

(4) The county clerk promptly seals and stores at least one original negative of each such photographic film, microphotographic, photostatic or similar reproduction in such manner and place as reasonably to assure its preservation indefinitely against loss, theft, defacement, or destruction.

Passed the Senate February 16, 1971.

Passed the House March 8, 1971.

Approved by the Governor March 22, 1971.

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CHAPTER 30

[Engrossed Senate Bill No. 79]

RETIREMENT OF JUDGES

AN ACT Relating to the retirement of judges; amending section 1, chapter 229, Laws of 1937 as amended by section 1, chapter 221, Laws of 1943 and RCW 2.12.010; amending section 1, chapter 286, Laws of 1961 and RCW 2.12.012; amending section 2, chapter 286, Laws of 1961 and RCW 2.12.015; amending section 2, chapter 229, Laws of 1937 and RCW 2.12.020; amending section 3, chapter 229, Laws of 1937 as last amended by section 3, chapter 286, Laws of 1961 and RCW 2.12.030; amending section 6, chapter 229, Laws of 1937 as last amended by section 2, chapter 243, Laws of 1957 and RCW 2.12.060; and adding a new section to chapter 2.12 RCW.

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

Section 1. Section 1, chapter 229, Laws of 1937 as amended by section 1, chapter 221, Laws of 1943 and RCW 2.12.010 are each amended to read as follows:

Any judge of the supreme ~~court~~, ~~court of appeals~~, or superior court of the state of Washington who heretofore and/or hereafter shall have served as a judge of ((either or both of)) any such courts for eighteen years in the aggregate or who shall have served ten years in the aggregate and shall have attained the age of seventy years of more may, during or at the expiration of his term of office, in accordance with the provisions of this chapter, be retired and receive the retirement pay herein provided for. In computing such term of service, there shall be counted the time spent by such judge in active service in the armed forces of the United States of America, under leave of absence from his judicial duties as provided for under chapter 201, Laws of 1941 [chapter 73.16 RCW]: PROVIDED, HOWEVER, That in computing such credit for such service in the armed forces of the United States of America no allowance shall be made for

service beyond the date of the expiration of the term for which such judge was elected. Any judge desiring to retire under the provisions of this section shall file with the state treasurer, who is hereby created treasurer, ex officio, of the fund hereinafter established, and who is hereinafter referred to as "the treasurer," a notice in duplicate in writing, verified by his affidavit, fixing a date when he desires his retirement to commence, one copy of which the treasurer shall forthwith file with the state auditor. The notice shall state his name, the court or courts of which he has served as judge, the period of service thereon and the dates of such service. No retirement shall be made within a period of less than thirty days after such statement is filed, and no retirement after separation from office by expiration of term shall be allowed unless the statement be filed within thirty days thereafter.

Sec. 2. Section 1, chapter 286, Laws of 1961 and RCW 2.12.012 are each amended to read as follows:

Any judge of the supreme court, court of appeals, or superior court of this state who shall leave judicial service at any time after having served as a judge of ((either)) any of such courts for an aggregate of twelve years shall be eligible to a partial retirement pension in a percentage of the pension provided in this chapter as determined by the proportion his years of judicial service bears to eighteen and shall receive the same upon attainment of age seventy, or eighteen years after the commencement of such judicial service, whichever shall occur first.

Sec. 3. Section 2, chapter 286, Laws of 1961 and RCW 2.12.015 are each amended to read as follows:

In the event any judge of the supreme court, court of appeals, or superior court of the state serves more than eighteen years in the aggregate as computed under RCW 2.12.010, he shall receive in addition to any other pension benefits to which he may be entitled under this chapter, an additional pension benefit based upon one-eighteenth of his salary for each year of full service after eighteen years, provided his total pension shall not exceed seventy-five percent of the monthly salary he was receiving as a judge at the time of his retirement.

