

(1) The legislature intends that the business and deliberations of joint operating agencies conducted by their boards of directors, executive boards, committees and subcommittees be conducted openly and with opportunity for public input.

(2) The board of directors, executive board, and all committees or subcommittees thereof shall comply with the provisions of chapter 42.30 RCW, in order to assure adequate public input and awareness of decisions.

Passed the Senate April 26, 1983.

Passed the House April 28, 1983.

Approved by the Governor May 6, 1983.

Filed in Office of Secretary of State May 6, 1983.

## CHAPTER 4

[Reengrossed Substitute Senate Bill No. 3856]

CRIMES—AIRCRAFT TAMPERING—MALICIOUS MISCHIEF—  
EXTORTION—SEXUAL FAVORS—BAIL JUMPING—CONTROLLED  
SUBSTANCES

AN ACT Relating to crimes; amending section 9A.48.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.070; amending section 10, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.56.110; amending section 9A.76.170, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.170; amending section 7, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.070; and amending section 4, chapter 171, Laws of 1982 and RCW 69.52.030.

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

Sec. 1. Section 9A.48.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.070 are each amended to read as follows:

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

(a) Causes physical damage to the property of another in an amount exceeding one thousand five hundred dollars; ((or))

(b) Causes an interruption or impairment of service rendered to the public by physically damaging or tampering with an emergency vehicle or property of the state, a political subdivision thereof, or a public utility or mode of public transportation, power, or communication; or

(c) Causes an impairment of the safety, efficiency, or operation of an aircraft by physically damaging or tampering with the aircraft or aircraft equipment, fuel, lubricant, or parts.

(2) Malicious mischief in the first degree is a class B felony.

Sec. 2. Section 10, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.56.110 are each amended to read as follows:

"Extortion" means knowingly to obtain or attempt to obtain by threat property or services of the owner, as defined in RCW 9A.56.010(8) and specifically includes sexual favors.

Sec. 3. Section 9A.76.170, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.170 are each amended to read as follows:

(1) Any person having been released by court order or admitted to bail with the requirement of a subsequent personal appearance before any court of this state, and who knowingly fails (~~((without lawful excuse))~~) to appear as required is guilty of bail jumping. (~~((Unless otherwise established, the failure to appear when required shall be inferred to have been without lawful excuse.))~~)

(2) Bail jumping is:

(a) A class A felony if the person was held for, charged with, or convicted of murder in the first degree;

(b) A class B felony if the person was held for, charged with, or convicted of a class A felony other than murder in the first degree;

(c) A class C felony if the person was held for, charged with, or convicted of a class B or class C felony;

(d) (~~((A gross misdemeanor if the person was held for, charged with, or convicted of a class C felony;~~

~~(e)))~~ A misdemeanor if the person was held for, charged with, or convicted of a gross misdemeanor or misdemeanor.

Sec. 4. Section 7, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.070 are each amended to read as follows:

Whoever violates any provision of this chapter shall, upon conviction, be fined and imprisoned as herein provided:

(1) For a violation of RCW 69.41.020, the offender shall be guilty of a felony.

(2) For a violation of RCW 69.41.030 involving the sale, delivery, or possession with intent to sell or deliver, the offender shall be guilty of a felony.

(3) For a violation of RCW 69.41.030 involving possession, the offender shall be guilty of a misdemeanor.

(4) For a violation of RCW 69.41.040, the offender shall be guilty of a felony.

(5) For a violation of RCW 69.41.050, the offender shall be guilty of a misdemeanor.

(6) Any offense which is a violation of chapter 69.50 RCW other than RCW 69.50.401(c) shall not be charged under this chapter.

Sec. 5. Section 4, chapter 171, Laws of 1982 and RCW 69.52.030 are each amended to read as follows:

(1) It is unlawful for any person to manufacture, distribute, or possess with intent to distribute, an imitation controlled substance. Any person who violates this subsection shall, upon conviction, be guilty of a class C felony.

(2) Any person eighteen years of age or over who violates subsection (1) of this section by distributing an imitation controlled substance to a person under eighteen years of age is guilty of a class B felony.

(3) It is unlawful for any person to cause to be placed in any newspaper, magazine, handbill, or other publication, or to post or distribute in any public place, any advertisement or solicitation offering for sale imitation controlled substances. Any person who violates this subsection is guilty of a class C felony.

(4) No civil or criminal liability shall be imposed by virtue of this chapter on any person registered under the Uniform Controlled Substances Act pursuant to RCW 69.50.301 or 69.50.303 who manufactures, distributes, or possesses an imitation controlled substance for use as a placebo or other use by a registered practitioner, as defined in RCW 69.50.101(t), in the course of professional practice or research.

~~(5) ((This chapter shall not apply to offenses defined and punishable under the provisions of RCW 69.50.401(c)).~~

~~(6))~~ No prosecution under this chapter shall be dismissed solely by reason of the fact that the dosage units were contained in a bottle or other container with a label accurately describing the ingredients of the imitation controlled substance dosage units. The good faith of the defendant shall be an issue of fact for the trier of fact.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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## CHAPTER 5

[House Bill No. 420]

### CEMETERY AUTHORITIES REGULATORY CHARGE INCREASE

AN ACT Relating to the cemetery board; amending section 5, chapter 99, Laws of 1969 ex. sess. as last amended by section 11, chapter 21, Laws of 1979 and RCW 68.05.255; and amending section 51, chapter 290, Laws of 1953 as last amended by section 4, chapter 351, Laws of 1977 ex. sess. and RCW 68.05.230.

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

Sec. 1. Section 51, chapter 290, Laws of 1953 as last amended by section 4, chapter 351, Laws of 1977 ex. sess. and RCW 68.05.230 are each amended to read as follows:

Every cemetery authority shall pay for each cemetery operated by it, an annual regulatory charge to be fixed by the board ~~((, based on the number of interments, entombments, and inurnments made during the preceding full calendar year, but not exceeding one hundred dollars for one hundred or less, two hundred dollars for one hundred one to three hundred fifty, three~~