

(1) All civil actions, except for appeals from municipal or justice courts, which are at issue in the superior court in counties which have authorized arbitration, where the sole relief sought is a money judgment, and where no party asserts a claim in excess of ten thousand dollars, or if approved by the superior court of a county by ~~((majority))~~ two-thirds or greater vote of the judges thereof, ((fifteen)) up to twenty-five thousand dollars, exclusive of interest and costs, are subject to mandatory arbitration.

(2) If approved by majority vote of the superior court judges of a county which has authorized arbitration, all civil actions which are at issue in the superior court in which the sole relief sought is the establishment, termination or modification of maintenance or child support payments are subject to mandatory arbitration. The arbitrability of any such action shall not be affected by the amount or number of payments involved.

Passed the House April 22, 1985.

Passed the Senate April 18, 1985.

Approved by the Governor May 10, 1985.

Filed in Office of Secretary of State May 10, 1985.

CHAPTER 266

[House Bill No. 168]

UNIVERSITY OF WASHINGTON PRINTING CRAFT EMPLOYEES—HIGHER EDUCATION PERSONNEL LAW EXEMPTION

AN ACT Relating to higher education personnel; and adding a new section to chapter 28B.16 RCW.

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

NEW SECTION. Sec. 1. A new section is added to chapter 28B.16 RCW to read as follows:

In addition to the exemptions set forth in RCW 28B.16.040, the provisions of this chapter do not apply to printing craft employees in the department of printing of the University of Washington.

Passed the House March 1, 1985.

Passed the Senate April 17, 1985.

Approved by the Governor May 10, 1985.

Filed in Office of Secretary of State May 10, 1985.

CHAPTER 267

[Engrossed Substitute House Bill No. 214]

WATERCRAFT—OPERATION IN A NEGLIGENT MANNER—OPERATION WHILE UNDER THE INFLUENCE OF LIQUOR OR DRUGS

AN ACT Relating to watercraft; amending RCW 10.31.100 and 88.02.020; adding a new section to chapter 88.02 RCW; and prescribing penalties.

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

Sec. 1. Section 15, chapter 7, Laws of 1983 as amended by section 47, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.020 are each amended to read as follows:

~~((1))~~ Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter, except that a vessel which has or is required to have a valid marine document as a vessel of the United States is only required to display a valid decal.

~~((2) No person may use any vessel to which this chapter applies:~~

~~(a) In a negligent manner so as to endanger the life, limb, or property of any person; or~~

~~(b) While under the influence of alcohol, narcotic drugs, hallucinogens, or other controlled substances:)~~

NEW SECTION. Sec. 2. A new section is added to chapter 88.02 RCW to read as follows:

(1) It shall be unlawful for any person to operate a vessel in a negligent manner, except a commercial vessel which has or is required to have a valid marine document as a vessel of the United States and is operating in the navigable waters of the United States. For the purpose of this section, to "operate in a negligent manner" shall be construed to mean the operation of a vessel in such manner as to endanger or be likely to endanger any persons or property.

(2) A person is guilty of operating a vessel while under the influence of intoxicating liquor or any drug if the person operates a vessel within this state while:

(a) The person has 0.10 percent or more by weight of alcohol in his blood as shown by chemical analysis of the person's breath, blood, or other bodily substance made under RCW 46.61.506; or

(b) The person is under the influence of or affected by intoxicating liquor or any drug; or

(c) The person is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. A person cited under this subsection may upon request be given a breath test for blood alcohol or may request to have a blood sample taken for blood alcohol analysis. An arresting officer shall administer field sobriety tests when circumstances permit.

(3) For the purposes of this section, "vessel" means any watercraft used or capable of being used as a means of transportation on the water.

(4) For the purpose of this section, "vessel operator" means a person who is in actual physical control of a vessel.

(5) A violation of this section is a misdemeanor, punishable by up to ninety days in jail and by a fine of not more than one thousand dollars. In addition, the court may order the defendant to pay restitution for any damages or injuries resulting from the offense.

Sec. 3. Section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 19, chapter 263, Laws of 1984 and RCW 10.31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through ~~((4))~~ (5) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, chapter 26.26 RCW, or chapter 26.50 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence; or

(b) The person within the preceding four hours has assaulted that person's spouse, former spouse, or other person with whom the person resides or has formerly resided.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Any police officer having probable cause to believe that a person has committed or is committing a violation of section 2 of this 1985 act shall have the authority to arrest the person.

(6) Except as specifically provided in subsections (2), (3), and (4) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

((6)) (7) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) if the police officer acts in good faith and without malice.

Passed the House April 22, 1985.

Passed the Senate April 12, 1985.

Approved by the Governor May 10, 1985.

Filed in Office of Secretary of State May 10, 1985.

CHAPTER 268

[Substitute House Bill No. 622]

CENTENNIAL COMMISSION—COMPREHENSIVE PROGRAM EVENTS

AN ACT Relating to the Washington centennial commission; amending RCW 27.60.900; adding a new section to chapter 27.60 RCW; creating a new section; and making an appropriation.

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

NEW SECTION, Sec. 1. The legislature declares that Captain Robert Gray's discovery of Grays Harbor, successful crossing of the Columbia river bar, and first entry into the great "River of the West" on May 11, 1792, were some of the greatest events in Northwest maritime history. The legislature further declares that Captain Robert Gray's exploration of the Columbia river, Grays Harbor, and Washington's coastal regions, Captain George Vancouver's exploration and mapping of Puget Sound and Washington's coastal regions, and the mapping and exploration of the Washington coast and inland areas by the Captain Charles Wilkes expedition were events of momentous historical significance and must be preserved for the inspiration of future generations. To these ends, the legislature finds that it is in the public interest to establish a "Return of the Tall Ships" program.