Sec. 4. Section 2, chapter 229, Laws of 1937 and RCW 2.12.020 are each amended to read as follows:

Any judge of the supreme court, court of appeals, or superior court of the state of Washington, who heretofore and/or hereafter shall have served as a judge of ((either or both)) any such courts for a period of ten years in the aggregate, and who shall believe he has become physically or otherwise permanently incapacitated for the full and efficient performance of the duties of his office, may file with the treasurer an application in duplicate in writing, asking for

retirement, which application shall be signed and verified by the affidavit of the applicant or by someone in his behalf and which shall set forth his name, the office then held, the court or courts of which he has served as judge, the period of service thereon, the dates of such service and the reasons why he believes himself to be, or why they believe him to be incapacitated. Upon filing of such application the treasurer shall forthwith transmit a copy thereof to the governor who shall appoint three physicians of skill and repute, duly licensed to practice their professions in the state of Washington, who shall, within fifteen days thereafter, for such compensation as may be fixed by the governor, to be paid out of the fund hereinafter created, examine said judge and report, in writing, to the governor their findings in the matter. If a majority of such physicians shall report that in their opinion said judge has become permanently incapacitated for the full and efficient performance of the duties of his office, and if the governor shall approve such report, he shall file the report, with his approval endorsed thereon, in the office of the treasurer and a duplicate copy thereof with the state auditor, and from the date of such filing the applicant shall be deemed to have retired from office and be entitled to the benefits of this chapter to the same extent as if he had retired under the provisions of RCW 2.12.010.

Sec. 5. Section 3, chapter 229, Laws of 1937 as last amended by section 3, chapter 286, Laws of 1961 and RCW 2.12.030 are each amended to read as follows:

Every judge of the supreme court, court of appeals, or superior court of the state who retires from office under the provisions of this chapter other than as provided in RCW 2.12.012 shall be entitled to receive monthly during the period of his natural life, out of the fund hereinafter created, an amount equal to one-half of the monthly salary he was receiving as a judge at the time of his retirement, or at the end of the term immediately prior to his retirement if his retirement is made after expiration of his term. The widow of any judge who shall have heretofore retired or may hereafter retire, or of a judge who was heretofore or may hereafter be eligible for retirement at the time of his death, if she had been married to him for three years, if she had been his wife prior to his retirement, shall be paid an amount equal to one-half of the retirement pay for her husband, as long as she remains unmarried. The retirement pay shall be paid monthly by the state treasurer on or before the tenth day of each month. The provisions of this section shall apply to the widow of any judge who dies while holding such office or dies after having retired under the provisions of this chapter and who at the time of his death had served ten or more years in the aggregate as a judge of the supreme court, court of appeals,

or superior court or ((both)) any of such courts, or had served an aggregate of twelve years in ((either)) the supreme court, court of appeals, or superior court if such pension rights are based upon RCW 2.12.012.

Sec. 6. Section 6, chapter 229, Laws of 1937 as last amended by section 2, chapter 243, Laws of 1957 and RCW 2.12.060 are each amended 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 judge 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 judges payable from the state treasury; and a sum equal to six and one-half percent of the combined salaries of the judges 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 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 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. 7. The provisions of this 1971 amendatory act shall be construed in accordance with RCW 2.06.100 which provides for the retirement of judges of the court of appeals.

NEW SECTION. Sec. 8. There is added to chapter 2.12 RCW a new section to read as follows:

Whenever words importing the masculine gender are used in the provisions of this chapter they may be extended to females also as provided in RCW 1.12.050 and whenever words importing the feminine gender and used in the provisions of this chapter they may be extended to males.

Passed the Senate February 12, 1971.

Passed the House March 10, 1971.

Approved by the Governor March 22, 1971.

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CHAPTER 31

[Senate Bill No. 88]

STATE BUILDING AUTHORITY

AN ACT Relating to the acquisition, leasing, releasing, and construction authority of the state building authority; amending section 3, chapter 162, Laws of 1967 as amended by section 2, chapter 103, Laws of 1970 ex. sess. and RCW 43.75.030; and amending section 4, chapter 162, Laws of 1967 and RCW 43.75.040.

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

Section 1. Section 3, chapter 162, Laws of 1967 as amended by section 2, chapter 103, Laws of 1970 ex. sess. and RCW 43.75.030 are each amended to read as follows:

The authority may contract with any of the institutions of higher learning to lease from any such institution land owned by such institution, the state or its agencies or may acquire land for the purpose of erecting thereon a building or buildings as requested by the governing body of any such institution of higher learning when such building or buildings shall be specifically approved by the legislature: PROVIDED, That no specific approval by the legislature shall be required for buildings at The Evergreen State College prior to July 1, 1971. Such building or buildings, together with the land upon which they shall be built, shall be leased or released by the authority to the appropriate institution of higher learning at any time subsequent to the commencement of construction thereof for a term of years not to exceed twenty-five, at reasonable rental rates.

Sec. 2. Section 4, chapter 162, Laws of 1967 and RCW