

2 **ESSB 6328** - H COMM AMD **NOT ADOPTED 3-06-98**
3 By Committee on Natural Resources

4

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.16 RCW
8 to read as follows:

9 (1) A person is guilty of spotlighting big game in the second
10 degree if the person hunts big game with the aid of a spotlight or
11 other artificial light while in possession or control of a firearm, bow
12 and arrow, or cross bow.

13 (2) A person is guilty of spotlighting big game in the first degree
14 if:

15 (a) The person has any prior conviction for gross misdemeanor or
16 felony for a crime under this title involving big game including but
17 not limited to subsection (1) of this section; and

18 (b) Within ten years of the date that such prior conviction was
19 entered the person violates subsection (1) of this section.

20 (3)(a) Spotlighting big game in the second degree is a gross
21 misdemeanor.

22 (b) Spotlighting big game in the first degree is a class C felony.
23 Upon conviction, the court shall order suspension of all privileges to
24 hunt wildlife for a period of two years.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.16 RCW
26 to read as follows:

27 (1) A person is guilty of unlawful possession of a loaded firearm
28 in a motor vehicle if:

29 (a) The person carries, transports, conveys, possesses, or controls
30 a rifle or shotgun in a motor vehicle; and

31 (b) The rifle or shotgun contains shells or cartridges in the
32 magazine or chamber, or is a muzzle-loading firearm that is loaded and
33 capped or primed.

34 (2) A person is guilty of unlawful use of a loaded firearm if the
35 person negligently shoots a firearm from, across, or along the
36 maintained portion of a public highway.

1 (3) A violation of this section is a misdemeanor.

2 (4) This section does not apply if the person:

3 (a) Is a law enforcement officer who is authorized to carry a
4 firearm and is on duty within the officer's respective jurisdiction;

5 (b) Possesses a disabled hunter's permit as provided by RCW
6 77.32.237 and complies with all rules of the department concerning
7 hunting by persons with disabilities.

8 NEW SECTION. **Sec. 3.** The following acts or parts of acts are each
9 repealed:

10 (1) RCW 77.16.050 and 1980 c 78 s 73 & 1955 c 36 s 77.16.050;

11 (2) RCW 77.16.250 and 1989 c 297 s 5, 1980 c 78 s 93, & 1955 c 36
12 s 77.16.250; and

13 (3) RCW 77.16.260 and 1980 c 78 s 94, 1955 c 85 s 1, & 1955 c 36 s
14 77.16.260."

15 Correct the title.

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