

otherwise provided in connection with the transportation of members of the public or other noncommon school purposes: PROVIDED FURTHER, That wherever public transportation, or private transportation certified or licensed by the Washington Utilities and Transportation Commission is not reasonably available, the school district or intermediate school district may transport members of the public so long as they are reimbursed for the cost of such transportation, and such transportation has been approved by any metropolitan municipal corporation performing public transportation pursuant to chapter 35.58 RCW in the area to be served by the district.

Passed the House February 11, 1974.
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CHAPTER 94

[Reengrossed Substitute Senate Bill No. 2132]

WASHINGTON STATE CRIMINAL JUSTICE

TRAINING COMMISSION

AN ACT Relating to criminal justice; creating a new chapter in Title 43 RCW; creating new sections; repealing section 1, chapter 158, Laws of 1965 and RCW 43.100.010; repealing section 2, chapter 158, Laws of 1965 and RCW 43.100.020; repealing section 3, chapter 158, Laws of 1965, section 1, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.030; repealing section 4, chapter 158, Laws of 1965 and RCW 43.100.040; repealing section 5, chapter 158, Laws of 1965 and RCW 43.100.050; repealing section 6, chapter 158, Laws of 1965 and RCW 43.100.060; repealing section 7, chapter 158, Laws of 1965 and RCW 43.100.070; repealing section 8, chapter 158, Laws of 1965, section 2, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.080; repealing section 3, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.085; repealing section 9, chapter 158, Laws of 1965 and RCW 43.100.090; repealing section 10, chapter 158, Laws of 1965 and RCW 43.100.100; repealing section 11, chapter 158, Laws of 1965 and RCW 43.100.110; repealing section 12, chapter 158, Laws of 1965 and RCW 43.100.120; repealing section 13, chapter 158, Laws of 1965 and RCW 43.100.130; repealing section 14, chapter 158, Laws of 1965 and RCW 43.100.140; repealing section 15, chapter 158, Laws of 1965 and RCW 43.100.150; repealing section 17, chapter 158, Laws of 1965 and RCW 43.100.160; repealing section 18, chapter 158, Laws of 1965 and RCW 43.100.170; repealing section 20,

chapter 158, Laws of 1965 and RCW 43.100.900; repealing section 21, chapter 158, Laws of 1965 and RCW 43.100.910; and making an appropriation.

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

NEW SECTION. Section 1. When used in this chapter:

(1) The term "commission" means the Washington state criminal justice training commission.

(2) The term "boards" means the education and training standards boards, the establishment of which are authorized by this chapter.

(3) The term "criminal justice personnel" means any person who serves in a county, city, state, or port commission agency engaged in crime prevention, crime reduction, or enforcement of the criminal law.

(4) The term "law enforcement personnel" means any employee or volunteer of any municipal, county, state, or combination thereof, agency having as its primary function the enforcement of criminal laws in general as distinguished from an agency possessing peace officer powers, the primary function of which is the implementation of specialized subject matter areas.

(5) The term "correctional personnel" means any employee or volunteer who by state, county, municipal, or combination thereof, statute has the responsibility for the confinement, care, management, training, treatment, education, supervision, or counselling of those individuals whose civil rights have been limited in some way by legal sanction.

(6) The term "judicial personnel" means any judge, employee, or volunteer of any municipal, district, or superior court and any justice, employee, or volunteer of the state appellate court or the state supreme court.

NEW SECTION. Sec. 2. There is hereby created and established a state commission to be known and designated as the Washington state criminal justice training commission.

The purpose of such commission shall be to provide programs and standards for the training of criminal justice personnel.

NEW SECTION. Sec. 3. The commission shall consist of eleven members, who shall be selected as follows:

(1) The governor shall appoint two incumbent sheriffs and two incumbent chiefs of police.

(2) The governor shall appoint one person employed in a county correctional system and one person employed in the state correctional system.

(3) The governor shall appoint one incumbent county prosecuting attorney or municipal attorney.

(4) The governor shall appoint one incumbent superior or district court judge.

(5) The governor shall appoint one elected official of a local government.

(6) The two remaining members shall be:

(a) The attorney general; and

(b) The special agent in charge of the Seattle office of the federal bureau of investigation.

NEW SECTION. Sec. 4. All members appointed to the commission by the governor shall be appointed for terms of six years, such terms to commence on July first, and expire on June thirtieth: PROVIDED, That of the members first appointed three shall be appointed for two year terms, three shall be appointed for four year terms, and three shall be appointed for six year terms: PROVIDED, FURTHER, That the terms of the two members appointed as incumbent police chiefs shall not expire in the same year nor shall the terms of the two members appointed as representing correctional systems expire in the same year nor shall the terms of the two members appointed as incumbent sheriffs expire in the same year. Any member chosen to fill a vacancy created otherwise than by expiration of term shall be appointed for the unexpired term of the member he is to succeed. Any member may be reappointed for additional terms.

