

SENATE BILL REPORT

SB 6725

As Passed Senate, February 15, 2002

Title: An act relating to acts of violence against agricultural research and agricultural production facilities.

Brief Description: Authorizing treble damages for violence to agricultural research facilities and agricultural production facilities.

Sponsors: Senators Rasmussen, Swecker and Sheahan.

Brief History:

Committee Activity: Agriculture & International Trade: 2/6/02 [DP].

Passed Senate: 2/15/02, 46-0.

SENATE COMMITTEE ON AGRICULTURE & INTERNATIONAL TRADE

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Parlette, Sheahan, Snyder and Swecker.

Staff: Kim Johnson (786-7486)

Background: Under Washington law, a person whose wrongful act causes injury to the land of another, or injury to personal property or improvements on that land, is liable to the injured party for treble the amount of the injury caused. Wrongful acts for which treble damages may be recovered include wrongful removal of timber, crops, or minerals from the land, wrongful injury to personal property or improvements, and wrongful waste or injury to the land. Damages that may be trebled include damages for the market value of the things removed, as well as for the value of injury to the property, improvements, or land, including the costs of restoration. The person is also liable for reimbursing the injured party for the party's reasonable investigative and attorney fees and other litigation-related costs.

A person acts "wrongfully" if he or she intentionally and unreasonably commits an act while knowing or having reason to know that he or she lacks authority to act.

Summary of Bill: A person who wrongfully injures, interferes with, interrupts, intimidates, obstructs, or threatens to injure, interfere with, interrupt, intimidate, or obstruct an agricultural research facility or agricultural production facility is liable to the injured party for treble the amount of damages caused by the injury.

An "agricultural research facility" and "agricultural production facility" refer to facilities conducting research on, or which are involved in, the production of products covered under Title 15 RCW.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: There have been incidents of terrorism and vandalism against the state's universities, targeting their agricultural research divisions over the past couple of years. These acts cause a great deal of damage, are very expensive and this issue needs to be addressed.

Testimony Against: None.

Testified: Larry Ganders, Washington State University (pro); Jim Zuiches, Washington State University (pro).