
Public Safety Committee

HB 1399

Brief Description: Giving general law enforcement authority to natural resource investigators.

Sponsors: Representatives Stanford, Tharinger, Moscoso, Takko, Appleton, Bergquist, Liias and Reykdal.

Brief Summary of Bill

- Changes the Department of Natural Resources from a limited authority law enforcement agency to a general authority law enforcement agency.
- Excludes natural resource investigators from the Washington Law Enforcement Officers' and Firefighter's Retirement System.

Hearing Date: 2/19/13

Staff: Yvonne Walker (786-7841).

Background:

The Department of Natural Resources (DNR) manages approximately 5.6 million acres of forest, range, agricultural, aquatic, and commercial lands in Washington for a number of different purposes. In addition, the DNR is generally responsible for the enforcement of the state's natural resources laws, monitoring recreational activities on the DNR land, and monitoring criminal activity as it relates to the DNR land. The DNR is classified in statute as a limited authority Washington law enforcement agency. The DNR employs approximately 10 limited authority peace officers called natural resource investigators. These officers are responsible for the apprehension or detection of persons committing infractions or violating criminal laws within a limited subject area as it relates to the DNR-managed lands.

Limited Authority Agency.

Limited authority Washington law enforcement agencies and officers have, as one of its functions, the apprehension or detection of persons committing infractions or violating traffic or

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specific criminal laws relating to limited subject areas. Agencies so designated include, but are not limited to: the DNR, the Department of Social and Health Services, the Gambling Commission, the Department of Corrections, the Washington State Parks and Recreation Commission, and the Washington State Liquor Control Board.

General Authority Agency.

General authority Washington law enforcement agencies and officers, have as their primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general of the state throughout the territorial boundaries of the state, as distinguished from a limited authority Washington law enforcement agency. It also includes any other unit of government expressly designated by statute as such an agency. The Washington State Patrol (WSP) and the Department of Fish and Wildlife (DFW) are general authority law enforcement agencies.

Law Enforcement Officers' and Fire Fighters' Retirement System.

The Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) provides retirement benefits to full-time general authority law enforcement officers and firefighters throughout Washington. The LEOFF Plan 2 permits early retirement beginning at age 50 for members with 20 years of service with a 3 percent per year reduction to their retirement allowance up until the age of 53.

Summary of Bill:

The DNR is designated as a general authority Washington law enforcement agency, with enforcement authority equal to that of the WSP and the DFW. The DNR has the authority to enforce the traffic and criminal laws of the state throughout the territorial bounds of the state.

The act does not provide natural resource investigators with membership in the LEOFF retirement system.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.