

H.B. No. 0040

Operation of watercraft under influence of alcohol.

Sponsored By: Representative(s) Steinmetz, Baldwin and Zwonitzer, Dv. and Senator(s) Geis

AN ACT relating to watercraft; amending the alcohol concentration that constitutes operation of watercraft by an intoxicated person; specifying the punishment for operation of watercraft while intoxicated with a child passenger; specifying the punishment for second or subsequent offenses of operating a watercraft while intoxicated with a child passenger; and providing for an effective date.

1/22/2016 Bill Number Assigned
2/5/2016 H Received for Introduction
2/9/2016 H Introduced and Referred to H01 - Judiciary 46-11-3-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baldwin, Barlow, Berger, Blackburn, Blake, Burkhart, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, K., Freeman, Jaggi, Jennings, Kasperik, Kinner, Kirkbride, Kroeker, Krone, Larsen, Laursen, Lockhart, Loucks, Madden, McKim, Miller, Northrup, Pelkey, Petroff, Piiparinen, Pownall, Schwartz, Sommers, Steinmetz, Stubson, Throne, Wilson, Winters, Zwonitzer, Dn., Zwonitzer, Dv.

Nays: Representative(s) Baker, Greear, Halverson, Harshman, Hunt, Lindholm, Moniz, Nicholas, B., Paxton, Reeder, Walters

Excused: Representative(s) Brown, Gay, Harvey

Ayes 46 **Nays** 11 **Excused** 3 **Absent** 0 **Conflicts** 0

2/12/2016 H01 - Judiciary:Recommend Amend and Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Esquibel, K., Kroeker, Krone, Miller, Pelkey, Pownall, Winters

Nays: Representative(s) Baker, Halverson

Ayes 7 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/12/2016 H Placed on General File

HB0040HS001/ADOPTED

Page 1-line 5 After "passenger;" insert "providing for a misdemeanor for operating a watercraft while denied the privilege as specified;".
Page 1-line 13 After "41-13-216(a)" insert ", (c)".

Page 5-After line 4 Insert:

"(c) Any person who operates any watercraft during the period when he has been denied this privilege under subsection (a) or (d) of this section is guilty of a misdemeanor and upon conviction shall be fined not more than seven hundred fifty dollars (\$750.00), imprisoned not more than six (6) months, or both, and may be refused the privilege of operating any watercraft on any of the waterways of this state for not more than two (2) years.". MILLER, CHAIRMAN

2/18/2016 H COW:Passed

2/19/2016 H 2nd Reading:Laid Back

HB0040H2001/ADOPTED

Delete the standing committee amendment (HB0040HS001/A) and further amend as follows:

Page 1-line 3 Delete "specifying the punishment for".
Page 1-lines 4 through 6 Delete entirely.
Page 1-line 7 Delete the line through ";".
Page 1-line 13 After "(e)" delete balance of the line.
Page 1-line 14 Delete "are" insert "is".
Page 4-lines 9 through 23 Delete entirely.
Page 5-lines 1 through 23 Delete entirely.
Page 6-lines 1 through 3 Delete entirely. NICHOLAS, B.

2/22/2016 H 2nd Reading:Passed

HB0040H3001/ADOPTED

Delete the standing committee amendment (HB0040HS001/A) entirely.

Delete the second reading Nicholas, B. amendment (HB0040H2001/A) entirely and further amend as follows:

Page 1-line 5 Delete "providing for a felony" insert "specifying the punishment".
Page 1-line 6 Delete "involving operating"; after "of" insert "operating"; delete "or like".
Page 1-line 7 Delete "offenses".
Page 5-line 15 Delete "one (1) year" insert "six (6) months"; delete ", and" insert ";".
Page 5-lines 16 through 18 Delete entirely.
Page 5-line 21 After "subsection," delete balance of the line.
Page 5-line 22 Delete entirely.
Page 5-line 23 Delete "31-5-233(m)," after "by" insert "a fine of not more than fifteen hundred dollars (\$1,500.00),"; delete "five (5)" insert "one (1) year".
Page 6-lines 1 through 3 Delete entirely. STEINMETZ

2/23/2016 H 3rd Reading:Passed 42-18-0-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baldwin, Barlow, Berger, Blackburn, Blake, Brown, Cannady, Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, K., Freeman, Gay, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kinner, Kirkbride, Krone, Larsen, Lindholm, Madden, McKim, Miller, Paxton, Pelkey, Piiparinen, Pownall, Sommers, Steinmetz, Stubson, Throne, Wilson, Winters, Zwonitzer, Dn., Zwonitzer, Dv.

Nays: Representative(s) Baker, Burkhart, Byrd, Campbell, Greear, Halverson, Harshman, Kroeker, Laursen, Lockhart, Loucks, Moniz, Nicholas, B., Northrup, Petroff, Reeder, Schwartz, Walters

Ayes 42 **Nays** 18 **Excused** 0 **Absent** 0 **Conflicts** 0

2/24/2016 S Received for Introduction

3/2/2016 S Did Not Consider for Introduction