

subdivision and a location map, to the department of transportation. The department shall, within fourteen days after receiving the notice, submit to the responsible administrator who furnished the notice a statement with any information that the department deems to be relevant about the effect of the proposed short subdivision upon the legal access to the state highway, the traffic carrying capacity of the state highway and the safety of the users of the state highway.

Passed the House January 24, 1984.

Passed the Senate February 21, 1984.

Approved by the Governor February 29, 1984.

Filed in Office of Secretary of State February 29, 1984.

## CHAPTER 48

[Substitute House Bill No. 1210]

### FERRY SYSTEM—TWELVE EXEMPT MANAGEMENT POSITIONS

AN ACT Relating to the state ferry system; amending section 8, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.081; and adding a new section to chapter 47.64 RCW.

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

Sec. 1. Section 8, chapter 151, Laws of 1977 ex. sess. and RCW 47-.01.081 are each amended to read as follows:

(1) Initially the department shall be organized into divisions, including the division of highways, the division of public transportation, the division of aeronautics, the division of marine transportation, and the division of transportation planning and budget.

(2) The secretary may reorganize divisions in order to attain the maximum possible efficiency in the operation of the department. Each division shall be headed by an assistant secretary to be appointed by the secretary. The secretary may also appoint a deputy secretary as may be needed for the performance of the duties and functions vested in the department and may also appoint up to twelve ferry system management positions as defined in RCW 47.64.011. The secretary may delegate to officers within the several divisions of the department authority to employ personnel necessary to discharge the responsibilities of the department.

(3) The officers appointed under this section shall be exempt from the provisions of the state civil service law and shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

NEW SECTION. Sec. 2. There is added to chapter 47.64 RCW a new section to read as follows:

Notwithstanding any other provisions of this chapter, toll bridge employees of the marine transportation division are subject to chapter 41.06 RCW.

Passed the House January 19, 1984.

Passed the Senate February 20, 1984.

Approved by the Governor February 29, 1984.

Filed in Office of Secretary of State February 29, 1984.

## CHAPTER 49

[Engrossed Substitute House Bill No. 1302]

### AGRICULTURAL LAND—BURGLARY AND TRESPASS

AN ACT Relating to burglary and trespass; and amending section 9A.52.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.010.

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

Sec. 1. Section 9A.52.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.010 are each amended to read as follows:

The following definitions apply in this chapter:

(1) "Premises" includes any building, dwelling, or any real property;

(2) "Enter". The word "enter" when constituting an element or part of a crime, shall include the entrance of the person, or the insertion of any part of his body, or any instrument or weapon held in his hand and used or intended to be used to threaten or intimidate a person or to detach or remove property;

(3) "Enters or remains unlawfully". A person "enters or remains unlawfully" in or upon premises when he is not then licensed, invited, or otherwise privileged to so enter or remain.

A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner. Land that is used for growing an agricultural crop or crops, other than timber, is not unimproved and apparently unused land if a crop or any other sign of cultivation is clearly visible. Similarly, a field fenced in any manner is not unimproved and apparently unused land.

Passed the House February 4, 1984.

Passed the Senate February 21, 1984.

Approved by the Governor February 29, 1984.

Filed in Office of Secretary of State February 29, 1984.