NEW SECTION. Sec. 5. Any member of the commission appointed pursuant to section 3 of this act as an incumbent official or as an employee in a correctional system, as the case may be, shall immediately upon the termination of his holding of said office or employment, cease to be a member of the commission.

NEW SECTION. Sec. 6. The commission shall elect a chairman and a vice-chairman from among its members. Six members of the commission shall constitute a quorum. The governor shall summon the commission to its first meeting.

Meetings may be called by the chairman and shall be called by him upon the written request of five members.

NEW SECTION. Sec. 7. Members of the commission shall be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties and shall receive a per diem allowance as provided by chapter 43.03 RCW. Attendance at meetings of the commission shall be deemed performance by a member of the duties of his employment.

NEW SECTION. Sec. 8. The commission shall have all of the following powers:

(1) To meet at such times and places as it may deem proper;

(2) To adopt any rules and regulations as it may deem necessary;

(3) To contract for services as it deems necessary in order to carry out its duties and responsibilities;

(4) To cooperate with and secure the cooperation of any department, agency, or instrumentality in state, county, and city government, and other commissions affected by or concerned with the business of the commission;

(5) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it;

(6) To select and employ an executive director, and to empower him to perform such duties and responsibilities as it may deem necessary;

(7) To assume legal, fiscal, and program responsibility for all training conducted by the commission;

(8) To establish, by rule and regulation, standards for the training of criminal justice personnel where such standards are not prescribed by statute;

(9) To establish and operate, or to contract with other qualified institutions or organizations for the operation of, training and education programs for criminal justice personnel: PROVIDED, That the commission shall not have the power to invest any moneys received by it from any source for the purchase or lease of a training facility without prior approval of the legislature;

(10) To establish, by rule and regulation, minimum curriculum standards for all training programs conducted for employed criminal justice personnel;

(11) To review and approve or reject standards for instructors of training programs for criminal justice personnel, and to employ personnel on a temporary basis as instructors without any loss of employee benefits to those instructors;

(12) To direct the development of alternative, innovate, and interdisciplinary training techniques;

(13) To review and approve or reject training programs conducted for criminal justice personnel and rules establishing and prescribing minimum training and education standards recommended by the training standards and education boards;

(14) To allocate financial resources among training and education programs conducted by the commission;

(15) To allocate training facility space among training and education programs conducted by the commission;

(16) To issue diplomas certifying satisfactory completion of any training or education program conducted or approved by the commission to any person so completing such a program;

(17) To provide for the employment of such personnel as may be practical to serve as temporary replacements for any person engaged in a basic training program as defined by the commission.

All rules and regulations adopted by the commission shall be adopted and administered pursuant to the Administrative Procedure Act, chapter 34.04 RCW, and the Open Public Meetings Act, chapter 42.30 RCW.

NEW SECTION. Sec. 9. (1) There are hereby created and established training standards and education boards to be known and designated as (a) the board on law enforcement training standards and education, (b) the board on prosecutor training standards and education, (c) the board on correctional training standards and education, and (d) the board on judicial training standards and education.

(2) The purpose of the board on law enforcement training standards and education shall be to provide programs and standards for the training and education of law enforcement personnel.

(3) The purpose of the board on prosecutor training standards and education shall be to provide programs and standards for the training and education of county prosecuting attorneys, municipal attorneys, and attorneys who are engaged primarily in the defense of persons charged with offenses.

(4) The purpose of the board on correctional training standards and education shall be to provide programs and standards for the training and education of correctional personnel.

(5) The purpose of the board on judicial training standards and education shall be to provide programs and standards for the training and education of judicial personnel.

NEW SECTION. Sec. 10. (1) The board on law enforcement training standards and education shall consist of eleven members, who shall be appointed by the governor from incumbent law enforcement personnel. Two members shall be from police departments of cities having a population in excess of one hundred thousand and of whom one shall be a police chief, two members shall be from police departments of cities having a population of less than one hundred thousand and of whom one shall be a police chief, two members shall be from sheriffs' departments of class AA or A counties and of whom one shall be a sheriff, two members shall be from sheriffs' departments of counties less than class A and of whom one shall be a sheriff, one member shall represent the community colleges of the state, one member shall represent the four-year colleges and universities, and the final member shall be the chief of the state patrol.

