

Sec. 3. Section 5, chapter 106, Laws of 1977 ex. sess. as last amended by section 7, chapter 198, Laws of 1986 and RCW 75.30.050 are each amended to read as follows:

(1) The director shall appoint three-member advisory review boards to hear cases as provided in RCW 75.30.060. Members shall be from:

(a) The salmon charter boat fishing industry in cases involving salmon charter boat licenses or angler permits;

(b) The commercial salmon fishing industry in cases involving commercial salmon licenses;

(c) The commercial crab fishing industry in cases involving Puget Sound crab license endorsements;

(d) The commercial herring fishery in cases involving herring validations; ((and))

(e) The commercial Puget Sound whiting fishery in cases involving Puget Sound whiting license endorsements; and

(f) The commercial sea urchin fishery in cases involving sea urchin endorsements to shellfish diver licenses.

(2) Members shall serve at the discretion of the director and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 10, 1989.

Passed the Senate March 31, 1989.

Approved by the Governor April 18, 1989.

Filed in Office of Secretary of State April 18, 1989.

## CHAPTER 38

[Substitute Senate Bill No. 5213]

### ACCOUNTS RECEIVABLE—SIX YEAR LIMIT ON ACTIONS

AN ACT Relating to statutes of limitation; and amending RCW 4.16.040 and 4.16.080.

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

Sec. 1. Section 3, page 363, Laws of 1854 as last amended by section 2, chapter 105, Laws of 1980 and RCW 4.16.040 are each amended to read as follows:

The following actions shall be commenced within six years:

(1) An action upon a contract in writing, or liability express or implied arising out of a written agreement.

(2) An action upon an account receivable incurred in the ordinary course of business.

(3) An action for the rents and profits or for the use and occupation of real estate.

Sec. 2. Section 4, page 363, Laws of 1854 as last amended by section 1, chapter 127, Laws of 1937 and RCW 4.16.080 are each amended to read as follows:

The following actions shall be commenced within three years:

(1) An action for waste or trespass upon real property;

(2) An action for taking, detaining, or injuring personal property, including an action for the specific recovery thereof, or for any other injury to the person or rights of another not hereinafter enumerated;

(3) Except as provided in RCW 4.16.040(2), an action upon a contract or liability, express or implied, which is not in writing, and does not arise out of any written instrument;

(4) An action for relief upon the ground of fraud, the cause of action in such case not to be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud;

(5) An action against a sheriff, coroner, or constable upon a liability incurred by the doing of an act in his official capacity and by virtue of his office, or by the omission of an official duty, including the nonpayment of money collected upon an execution; but this subdivision shall not apply to action for an escape;

(6) An action against an officer charged with misappropriation or a failure to properly account for public funds intrusted to his custody; an action upon a statute for penalty or forfeiture, where an action is given to the party aggrieved, or to such party and the state, except when the statute imposing it prescribed a different limitation: PROVIDED, HOWEVER, The cause of action for such misappropriation, penalty or forfeiture, whether for acts heretofore or hereafter done, and regardless of lapse of time or existing statutes of limitations, or the bar thereof, even though complete, shall not be deemed to accrue or to have accrued until discovery by the aggrieved party of the act or acts from which such liability has arisen or shall arise, and such liability, whether for acts heretofore or hereafter done, and regardless of lapse of time or existing statute of limitation, or the bar thereof, even though complete, shall exist and be enforceable for three years after discovery by aggrieved party of the act or acts from which such liability has arisen or shall arise.

~~((7) An action for seduction and breach of promise to marry:))~~

Passed the Senate March 3, 1989.

Passed the House April 5, 1989.

Approved by the Governor April 18, 1989.

Filed in Office of Secretary of State April 18, 1989.