

(c) Such other information bearing upon capital projects as the governor shall deem to be useful to the legislature;

(d) Such other information relating to capital improvement projects as the legislature may direct by law or concurrent resolution.

(4) No change affecting the comparability of agency or program information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document presented to ~~((a regular legislative session in an odd-numbered year))~~ the legislature relative to the format of the budget document which was presented to the previous regular session of the legislature ~~((in an odd-numbered year))~~ without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative budget committee if the legislature is not in session.

Sec. 2. Section 43.88.060, chapter 8, Laws of 1965 as amended by section 4, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.060 are each amended to read as follows:

The governor shall submit the budget document for the 1975-77 biennium and each succeeding biennium to the legislature no later than the twentieth day of December in the year preceding the session during which the budget is to be considered: PROVIDED, That where a budget document is submitted for a fiscal period other than a biennium, such document shall be submitted no less than twenty days prior to the first day of the session at which such budget document is to be considered. The governor shall also submit a budget bill or bills which for purposes of this chapter is defined to mean the appropriations proposed by the governor as set forth in the budget document. Such representatives of agencies as have been designated by the governor for this purpose shall, when requested, by either house of the legislature, appear to be heard with respect to the budget document and the budget bill or bills and to supply such additional information as may be required.

NEW SECTION. Sec. 3. This 1977 amendatory 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 House April 1, 1977.

Passed the Senate June 4, 1977.

Approved by the Governor June 15, 1977.

Filed in Office of Secretary of State June 15, 1977.

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## CHAPTER 248

[House Bill No. 414]

### JURY FEES

AN ACT Relating to courts; amending section 3, page 418, Laws of 1869 as last amended by section 8, chapter 304, Laws of 1961 and RCW 10.46.190; amending section 70, page 235, Laws of 1854 as last amended by section 1, page 118, Laws of 1888 and RCW 12.12.030; and amending section 35.20.090, chapter 7, Laws of 1965 as amended by section 8, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.090.

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

Section 1. Section 3, page 418, Laws of 1869 as last amended by section 8, chapter 304, Laws of 1961 and RCW 10.46.190 are each amended to read as follows:

Every person convicted of a crime or held to bail to keep the peace(~~(;)~~) shall be liable to all the costs of the proceedings against him, including, when tried by a jury in the superior court, a jury fee as provided for in civil actions, and when tried by a jury before a committing magistrate, (~~(six)~~) twenty-five dollars for jury fee, for which judgment shall be rendered and collection had as in cases of fines. The jury fee, when collected for a case tried by the superior court, shall be paid to the clerk, to be by him applied as the jury fee in civil cases is applied.

Sec. 2. Section 70, page 235, Laws of 1854 as last amended by section 1, page 118, Laws of 1888 and RCW 12.12.030 are each amended to read as follows:

After the appearance of the defendant, and before the justice shall proceed to enquire into the merits of the cause, either party may demand a jury to try the action, which jury shall be composed of six good and lawful (~~(men)~~) persons having the qualifications of jurors in the superior court of the same county, unless the parties shall agree upon a lesser number(~~(;)~~); PROVIDED, That the party demanding the jury shall first pay to the justice the sum of (~~(six)~~) twenty-five dollars, which shall be paid over by the justice to the jury before they are discharged, and said amount shall be taxed as costs against the losing party.

Sec. 3. Section 35.20.090, chapter 7, Laws of 1965 as amended by section 8, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.090 are each amended to read as follows:

In all civil cases and criminal cases where jurisdiction is concurrent with (~~(justices of the peace)~~) district courts as provided in RCW 35.20.250, within the jurisdiction of the municipal court, the plaintiff or defendant may demand a jury, which shall consist of six citizens of the state who shall be impaneled and sworn as in cases before (~~(justices of the peace)~~) district courts, or the trial may be by a judge of the municipal court. A defendant requesting a jury shall pay to the court a fee which shall be the same as that for a jury in justice court. Where there is more than one defendant in an action and one or more of them requests a jury, only one jury fee shall be collected by the court. Each juror shall receive five dollars for each day in attendance upon the municipal court, and in addition thereto shall receive mileage as provided by law. Trial by jury shall be allowed in criminal cases involving violations of city ordinances commencing January 1, 1972 unless such incorporated city affected by this chapter has made provision therefor prior to January 1, 1972.

Passed the House March 11, 1977.

Passed the Senate June 4, 1977.

Approved by the Governor June 15, 1977.

Filed in Office of Secretary of State June 15, 1977.