(2) The board on prosecutor training standards and education shall consist of eleven members, who shall be appointed by the

governor from incumbent county prosecuting attorneys, municipal attorneys, and attorneys who are engaged primarily in the defense of persons charged with offenses. Three members shall be from county prosecuting attorneys' offices, three members shall be from municipal attorneys' offices, three members shall be attorneys who are primarily engaged in the defense of persons charged with offenses, and two members shall be professors of law, and not from the same college or university.

(3) The board on correctional training standards and education shall consist of eleven members, who shall be appointed by the governor from incumbent correctional personnel. Three members shall be employed in the state correctional system, three members shall be employed in county correctional systems, three members shall be employed in the juvenile correctional system, one member shall represent the community colleges of the state, and one member shall represent the four-year colleges and universities.

(4) The board on judicial training standards and education shall consist of nine members, who shall be appointed by the chief justice of the state supreme court from incumbent judicial personnel. One member shall be an incumbent justice of the supreme court, one member shall be an incumbent judge of the appellate court, three members shall be incumbent judges of superior courts, two members shall be incumbent judges of district courts, one member shall be an incumbent judge of a municipal court, and one member shall be an incumbent court administrator.

NEW SECTION. Sec. 11. All members of each of the training standards and education boards as set forth in section 10 of this act shall be appointed for terms of six years, such terms to commence on July first, and expire on June thirtieth: PROVIDED, That of the members first appointed, three shall serve for terms of two years, four shall serve for terms of four years, and four shall serve for terms of six years: PROVIDED FURTHER, That of the members of the board on judicial training standards and education first appointed, three shall serve for terms of two years, three shall serve for terms of four years, and three shall serve for terms of six years. Any member chosen to fill a vacancy created otherwise than by expiration of term shall be appointed for the unexpired term of the member he is to succeed. Any member may be reappointed for additional terms.

NEW SECTION. Sec. 12. Any member of the training standards and education boards appointed pursuant to section 10 of this act as an incumbent official or because of his employment, shall immediately upon the termination of his holding of said office or employment, cease to be a member of a training standards and education board.

NEW SECTION. Sec. 13. Each training standards and education board shall elect a chairman and vice-chairman from among its members. A simple majority of the members of a training standards and education board shall constitute a quorum. The commission shall summon each of the training standards and education boards to its first meeting.

NEW SECTION. Sec. 14. Members of the training standards and education boards shall receive a per diem allowance as provided by chapter 43.03 RCW and reimbursement for actual and necessary travel expenses incurred in the performance of their duties. Attendance at meetings of a training standards and education board shall be deemed performance by a member of the duties of his employment.

NEW SECTION. Sec. 15. The training standards and education boards shall have all of the following powers:

- (1) To meet at such times and places as they may deem proper;
- (2) To adopt rules and regulations as to the conduct of their business as deemed necessary by each board;
- (3) To cooperate with and secure the cooperation of any department, agency, or instrumentality in state, county, or city government, and commissions affected by or concerned with the business of the commission;
- (4) To do any and all things necessary or convenient to enable them fully and adequately to perform their duties and to exercise the power granted to them;
- (5) To advise the commission of the training and education needs of criminal justice personnel within their specific purview;
- (6) To recommend to the commission standards for the training and education of criminal justice personnel within their specific purview;
- (7) To recommend to the commission minimum curriculum standards for all training and education programs conducted for criminal justice personnel within their specific purview;
- (8) To recommend to the commission standards for instructors of training and education programs for criminal justice personnel within their specific purview;
- (9) To recommend to the commission alternative, innovative, and interdisciplinary training and education techniques for criminal justice personnel within their specific purview;
- (10) To review and recommend to the commission the approval of training and education programs for criminal justice personnel within their specific purview;
- (11) To monitor and evaluate training and education programs for criminal justice personnel within their specific purview.

Each training standards and education board shall report to the commission at the end of each fiscal year on the effectiveness of training and education programs for criminal justice personnel within its specific purview.

NEW SECTION. Sec. 16. For the purpose of raising the level of competence of criminal justice personnel, the commission shall adopt, as provided in section 8 of this act, rules recommended by the training standards and education boards establishing and prescribing:

(1) The requirements of minimum training and education which all criminal justice personnel appointed to probationary terms, except members of the Washington state patrol, shall complete before being eligible for certification by the commission, and the time within which basic training must be completed following such appointment to the probationary term;

(2) Categories or classifications of advanced and specialized training and education programs and minimum courses of study and attendance requirements with respect to such categories or classifications.

