

NEW SECTION. Sec. 2. This 1975 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 Senate March 11, 1975.

Passed the House March 7, 1975.

Approved by the Governor March 24, 1975.

Filed in Office of Secretary of State March 25, 1975.

CHAPTER 29

[Senate Bill No. 2177]

**MUNICIPAL COURTS, CITIES OVER 400,000—
ASSESSMENT OF PUNISHMENT**

AN ACT Relating to justice courts; and amending section 7, chapter 110, Laws of 1965 ex. sess. and RCW 3.66.065.

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

Section 1. Section 7, chapter 110, Laws of 1965 ex. sess. and RCW 3.66.065 are each amended to read as follows:

If a defendant is found guilty, a justice holding office pursuant to chapters 3.30 through 3.74, or chapter 35.20 RCW, and not the jury, shall assess his punishment, notwithstanding the provisions of RCW 10.04.100. If such justice determines that the punishment he is authorized to assess is inadequate to the gravity of the offense he may order such defendant to enter recognizance to appear in the superior court of the county and may also recognize the witnesses and shall proceed as a committing magistrate.

Passed the Senate February 21, 1975.

Passed the House March 7, 1975.

Approved by the Governor March 24, 1975.

Filed in Office of Secretary of State March 25, 1975.

CHAPTER 30

[Engrossed Senate Bill No. 2182]

CLERKS OF SUPERIOR COURTS—FEES

AN ACT Relating to fees; and amending section 1, chapter 38, Laws of 1973 as amended by section 1, chapter 16, Laws of 1973 and RCW 36.18.020.

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

Section 1. Section 1, chapter 38, Laws of 1973 as amended by section 1, chapter 16, Laws of 1973 and RCW 36.18.020 are each amended to read as follows:

Clerks of superior courts shall collect the following fees for their official services:

(1) The party filing the first or initial paper in any civil action, including an action for restitution, or change of name, shall pay, at the time said paper is filed, a fee of thirty-two dollars.

(2) Any party filing the first or initial paper on an appeal from justice court or on any civil appeal, shall pay, when said paper is filed, a fee of thirty-two dollars.

(3) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a justice court in the county of issuance, shall pay at the time of filing, a fee of five dollars.

(4) For the filing of a tax warrant by the department of revenue of the state of Washington, a fee of five dollars shall be paid.

(5) The party filing a demand for jury of six in a civil action, shall pay, at the time of filing, a fee of twenty-five dollars; if the demand is for a jury of twelve the fee shall be fifty dollars. If, after the party files a demand for a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional twenty-five dollar fee will be required of the party demanding the increased number of jurors. ~~((In the event that the case is settled out of court and the court is notified not less than twenty-four hours prior to the time that such case is called to be heard upon trial, such fee shall be returned to such party by the clerk.))~~

(6) For filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in his office for which no other charge is provided by law, the clerk shall collect two dollars.

(7) For preparing, transcribing or certifying any instrument on file or of record in his office, with or without seal, for the first page or portion thereof, a fee of two dollars, and for each additional page or portion thereof, a fee of one dollar. For authenticating or exemplifying any instrument, a fee of one dollar for each additional seal affixed.

(8) For executing a certificate, with or without a seal, a fee of two dollars shall be charged.

(9) For the filing of an affidavit for garnishment, a fee of five dollars shall be charged.

(10) For approving a bond, including justification thereon, in other than civil actions and probate proceedings, a fee of two dollars shall be charged.

(11) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first paper therein, a fee of thirty-two dollars: PROVIDED, HOWEVER, A fee of two dollars shall be charged for filing a will only, when no probate of the will is contemplated.

(12) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, there shall be paid a fee of thirty-two dollars.

(13) For the issuance of each certificate of qualification and each certified copy of letters of administration, letters testamentary or letters of guardianship there shall be a fee of two dollars.

(14) For the preparation of a passport application there shall be a fee of ~~((two))~~ three dollars.

(15) Upon conviction or plea of guilty or upon failure to prosecute his appeal from a lower court as provided by law, a defendant in a criminal case shall be liable for a fee of thirty-two dollars.

(16) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July

1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972: PROVIDED, That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(17) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.36.010.

Passed the Senate March 11, 1975.

Passed the House March 7, 1975.

Approved by the Governor March 24, 1975.

Filed in Office of Secretary of State March 25, 1975.

CHAPTER 31

[Senate Bill No. 2220]

CLAIMS AGAINST COUNTIES—ISSUANCE OF WARRANTS

AN ACT Relating to county warrants; and amending section 36.22.050, chapter 4, Laws of 1963 as amended by section 1, chapter 87, Laws of 1969 ex. sess. and RCW 36.22.050.

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

Section 1. Section 36.22.050, chapter 4, Laws of 1963 as amended by section 1, chapter 87, Laws of 1969 ex. sess. and RCW 36.22.050 are each amended to read as follows:

For claims allowed by the county commissioners, and also for cost bills and other lawful claims duly approved by the competent tribunal designated by law for their allowance, he shall draw a warrant on the county treasurer, made payable to the claimant or his order, bearing date from the time of and regularly numbered in the order of their issue (~~but no warrant shall be issued within less than ten days after the date of its allowance~~). If there is not sufficient cash in the county treasury to cover such claims or cost bills, or if a claimant requests, the auditor may issue a number of smaller warrants, the total principal amounts of which shall equal the amount of said claim or cost bill.

Passed the Senate February 11, 1975.

Passed the House March 7, 1975.

Approved by the Governor March 24, 1975.

Filed in Office of Secretary of State March 25, 1975.

CHAPTER 32

[Engrossed Senate Bill No. 2233]

DISSOLUTION OF MARRIAGE, ETC.—PROCEEDINGS

AN ACT Relating to domestic relations; amending section 1, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.010; amending section 4, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.040; amending section 6, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.060; and amending section 28, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.280.

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

Section 1. Section 1, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.010 are each amended to read as follows: