

nothing contained herein shall prohibit the society from declining to accept, selling, exchanging, or otherwise divesting itself of such items which do not, in the judgment of the board of trustees, properly enhance its collection.

Passed the House February 19, 1973.

Passed the Senate February 27, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 36

[House Bill No. 263]

CLAIMS AGAINST COUNTIES--NOTICE OF DISALLOWANCE--
LIMITATIONS OF ACTIONS

AN ACT Relating to limitation of actions on claims against counties; and amending section 36.45.030, chapter 4, Laws of 1963 and RCW 36.45.030.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 36.45.030, chapter 4, Laws of 1963 and RCW 36.45.030 are each amended to read as follows:

No action shall be maintained on any claim for damages until it has been presented to the board of county commissioners and sixty days have elapsed after such presentation, but such action must be commenced within three months after the sixty days have elapsed or within three months after the board has given the claimant notice by registered mail of disallowance in whole or in part of the claim for damages, which ever is longer.

Passed the House February 13, 1973.

Passed the Senate February 27, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 37

[House Bill No. 307]

JUDGES' RETIREMENT--CODE CORRECTION

AN ACT Relating to judges' retirement; reenacting section 6, chapter 229, Laws of 1937 as last amended by section 6, chapter 30, Laws of 1971 and by section 8, chapter 81, Laws of 1971 and RCW 2.12.060; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 6, chapter 229, Laws of 1937 as last amended by section 6, chapter 30, Laws of 1971 and by section 8, chapter 81, Laws of 1971 and RCW 2.12.060 are each reenacted to read as follows:

For the purpose of providing moneys in said judges' retirement fund, concurrent monthly deductions from judges' salaries and portions thereof payable from the state treasury and withdrawals from the general fund of the state treasury shall be made as follows: Six and one-half percent shall be deducted from the monthly salary of each justice of the supreme court, six and one-half percent shall be deducted from the monthly salary of each judge of the court of appeals, and six and one-half percent of the total salaries of each judge of the superior court shall be deducted from that portion of the salary of such justices or judges payable from the state treasury; and a sum equal to six and one-half percent of the combined salaries of the justices of the supreme court, the judges of the court of appeals, and the judges of the superior court shall be withdrawn from the general fund of the state treasury. In consideration of the contributions made by the judges and justices to the judges' retirement fund, the state hereby undertakes to guarantee the solvency of said fund and the legislature shall make biennial appropriations from the general fund of amounts sufficient to guarantee the making of retirement payments as herein provided for if the money in the judges' retirement fund shall become insufficient for that purpose, but such biennial appropriation may be conditioned that sums appropriated may not be expended unless the money in the judges' retirement fund shall become insufficient to meet the retirement payments. The deductions and withdrawals herein directed shall be made on or before the tenth day of each month and shall be based on the salaries of the next preceding calendar month. The state auditor shall issue warrants payable to the treasurer to accomplish the deductions and withdrawals herein directed, and shall issue the monthly salary warrants of the judges and justices for the amount of salary payable from the state treasury after such deductions have been made. The treasurer shall cash the warrants made payable to him hereunder and place the proceeds thereof in the judges' retirement fund for disbursement as authorized in this chapter.

NEW SECTION. Sec. 2. This 1973 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.

EXPLANATORY NOTE

RCW 2.12.060 was amended twice during the 1971 session, each without reference to the other.

1971 c 30 was enacted primarily to include the court of appeals within the judges' retirement system provided for in chapter 2.12 RCW.

1971 c 81 was enacted primarily to change the names of "judges" of the supreme court to "justices" of the supreme court. Although these amendments do not appear to be in conflict, a possible conflict occurred in the wording used to provide for deduction from the salaries of judges of the court of appeals for the retirement fund.

1971 c 30 sec. 6 uses ", six and one-half percent shall be deducted from the monthly salary of each judge of the court of appeals,".

1971 c 81 sec. 8 uses ", six and one-half percent of the total salaries of each judge of the court of appeals,".

The administrator for the courts has advised that administratively the language contained in 1971 c 30 sec. 6 is followed by his office.

It is the purpose of this bill to resolve the possible conflict by reenacting the language contained in 1971 c 30 sec. 6.

Passed the House February 8, 1973.

Passed the Senate February 22, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 38

[House Bill No. 308]

FEEES OF CLERKS OF SUPERIOR COURT--CODE CORRECTION

AN ACT Relating to fees of clerks of the superior courts; reenacting section 36.18.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 20, Laws of 1972 ex. sess. and by section 5, chapter 57, Laws of 1972 ex. sess. and RCW 36.18.020; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 36.18.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 20, Laws of 1972 ex. sess. and by