

activity of taking salmon for ceremonial and subsistence purposes. The legislature further finds that previously the state has encouraged ceremonial and subsistence fishing by the Wanapums by chapter 210, Laws of 1939 and other permission. Therefore, the intent of the legislature in enacting section 2 of this act is to recognize the cultural importance of salmon fishing to only the Wanapum Indians by authorizing these people a ceremonial and subsistence fishery, while also preserving the state's ability to conserve and manage the salmon resource.

NEW SECTION. Sec. 2. There is added to chapter 75.12 RCW a new section to read as follows:

The department is authorized to issue permits to members of the Wanapum band of Indians to take salmon for ceremonial and subsistence purposes. The department shall establish the areas in which the permits are valid and shall regulate the times for and manner of taking the salmon: **PROVIDED**, That nothing in this act shall be construed to create a right to fish for commercial purposes.

Passed the Senate April 24, 1981.

Passed the House April 20, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

CHAPTER 252

[Engrossed Senate Bill No. 3372]

TELEPHONE OR TELEGRAPH SERVICE—FRAUD

AN ACT Relating to fraud in obtaining telephone or telegraph service; amending section 1, chapter 114, Laws of 1955 as last amended by section 1, chapter 42, Laws of 1977 ex. sess. and RCW 9.45.240; and prescribing penalties.

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

Section 1. Section 1, chapter 114, Laws of 1955 as last amended by section 1, chapter 42, Laws of 1977 ex. sess. and RCW 9.45.240 are each amended to read as follows:

(1) Every person who, with intent to evade the provisions of any order of the Washington utilities and transportation commission or of any tariff, rule, or regulation lawfully filed with said commission by any telephone or telegraph company, or with intent to defraud, obtains telephone or telegraph service from any telephone or telegraph company through the use of a false or fictitious name or telephone number or the unauthorized use of the name or telephone number of another, or through any other trick, deceit, or fraudulent device, shall be guilty of a misdemeanor (~~PROVIDED; HOWEVER, That~~). If the value of the telephone or telegraph service which any person obtains in violation of this section during a period of ninety days exceeds ((seventy=five));

(a) Fifty dollars in the aggregate, then such person shall be guilty of a gross misdemeanor(~~(- PROVIDED FURTHER, That as to)~~);

(b) Two hundred fifty dollars in the aggregate, then such person shall be guilty of a class C felony.

However, for any act which constitutes a violation of both this subsection and subsection (2) of this section the provisions of subsection (2) of this section shall be exclusive.

(2) Every person who:

(a) Makes, possesses, sells, gives, or otherwise transfers to another an instrument, apparatus, or device with intent to use it or with knowledge or reason to believe it is intended to be used to avoid any lawful telephone or telegraph toll charge or to conceal the existence or place of origin or destination of any telephone or telegraph message; or

(b) Sells, gives, or otherwise transfers to another plans or instructions for making or assembling an instrument, apparatus, or device described in subparagraph (a) of this subsection with knowledge or reason to believe that they may be used to make or assemble such instrument, apparatus, or device shall be guilty of a felony.

Passed the Senate March 17, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

CHAPTER 253

[Engrossed Senate Bill No. 3866]

STATE CAPITOL HISTORICAL ASSOCIATION AND MUSEUM

AN ACT Relating to the state capitol historical association and museum; amending section 1, chapter 44, Laws of 1941 as amended by section 1, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.010; amending section 3, chapter 44, Laws of 1941 and RCW 27.36.020; amending section 2, chapter 44, Laws of 1941 as amended by section 2, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.030; amending section 4, chapter 44, Laws of 1941 as amended by section 3, chapter 57, Laws of 1979 ex. sess. and RCW 27.36.040; amending section 5, chapter 44, Laws of 1941 as last amended by section 16, chapter 75, Laws of 1977 and RCW 27.36.050; and adding a new section to chapter 27.36 RCW.

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

Section 1. Section 1, chapter 44, Laws of 1941 as amended by section 1, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.010 are each amended to read as follows:

The state capitol historical association, a corporation existing under and by virtue of the laws of the state of Washington, be, and the same is hereby, ~~((created))~~ designated a trustee of the state of Washington for the intent and purposes ~~((hereinafter mentioned))~~ in this section:

It shall be the duty of the ~~((said))~~ association