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SENATE BILL 5883

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State of Washington

58th Legislature

2003 Regular Session

By Senators Fraser, Kline and Kohl-Welles

Read first time 02/18/2003. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to creating an environmental crimes prosecutor;  
2 adding a new section to chapter 43.10 RCW; and adding a new section to  
3 chapter 43.21A RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.10 RCW  
6 to read as follows:

7 (1) There is established in the office of the attorney general a  
8 special environmental crimes prosecutor, whose sole function is to  
9 prosecute criminal violations of the environmental laws of the state  
10 that have caused serious harm to public health, safety, or the  
11 environment. The attorney general shall appoint the special  
12 environmental crimes prosecutor with the advice and confirmation of the  
13 senate, who shall serve during the term of office of the attorney  
14 general. The attorney general, upon request of the special  
15 environmental crimes prosecutor, may employ such professional,  
16 technical, research, and clerical staff as may be necessary within  
17 available appropriations. The prosecutor may call upon the assistance  
18 and services of the department of ecology, other state agencies, any  
19 county prosecuting attorney, any law enforcement office in the state,

1 and any other state or local government official or employee for the  
2 purpose of carrying out the function of the prosecutor established  
3 under this section.

4 (2) The special environmental crimes prosecutor may from time to  
5 time provide recommendations to the attorney general and to the  
6 legislature for modifications to the state's environmental criminal  
7 statutes and other statutes to strengthen deterrence against  
8 environmental violations, to improve the administration and prosecution  
9 of environmental crimes proceedings, and to strengthen the state's  
10 interests in cases where there is concurrent federal and state  
11 environmental crimes jurisdiction.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A RCW  
13 to read as follows:

14 The department of ecology shall provide assistance as requested by  
15 the special environmental crimes prosecutor in carrying out the  
16 criminal investigation and prosecutorial functions assigned under  
17 section 1 of this act.

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