NEW SECTION. Sec. 17. In establishing standards for training and education, the commission may, so far as consistent with the purposes of section 16 of this act, permit required training and education of any criminal justice personnel to be obtained at existing institutions approved for such training by the commission.

NEW SECTION. Sec. 18. The first priority of the commission shall be to provide for basic law enforcement training and education programs. In addition, the commission shall provide training programs for other criminal justice personnel.

NEW SECTION. Sec. 19. The commission, or the executive director acting on its behalf, is authorized to accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies, for the purpose of carrying out the provisions of this chapter.

The services provided by the state through the establishment and maintenance of the programs of the commission are primarily intended for the benefit of the criminal justice agencies of the counties, cities, and towns of this state. To the extent that funds available to the state under the Crime Control Act of 1973 are utilized by the commission, it is the determination of the Legislature that, to the maximum extent permitted by federal law, such funds as are so utilized shall be charged against that portion of United States Law Enforcement Assistance Administration funds which the state is required to make available to units of local

government pursuant to section 303 (a) (2) of Part C of the Crime Control Act of 1973.

NEW SECTION. Sec. 20. If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 21. Sections 1 through 20 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 22. Any appropriation heretofore made to the law enforcement officers' training commission shall on the effective date of this 1974 act be transferred and credited to the Washington state criminal justice training commission for the remainder of the 1973-1975 fiscal biennium to provide for the operating expenses of the commission and training standards and education boards. Whenever any question arises as to the transfer of any funds including unexpended balances within any accounts transferred under this 1974 act, the director of the office of program planning and fiscal management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 23. The following act or parts of acts are each hereby repealed:

- (1) Section 1, chapter 158, Laws of 1965 and RCW 43.100.010;
- (2) Section 2, chapter 158, Laws of 1965 and RCW 43.100.020;
- (3) Section 3, chapter 158, Laws of 1965, section 1, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.030;
- (4) Section 4, chapter 158, Laws of 1965 and PCW 43.100.040;
- (5) Section 5, chapter 158, Laws of 1965 and RCW 43.100.050;
- (6) Section 6, chapter 158, Laws of 1965 and RCW 43.100.060;
- (7) Section 7, chapter 158, Laws of 1965 and RCW 43.100.070;
- (8) Section 8, chapter 158, Laws of 1965, section 2, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.080;
- (9) Section 3, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.085;
- (10) Section 9, chapter 158, Laws of 1965 and RCW 43.100.090;
- (11) Section 10, chapter 158, Laws of 1965 and RCW 43.100.100;
- (12) Section 11, chapter 158, Laws of 1965 and RCW 43.100.110;
- (13) Section 12, chapter 158, Laws of 1965 and RCW 43.100.120;
- (14) Section 13, chapter 158, Laws of 1965 and RCW 43.100.130;

- (15) Section 14, chapter 158, Laws of 1965 and RCW 43.100.140;
(16) Section 15, chapter 158, Laws of 1965 and RCW 43.100.150;
(17) Section 17, chapter 158, Laws of 1965 and RCW 43.100.160;
(18) Section 18, chapter 158, Laws of 1965 and RCW 43.100.170;
(19) Section 20, chapter 158, Laws of 1965 and RCW 43.100.900; and
(20) Section 21, chapter 158, Laws of 1965 and RCW 43.100.910.

Passed the Senate February 9, 1974.
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CHAPTER 95
[Senate Bill No. 2540]
DISTRICT COURT JUDGES—
SALARIES

AN ACT Relating to the salaries of district court judges; amending section 101, chapter 299, Laws of 1961 as amended by section 1, chapter 192, Laws of 1969 ex. sess. and RCW 3.58.020; and amending section 13, chapter 299, Laws of 1961 as amended by section 2, chapter 147, Laws of 1971 ex. sess. and RCW 3.34.040.

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

Section 1. Section 101, chapter 299, Laws of 1961 as amended by section 1, chapter 192, Laws of 1969 ex. sess. and RCW 3.58.020 are each amended to read as follows:

(1) The annual salaries of part time justices of the peace shall be set by the county commissioners in each county in accordance with the minimum and maximum salaries provided in this subsection:

(a) In justice court districts having a population under two thousand five hundred persons, the salary shall be not less than ((six hundred)) one thousand dollars nor more than ((two thousand two hundred fifty)) four thousand dollars;

(b) In justice court districts having a population of two thousand five hundred persons or more, but less than five thousand, the salary shall be set at not less than ((six)) one thousand two hundred dollars nor more than ((three thousand three hundred seventy-five)) five thousand dollars;