

Testimony Against: None.

Witnesses: Bill Alkire, Department of Ecology; Kathleen Collins, Association of Washington Cities (pro); Jan Gee, Washington Retail Association (pro); Gordon L. Walgren, Western Washington Management Association (pro); and Lisa H. Thatcher, Washington Food Dealer.