

1 **ESSB 6328** - H AMDS TO H AMD (6328-S.E AMH H5528.1) **1159 ADOPTED 3-**
2 **06-98**

3 By Representative Buck

4 On page 24, line 9, after is a- insert gross-

5 On page 24, line 27, after is a- insert gross-

6 On page 32, beginning on line 24, strike all of subsection (1)

7 Renumber the remaining subsections consecutively and correct
8 internal references

9 On page 75, beginning on line 11, strike all material through
10 officers- on page 75, line 15, and insert the following:

11 However, when acting within the scope of these duties and when an
12 offense occurs in the presence of the ((~~wildlife agent~~)) fish and
13 wildlife officer who is not an ex officio ((~~wildlife agent, the~~
14 ~~wildlife agent~~)) fish and wildlife officer, the fish and wildlife
15 officer-

16 Renumber the remaining subsections consecutively and correct
17 internal references

EFFECT: Restores the current law gross misdemeanor penalty for unlawful failure to use or maintain an approved fish guard on a diversion device and unlawful failure to provide, maintain, or operate a fishway for a dam or other obstruction. Removes a subsection which allowed the director of the Department of Fish and Wildlife to order suspension of privileges licensed or permitted by the department and to require the posting of bond or other monetary security. Restores language providing that fish and wildlife officers may enforce criminal laws of the state only when acting within the scope of their duties to enforce the Fisheries and Wildlife Codes and when an offense occurs in the presence of the officer.