

HOUSE BILL REPORT

HB 2163

As Amended by the Senate

Title: An act relating to assault of wildlife agents and other law enforcement officers.

Brief Description: Revoking licenses of persons who assault wildlife agents and other law enforcement officers.

Sponsor(s): Representatives Orr, Rasmussen, Wineberry, Bray, Dorn, R. Meyers, Dellwo, R. King, Ferguson and Anderson.

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, March 4, 1991, DP;
Passed House, March 12, 1991, 95-3;
Amended by Senate.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass.* Signed by 9 members:
Representatives R. King, Chair; Morris, Vice Chair; Fuhrman,
Assistant Ranking Minority Member; Basich; Cole;
Hochstatter; Orr; Padden; and Spanel.

Staff: Keitlyn Watson (786-7310).

Background: Under current law, it is unlawful to resist or obstruct wildlife agents or ex officio wildlife agents in the discharge of their duties while enforcing the law or rules adopted pursuant to the law. A violation of this law is a misdemeanor. It is also unlawful to assault a wildlife agent or other law enforcement officer.

Hunting licenses are revoked by the director of the Department of Wildlife for big game violations and for shooting hunting partners or livestock while hunting.

Any violation of a wildlife law can be punished by the court by a license forfeiture. A mandatory forfeiture is the penalty upon second conviction.

Summary of Bill: The director of the Department of Wildlife shall revoke for 10 years all licenses and privileges extended under Title 77 of a person convicted of assault on

a state wildlife agent or other law enforcement officer assisting the agent provided that:

- (1) the agent and other law enforcement officer assisting the agent were on duty at the time of the assault; and
- (2) the agent and other law officer assisting the agent were enforcing the provisions of Title 77 RCW.

Assault is defined as murder, manslaughter, or first, second, or third degree assault. No license described under Title 77 RCW shall be reissued to a person convicted of assault of a wildlife agent for a minimum of 10 years. After 10 years, a person may petition the director of the Department of Wildlife for a reinstatement of his or her license or privileges. Upon review by the director, and if all provisions of the court that imposed sentencing have been completed, the director may reinstate the license and privileges under Title 77 RCW.

EFFECT OF SENATE AMENDMENT(S): The requirement that a law enforcement officer be assisting a wildlife agent in order for an individual's license to be revoked for having assaulted that officer is removed. The provision that the 10 year period during which the license is revoked be tolled during the time that the person convicted of assault is incarcerated in any state or local correctional or penal institution, in community supervision, or home detention for an offense under this section is added.

Fiscal Note: Requested March 4, 1991.

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

Testimony For: (Testimony received was on HB 1943. HB 2163 expands on HB 1943 to include other law enforcement officers in addition to wildlife agents): Current law allows license revocation by the director of the Department of Wildlife for shooting livestock and for poaching big game, but not for assaulting a wildlife agent. Wildlife agents have a dangerous job. This is one step in a direction that will ensure safety of wildlife agents. Legislators can send a message with this bill that they will not tolerate assaults on state wildlife agents.

Testimony Against: None.

Witnesses: (Witnesses testified on HB 1943): Ted Holden, Washington Game Warden Association (in favor); Ron Peregrin, Washington Department of Wildlife (in favor); and Doug Ward, Washington Game Warden Association (in favor).

VOTE ON FINAL PASSAGE:

Yeas 95; Nays 3; Excused 0

Nays: Representatives Hargrove, Heavey and Nealey.