

CHAPTER 202

[Senate Bill No. 3265]

SALMON CHARTER BOATS, LICENSE RENEWAL

AN ACT Relating to salmon charter boat licensing limitations; amending section 2, chapter 106, Laws of 1977 ex. sess. as amended by section 7, chapter 101, Laws of 1979 and RCW 75.30.020; and repealing section 6, chapter 101, Laws of 1979 and RCW 75.30.110.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 2, chapter 106, Laws of 1977 ex. sess. as amended by section 7, chapter 101, Laws of 1979 and RCW 75.30.020 are each amended to read as follows:

For the purposes of this chapter, the term "charter boat" shall refer only to those charter boats from which salmon are taken. On and after May 28, 1977, the department shall initiate a moratorium on the issuance of charter boat licenses by issuing such licenses only to those boats whose owners can prove by means of good and sufficient documentary evidence that the boat was licensed pursuant to RCW 75.28.095 between January 1, 1974, and January 1, 1977. No charter boat shall be entitled to more than one charter boat license.

Such boats shall be entitled to receive and renew the charter boat license for each year (~~during the period from May 28, 1977 through December 31, 1981~~). A charter boat license for which no application is made to the department or which is not renewed in any year automatically expires and shall not be renewed further.

Nothing herein shall be construed to be contrary to the provisions of Title 75 RCW or any rule promulgated thereunder. All such charter boat licenses shall be transferable.

NEW SECTION. Sec. 2. Section 6, chapter 101, Laws of 1979 and RCW 75.30.110 are each hereby repealed.

Passed the Senate March 24, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

CHAPTER 203

[Senate Bill No. 3295]

ARSON

AN ACT Relating to arson; amending section 9A.04.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.04.080; amending section 9A.48.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.020; amending section 9A.28.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.28.020; amending section 384, chapter 249, Laws of 1909 and RCW 9.91.090; and providing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 9A.04.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.04.080 are each amended to read as follows:

Prosecutions for the offenses of murder, and arson where death ensues, may be commenced at any period after the commission of the offense; for offenses the punishment of which may be imprisonment in a state correctional institution, committed by any public officer in connection with the duties of his office or constituting a breach of his public duty or a violation of his oath of office, and arson where death does not ensue, within ten years after their commission; for all other offenses the punishment of which may be imprisonment in a state correctional institution, within three years after their commission; two years for gross misdemeanors; and for all other offenses, within one year after their commission: PROVIDED, That any length of time during which the party charged was not usually and publicly resident within this state shall not be reckoned within the one, two, three, and ten years respectively: AND FURTHER PROVIDED, That where an indictment has been found, or complaint or an information filed, within the time limited for the commencement of a criminal action, if the indictment, complaint or information be set aside, the time of limitation shall be extended by the length of time from the time of filing of such indictment, complaint, or information, to the time such indictment, complaint, or information was set aside.

Sec. 2. Section 9A.48.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.020 are each amended to read as follows:

(1) A person is guilty of arson in the first degree if he knowingly and maliciously:

- (a) Causes a fire or explosion which is manifestly dangerous to any human life, including firemen; or
- (b) Causes a fire or explosion which damages a dwelling; or
- (c) Causes a fire or explosion in any building in which there shall be at the time a human being who is not a participant in the crime; or
- (d) Causes a fire or explosion on property valued at ten thousand dollars or more with intent to collect insurance proceeds.

(2) Arson in the first degree is a class A felony.

Sec. 3. Section 9A.28.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.28.020 are each amended to read as follows:

(1) A person is guilty of an attempt to commit crime if, with intent to commit a specific crime, he does any act which is a substantial step toward the commission of that crime.

(2) If the conduct in which a person engages otherwise constitutes an attempt to commit a crime, it is no defense to a prosecution of such attempt that the crime charged to have been attempted was, under the attendant circumstances, factually or legally impossible of commission.

(3) An attempt to commit a crime is a:

(a) Class A felony when the crime attempted is murder in the first degree or arson in the first degree;

(b) Class B felony when the crime attempted is a class A felony other than murder in the first degree or arson in the first degree;

(c) Class C felony when the crime attempted is a class B felony;

(d) Gross misdemeanor when the crime attempted is a class C felony;

(e) Misdemeanor when the crime attempted is a gross misdemeanor or misdemeanor.

Sec. 4. Section 384, chapter 249, Laws of 1909 and RCW 9.91.090 are each amended to read as follows:

Every person who, with intent to defraud or prejudice the insurer thereof, shall wilfully injure or destroy any property not specified or included hereinbefore in this subdivision, which is insured at the time against loss or damage by ~~((fire or other))~~ casualty other than fire, shall be punished by imprisonment in the state penitentiary for not more than ten years, or by a fine of not more than five thousand dollars, or by both.

Passed the Senate March 30, 1981.

Passed the House April 17, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

## CHAPTER 204

[Substitute Senate Bill No. 3299]

### PUBLIC ROADS—ACCESS TO PUBLIC LANDS OR STATE FOREST LANDS

AN ACT Relating to natural resources; amending section 2, chapter 44, Laws of 1961 and RCW 79.38.020; amending section 3, chapter 44, Laws of 1961 and RCW 79.38.030; amending section 5, chapter 44, Laws of 1961 and RCW 79.38.050; amending section 6, chapter 44, Laws of 1961 and RCW 79.38.060; and adding a new section to chapter 76.12 RCW.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 2, chapter 44, Laws of 1961 and RCW 79.38.020 are each amended to read as follows:

To facilitate the carrying out of the purpose of this chapter, the department of natural resources may:

(1) Grant easements, rights of way, and permits to cross public lands and state forest lands to any person in exchange for similar rights over lands not under its jurisdiction;

(2) Enter into agreements with any person or agency relating to purchase, construction, reconstruction, maintenance, repair, regulation, and use of access roads or public roads used to provide access to public lands or state forest lands;