

2 **ESHB 1086** - S COMM AMD  
3 By Committee on Ecology & Parks

4 ADOPTED 4/16/93

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

1        (2)(a) It is a class 3 civil infraction as defined in RCW 7.80.120  
2 for a person to litter in an amount less than or equal to one cubic  
3 foot.

4        (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for  
5 a person to litter in an amount greater than one cubic foot. Unless  
6 suspended or modified by a court, the person shall also pay a litter  
7 cleanup fee of twenty-five dollars per cubic foot of litter. The court  
8 may, in addition to or in lieu of part or all of the cleanup fee, order  
9 the person to pick up and remove litter from the property, with prior  
10 permission of the legal owner or, in the case of public property, of  
11 the agency managing the property.

12        **Sec. 2.** RCW 70.93.070 and 1983 c 277 s 2 are each amended to read  
13 as follows:

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

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

26        (1) After the adoption of regulations or ordinances by any county,  
27 city, or jurisdictional board of health providing for the issuance of  
28 permits as provided in RCW 70.95.160, it shall be unlawful for any  
29 person to dump or deposit or permit the dumping or depositing of any  
30 solid waste onto or under the surface of the ground or into the waters  
31 of this state except at a solid waste disposal site for which there is  
32 a valid permit ~~((: PROVIDED, That nothing herein))~~. This section shall  
33 not prohibit a person from dumping or depositing solid waste resulting  
34 from his own activities onto or under the surface of ground owned or  
35 leased by him when such action does not violate statutes or ordinances,  
36 or create a nuisance. ~~((Any person violating this section shall be~~  
37 ~~guilty of a misdemeanor))~~

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2 for a person to litter in an amount less than or equal to one cubic  
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4       (b) It is a class 1 civil infraction as defined in RCW 7.80.120 for  
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15       On page 1, line 1 of the title, after "littering;" strike the  
16 remainder of the title and insert "amending RCW 70.93.060, 70.93.070,  
17 and 70.95.240; and prescribing penalties."

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