

CHAPTER 73

[Senate Bill No. 5205]

SUPERIOR COURT JUDGES—RETIRED JUDGES WITH CERTAIN PENDING
CASES MAY SIT AS JUDGES PRO TEMPORE

AN ACT Relating to judges pro tempore; amending RCW 2.08.180; and providing an effective date.

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

Sec. 1. Section 11, page 343, Laws of 1890 as last amended by section 6, chapter 81, Laws of 1971 and RCW 2.08.180 are each amended to read as follows:

A case in the superior court of any county may be tried by a judge pro tempore, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court, and sworn to try the case; and his action in the trial of such cause shall have the same effect as if he were a judge of such court. However, if a previously elected judge of the superior court retires leaving a pending case in which the judge has made discretionary rulings, the judge is entitled to hear the pending case as a judge pro tempore without any written agreement.

A judge pro tempore shall, before entering upon his duties in any cause, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be,) that I will support the Constitution of the United States and the Constitution of the State of Washington, and that I will faithfully discharge the duties of the office of judge pro tempore in the cause wherein is plaintiff and defendant, according to the best of my ability."

A judge pro tempore who is a practicing attorney and who is not a retired justice of the supreme court or judge of a superior court of the state of Washington, or who is not an active judge of an inferior court of the state of Washington, shall receive a compensation of one-two hundred and fiftieth of the annual salary of a superior court judge for each day engaged in said trial, to be paid in the same manner as the salary of the superior judge. A judge who is an active judge of an inferior court of the state of Washington shall receive no compensation as judge pro tempore. A justice or judge who has retired from the supreme court, court of appeals, or superior court of the state of Washington shall receive compensation as judge pro tempore in the amount of sixty percent of the amount payable to a judge pro tempore under this section.

NEW SECTION. Sec. 2. This act shall take effect January 1, 1988, if the proposed amendment to Article IV, section 7 of the state Constitution, allowing retiring judges to hear pending cases, is validly submitted to and is approved and ratified by the voters at a general election held in November,

1987. If the proposed amendment is not so approved and ratified, this act shall be null and void in its entirety.

Passed the Senate February 2, 1987.

Passed the House April 9, 1987.

Approved by the Governor April 16, 1987.

Filed in Office of Secretary of State April 16, 1987.

CHAPTER 74

[Senate Bill No. 5541]

LIQUOR CONTROL BOARD—CONDITIONS OF ANNUAL AUDIT REVISED

AN ACT Relating to annual audit of the liquor control board; and amending RCW 66.08.024.

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

Sec. 1. Section 71, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.08.024 are each amended to read as follows:

The state auditor shall audit the books, records, and affairs of the board annually(~~(: PROVIDED, That the total annual cost of such audit shall not exceed the sum of thirty thousand dollars. The board shall pay to the state treasurer for the credit of the state auditor, out of the liquor revolving fund, the sum of thirty thousand dollars a year, or so much thereof as is necessary, to defray the costs of such audits)~~). The board may provide for additional audits by certified public accountants. All such audits shall be public records of the state. The payment of the audits provided for in this section shall be paid as provided in RCW 66.08.026 for other administrative expenses.

Passed the Senate March 9, 1987.

Passed the House April 1, 1987.

Approved by the Governor April 16, 1987.

Filed in Office of Secretary of State April 16, 1987.

CHAPTER 75

[Senate Bill No. 5227]

DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REVENUE RECOVERY STATUTES CONSOLIDATED

AN ACT Relating to consolidation of statutes regarding revenue recovery for social and health services; amending RCW 10.77.250, 10.82.080, 18.20.050, 18.46.030, 18.46.040, 43.20A.055, 51.32.040, 70.41.100, 70.62.220, 70.62.230, 70.119.100, 71.02.380, 71.02.411, 71.02.412, 71.02.413, 71.02.414, 71.02.415, 71.05.100, 71.12.470, 71.12.490, 72.23.230, 72.33.180, 72.33.650, 72.33.660, 72.33.665, 72.33.670, 72.33.685, 72.33.690, 72.33.695, 72.33.700, 74.04.005, 74.04.300, 74.04.540, 74.04.550, 74.04.570, 74.04.580, 74.04.710, 74.04.720, 74.08.120, 74.08.338, and 74.09.538; adding a new chapter to Title 43 RCW; recodifying