

(3) City, town or county engineer.

Except as provided in RCW 58.17.140, an agency or person issuing a recommendation for subsequent approval under subsections (1) and (3) of this section shall not modify the terms of its recommendations without the consent of the applicant.

Sec. 5. Section 18, chapter 271, Laws of 1969 ex. sess. and RCW 58-17.180 are each amended to read as follows:

Any decision approving or disapproving any plat shall be reviewable for unlawful, arbitrary, capricious or corrupt action or nonaction by writ of review before the superior court of the county in which such matter is pending. ~~((The action may be brought by any property owner in the city, town or county having jurisdiction, who deems himself aggrieved thereby. PROVIDED, That))~~ Standing to bring the action is limited to the following parties:

(1) The applicant or owner of the property on which the subdivision is proposed;

(2) Any property owner entitled to special notice under RCW 58.17.090;

(3) Any property owner who deems himself aggrieved thereby and who will suffer direct and substantial impacts from the proposed subdivision.

Application for a writ of review shall be made to the court within thirty days from any decision so to be reviewed. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant.

Passed the Senate March 10, 1983.

Passed the House April 17, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

---

## CHAPTER 122

[Substitute Senate Bill No. 3043]

### CRIMINALLY INSANE—FURLOUGH—ESCAPE—NOTICE

AN ACT Relating to state institutions; amending section 1, chapter 117, Laws of 1973 1st ex. sess. as amended by section 1, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.010; adding new sections to chapter 10.77 RCW; and declaring an emergency.

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

Sec. 1. Section 1, chapter 117, Laws of 1973 1st ex. sess. as amended by section 1, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.010 are each amended to read as follows:

As used in this chapter:

(1) A "criminally insane" person means any person who has been acquitted of a crime charged by reason of insanity, and thereupon found to be

a substantial danger to other persons or to present a substantial likelihood of committing felonious acts jeopardizing public safety or security unless kept under further control by the court or other persons or institutions.

(2) "Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to himself or his family.

(3) "Secretary" means the secretary of the department of social and health services or his designee.

(4) "Department" means the state department of social and health services.

(5) "Treatment" means any currently standardized medical or mental health procedure including medication.

(6) "Incompetency" means a person lacks the capacity to understand the nature of the proceedings against him or to assist in his own defense as a result of mental disease or defect.

(7) No condition of mind proximately induced by the voluntary act of a person charged with a crime shall constitute "insanity".

(8) "Furlough" means an authorized leave of absence for a resident of a state institution designated for the custody, care, and treatment of the criminally insane, consistent with an order of conditional release from the court under this chapter, without any requirement that the resident be accompanied by, or be in the custody of, any law enforcement or institutional staff, while on such unescorted leave.

**NEW SECTION.** Sec. 2. There is added to chapter 10.77 RCW a new section to read as follows:

The superintendent of each state institution designated for the custody, care, and treatment of the criminally insane shall notify appropriate law enforcement agencies through the state patrol communications network of the furloughs of persons committed under RCW 10.77.090 or 10.77.110. Notification shall be made at least forty-eight hours before the furlough, and shall include the name of the person, the place to which the person has permission to go, and the dates and times during which the person will be on furlough. For emergency furloughs, forty-eight hours notice is not required, but notice shall be made before the departure.

**NEW SECTION.** Sec. 3. There is added to chapter 10.77 RCW a new section to read as follows:

In the event of an escape by a criminally insane person from a state institution or the disappearance of such a person on conditional release, the superintendent shall notify as appropriate, local law enforcement officers, other governmental agencies, the person's relatives, and any other appropriate persons about information necessary for the public safety or to assist in the apprehension of the person.

**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 Senate March 9, 1983.

Passed the House April 18, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

## CHAPTER 123

[Substitute Senate Bill No. 3052]

### ELEVATORS—PERMITS—INSPECTIONS—HEARINGS

AN ACT Relating to elevators, lifting devices, and moving walks; amending section 1, chapter 26, Laws of 1963 as last amended by section 9, chapter 52, Laws of 1973 1st ex. sess. and RCW 70.87.010; amending section 2, chapter 26, Laws of 1963 and RCW 70.87.020; amending section 3, chapter 26, Laws of 1963 as last amended by section 10, chapter 52, Laws of 1973 1st ex. sess. and RCW 70.87.030; amending section 4, chapter 26, Laws of 1963 and RCW 70.87.040; amending section 5, chapter 26, Laws of 1963 as amended by section 2, chapter 108, Laws of 1969 ex. sess. and RCW 70.87.050; amending section 6, chapter 26, Laws of 1963 and RCW 70.87.060; amending section 7, chapter 26, Laws of 1963 and RCW 70.87.070; amending section 8, chapter 26, Laws of 1963 and RCW 70.87.080; amending section 9, chapter 26, Laws of 1963 and RCW 70.87.090; amending section 10, chapter 26, Laws of 1963 and RCW 70.87.100; amending section 11, chapter 26, Laws of 1963 and RCW 70.87.110; amending section 12, chapter 26, Laws of 1963 as amended by section 2, chapter 22, Laws of 1970 ex. sess. and RCW 70.87.120; amending section 14, chapter 26, Laws of 1963 and RCW 70.87.140; amending section 17, chapter 26, Laws of 1963 and RCW 70.87.170; amending section 18, chapter 26, Laws of 1963 and RCW 70.87.180; amending section 19, chapter 26, Laws of 1963 and RCW 70.87.190; amending section 20, chapter 26, Laws of 1963 as amended by section 4, chapter 108, Laws of 1969 ex. sess. and RCW 70.87.200; amending section 22, chapter 26, Laws of 1963 and RCW 70.87.900; adding new sections to chapter 70.87 RCW; repealing section 15, chapter 26, Laws of 1963 and RCW 70.87.150; repealing section 16, chapter 26, Laws of 1963 and RCW 70.87.160; and prescribing penalties.

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

Sec. 1. Section 1, chapter 26, Laws of 1963 as last amended by section 9, chapter 52, Laws of 1973 1st ex. sess. and RCW 70.87.010 are each amended to read as follows:

For the purposes of this chapter, except where a different interpretation is required by the context:

(1) "Owner" means any person having title to or control of a conveyance, as guardian, trustee, lessee, or otherwise;

(2) "Conveyance" means an elevator, escalator, dumbwaiter, belt manlift, automobile parking elevator (~~and~~), or moving walk, all as defined (~~herein~~) in this section;

(3) "Existing installations" means all conveyances for which plans were completed and accepted by the owner, or for which the plans and specifications (~~for which~~) have been filed with and approved by the department (~~of labor and industries~~) before (~~the effective date of this chapter~~) June