

## CHAPTER 289

[Senate Bill No. 3173]

## TRESPASS ON AQUACULTURE LANDS OR STRUCTURES

AN ACT Relating to aquaculture; and reenacting and amending 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. as amended by section 1, chapter 49, Laws of 1984 and by section 5, chapter 273, Laws of 1984 and RCW 9A.52.010 are each reenacted and amended to read as follows:

The following definitions apply in this chapter:

(1) "Premises" includes any building, dwelling, structure used for commercial aquaculture, 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 commercial aquaculture or 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 or if notice is given by posting in a conspicuous manner. Similarly, a field fenced in any manner is not unimproved and apparently unused land;

(4) "Data" means a representation of information, knowledge, facts, concepts, or instructions that are being prepared or have been prepared in a formalized manner and are intended for use in a computer;

(5) "Computer program" means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data;

(6) "Access" means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, directly or by electronic means.

Passed the Senate April 23, 1985.

Passed the House April 26, 1985.

Approved by the Governor May 13, 1985.

Filed in Office of Secretary of State May 13, 1985.

## CHAPTER 290

[Substitute Senate Bill No. 3580]  
BUSINESS CORPORATIONS

AN ACT Relating to business corporations; amending RCW 23A.08.120, 23A.08.190, 23A.08.390, 23A.08.450, 23A.12.020, 23A.16.010, 23A.16.030, 23A.16.040, 23A.24.040, 23A.28.135, 23A.32.050, 23A.32.073, 23A.32.075, 23A.32.140, 23A.40.032, 23A.40.040, 23A.40.060, 23A.40.070, and 23A.98.030; adding new sections to chapter 23A.08 RCW; repealing RCW 23A.08.160, 23A.08.210, 23A.08.440, 23A.32.077, 23A.32.079, 23A.40.037, 23A.40.050, and 23A.40.090; making an appropriation; and prescribing penalties.

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

Sec. 1. Section 15, chapter 53, Laws of 1965 as last amended by section 4, chapter 75, Laws of 1984 and RCW 23A.08.120 are each amended to read as follows:

Each corporation shall have power to create and issue the number of shares stated in its articles of incorporation. Such shares may be divided into one or more classes(~~(, any or all of which classes may consist of shares with par value or shares without par value,)~~) with such designations, preferences, limitations, and relative rights as shall be stated in the articles of incorporation. The articles of incorporation may limit or deny the voting rights of or provide special voting rights for the shares of any class to the extent not inconsistent with the provisions of this title.

Without limiting the authority herein contained, a corporation, when so provided in its articles of incorporation, may issue shares of preferred or special classes:

(1) Subject to the right of the corporation to redeem any of such shares at the price fixed by the articles of incorporation for the redemption thereof.

(2) Entitling the holders thereof to cumulative, noncumulative or partially cumulative dividends.

(3) Having preference over any other class or classes of shares as to the payment of dividends.

(4) Having preference in the assets of the corporation over any other class or classes of shares upon the voluntary or involuntary liquidation of the corporation.

(5) Convertible into shares of any other class or into shares of any series of the same or any other class, except a class having prior or superior