

## CHAPTER 110.

[ Senate Bill No. 389. ]

## JUSTICES OF THE PEACE.

AN ACT relating to the judiciary and to justices of the peace and other inferior courts; amending sections 10, 26 and 27, chapter 299, Laws of 1961 and RCW 3.34.010, 3.38.020 and 3.38.030; amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004; and adding new sections to chapter 299, Laws of 1961 and to chapters 3.38 and 3.66 RCW, and validating certain procedures.

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

SECTION 1. Section 26, chapter 299, Laws of 1961 and RCW 3.38.020 are each amended to read as follows:

RCW 3.38.020 amended.

Upon the classification of any county as a class A county, or upon the adoption of a resolution by majority vote of the board of county commissioners of any county of the first, second, third, fourth, fifth, sixth, eighth or ninth class electing to make the provisions of chapters 3.30 through 3.74 applicable to their county, the justice court districting committee shall become activated and shall meet at the call of the prosecuting attorney to prepare a plan for the districting of the county into one or more justice court districts in accordance with the provisions of chapters 3.30 through 3.74, which plan shall include the following:

Justices of the peace. Justice court districting committee—Duties.

- (1) The boundaries of each justice court district proposed to be established;
- (2) The number of justices to be elected in each justice court district;
- (3) The location of the central office, courtrooms and records of each court;
- (4) The other places in the justice court district, if any, where the court shall sit;

Justices of the  
peace. Justice  
court  
districting  
committee—  
Duties.

(5) The number and location of justice court commissioners to be authorized, if any;

(6) The departments, if any, into which each justice court shall be initially organized, including municipal departments provided for in chapter 3.46;

(7) The name of each justice court district; and

(8) The allocation of the time and allocation of salary of each justice who will serve part time in a municipal department.

Not later than three months after the classification of the county as class A or the adoption of the elective resolution by the county commissioners, the plan shall be transmitted to the county commissioners.

RCW 3.38.030  
amended.

SEC. 2. Section 27, chapter 299, Laws of 1961 and RCW 3.38.030 are each amended to read as follows:

Justice court  
districting  
plan—  
Adoption.

Upon receipt of the justice court districting plan, the county commissioners shall hold a public hearing, pursuant to the provisions of RCW 36.32.120(7), as now or hereafter amended. At the hearing, anyone interested in the plan may attend and be heard as to the convenience which will be afforded to the public by the plan, and as to any other matters pertaining thereto. If the commissioners find that the plan proposed by the districting committee conforms to the standards set forth in chapters 3.30 through 3.74 and is conducive to the best interests and welfare of the county, as a whole it may adopt such plan. If the commissioners find that such plan does not conform to the standards as provided in chapters 3.30 through 3.74, they may modify, revise or amend the plan and adopt such amended or revised plan as the county's justice court districting plan. The plan decided upon shall be adopted by the county commissioners not later than six months after the classification of the county as class A or the adoption of the elective resolution.

SEC. 3. There is added to chapter 299, Laws of 1961 and to chapter 3.38 RCW a new section to read as follows:

New section.

As a part of the justice court districting plan, the county commissioners shall designate a date on which the terms of the justices of the peace of the county shall end.

Plan to designate date justice terms end—Appointment of new justices.

For each justice position under the districting plan, the county commissioners shall appoint a person qualified under RCW 3.34.060 who shall take office on the date designated by the county commissioners and shall serve until the next quadrennial election of justices of the peace as provided in RCW 3.34.050.

Pending cases, proceedings, and matters shall be transferred to the appropriate court as provided in RCW 3.74.900.

SEC. 4. Any prior action by the county commissioners of any county of the first, second, third, fourth, fifth, sixth, seventh, eighth or ninth class to make the provisions of chapters 3.30 through 3.74 applicable to their county and the organization of any justice court as a result thereof, and all other things and proceedings done or taken by such county or by their respective officers acting under or in pursuance to such prior action and organization are hereby declared legal and valid and of full force and effect.

Prior acts validated.

SEC. 5. Section 10, chapter 299, Laws of 1961 and RCW 3.34.010 are each amended to read as follows:

RCW 3.34.010 amended.

The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, four; Chelan, four; Clallam, one; Clark, four; Columbia, one; Cowlitz, two; Douglas, two; Ferry, two; Franklin, one; Garfield, one; Grant, three; Grays Harbor, four; Island, three; Jefferson,

Justices of the peace—Number for each county.

Justices of the peace. Number for each county.

one; King, twenty; Kitsap, two; Kittitas, two; Klickitat, two; Lewis, four; Lincoln, four; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, three; Skamania, two; Snohomish, six; Spokane, seven; Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, two; Yakima, six.

RCW 3.16.004 amended.

SEC. 6. Section 4, chapter 156, Laws of 1951 and RCW 3.16.004 are each amended to read as follows:

Justices salary—Cities over twenty thousand—Full time—Allocation.

Effective the second Monday in January, 1967, in cities having a population of more than twenty thousand, the justices of the peace shall devote their full time to the duties of the office and shall not engage in the practice of law; the annual salary shall be two-thirds of the amount provided by statute as the salary for the position of superior court judge or twelve thousand five hundred dollars, whichever is greater: *Provided further*, That where justices of the peace in cities over the population of twenty thousand are also acting as police judges, five thousand dollars of their salaries as hereinabove provided shall be charged against the counties and the remainder shall be paid by the municipality.

New section.

SEC. 7. There is added to chapter 299, Laws of 1961, and to chapter 3.66 RCW, a new section to read as follows:

Justice to assess criminal punishment—May commit case to superior court.

If a defendant is found guilty, a justice holding office pursuant to chapters 3.30 through 3.74, 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.

SEC. 8. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. Severability.

Passed the Senate April 4, 1965.

Passed the House April 3, 1965.

Approved by the Governor April 8, 1965.

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## CHAPTER 111.

[ Substitute Senate Bill No. 167. ]

### MUNICIPAL TRANSPORTATION—TAX SUBSIDIES.

AN ACT relating to public transportation systems; and authorizing municipal tax subsidies therefor.

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

SECTION 1. We, the legislature find that an increasing number of municipally owned, or leased, and operated transportation systems in the cities of the state of Washington, as in the nation, are finding it impossible, from the revenues derived from tolls, tariffs and fares, to maintain the financial solvency of such systems, and as a result thereof such municipalities have been forced to subsidize such systems to the detriment of other essential public services.

Municipal transportation systems. Legislative declaration—Public purpose.

All persons in a community benefit from a solvent and adequate public transportation system, either directly or indirectly, and the responsibility of financing the operation, maintenance, and capital needs of such systems is a community obligation and responsibility which should be shared by all.