

**SENATE BILL REPORT**

**SB 5310**

**AS REPORTED BY COMMITTEE ON NATURAL RESOURCES, FEBRUARY 19, 1993**

**Brief Description:** Modifying prosecutions for trespass or waste of public lands.

**SPONSORS:** Senator Owen

**SENATE COMMITTEE ON NATURAL RESOURCES**

**Majority Report:** That Substitute Senate Bill No. 5310 be substituted therefor, and the substitute bill do pass.

Signed by Senators Owen, Chairman; Hargrove, Vice Chairman; Erwin, Franklin, Haugen, Oke, Sellar, Snyder, and Spanel.

**Staff:** Vic Moon (786-7469)

**Hearing Dates:** February 1, 1993; February 19, 1993

**BACKGROUND:**

The incidence of property trespass, natural resource damage and the problem of theft of valuable resources from public lands has increased as the population in Washington has grown and moved into rural areas. The Department of Natural Resources' policy requires that trespass be investigated and resolved, that trespassers are to be held responsible for their actions.

**SUMMARY:**

Liability for trespass is established and damage to Department of Natural Resources lands will be compensated at treble damages plus reimbursement for reasonable costs to resolve the problem. The state may recover the value of the use, occupancy or valuable resources removed. A trespasser is liable to reimburse the state for all reasonable administrative, survey, and legal costs and attorney fees incurred by the state in its effort to resolve the trespass or restore the land to original condition.

**EFFECT OF PROPOSED SUBSTITUTE:**

Language is clarified so that people using state lands with the department's permission will not be trespassing.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested

**TESTIMONY FOR:**

The state is losing valuable resources and lands are being damaged.

**TESTIMONY AGAINST:**

This should cover private lands, too.

**TESTIFIED:** Stan Biles, Department of Natural Resources (pro); Tim Boyd, Washington Forest Protection Association (con)