

FINAL BILL REPORT

SSB 6194

C 154 L 00

Synopsis as Enacted

Brief Description: Attempting to limit the incidents of rural garbage dumping.

Sponsors: Senate Committee on Natural Resources, Parks & Recreation (originally sponsored by Senators T. Sheldon, Oke, Jacobsen, Stevens, Morton, Rasmussen, Gardner and Spanel).

Senate Committee on Natural Resources, Parks & Recreation
House Committee on Natural Resources

Background: Illegal garbage dumping on rural lands has been an increasing problem for several years. As the cost of proper disposal of hazardous materials continues to rise, private and public rural landowners have also seen an increase in the amount of hazardous material dumped. In 1998, the Legislature expanded the definition of littering to include solid waste that is illegally dumped.

Law enforcement agencies are often without adequate funds to focus intense efforts on patrols against dumping. Landowners are often forced to pay for cleaning up illegal dumps themselves. Some have reduced public access to their lands in an effort to curb dumping.

Summary: It is a misdemeanor to litter more than one cubic foot but less than one cubic yard in an unincorporated area. It is a gross misdemeanor for a person to litter in an amount of one cubic yard or more in an unincorporated area of a county. It is a gross misdemeanor for a person to abandon a junk vehicle in an unincorporated area.

In addition to criminal penalties, the litterer must also pay a litter cleanup restitution payment. In the case of between one cubic foot and one cubic yard of litter, the litterer must pay twice the actual cost of cleanup or \$50 per cubic foot of litter, whichever is greater. In the case of more than a cubic yard of litter, the litterer must pay twice the actual cost of cleanup or \$100 per cubic foot, whichever is greater. In the case of a junk vehicle, the vehicle's registered owner must pay a cleanup restitution payment equal to twice the cost for removal of the vehicle. A first time offender is allowed to avoid or pay a reduced restitution payment, at the judge's discretion, if the offender cleans up and properly disposes of the litter. The court may also order the person to pick up and remove the litter with the prior permission of the landowner.

The court must distribute one-half of the restitution payment to the landowner and the other one-half of the restitution payment to the law enforcement agency or jurisdictional health department investigating the incident.

Votes on Final Passage:

Senate	47	0	
House	97	0	(House amended)
Senate			(Senate refused to concur)
House	98	0	(House amended)
Senate	46	0	(Senate concurred)

Effective: June 8, 2000