

~~and for bookkeeping work and keeping the records of the district))~~ clerical services. No commissioner shall be employed full time by the district.

The board shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book kept for that purpose, which shall be a public record.

Sec. 2. Section 7, chapter 114, Laws of 1929 as last amended by section 1, chapter 116, Laws of 1975 1st ex. sess. and RCW 57.12.010 are each amended to read as follows:

The ~~((officers))~~ governing body of a district shall be a board of water commissioners consisting of three members. The board shall annually elect one of its members as president and another as secretary.

~~((The secretary may be paid a reasonable sum for the clerical services performed by him:))~~ The board shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book kept for that purpose which shall be a public record.

A district shall provide by resolution for the payment of compensation to each of its commissioners at a rate not exceeding ~~((twenty-five))~~ forty dollars for each day or major part thereof devoted to the business of the district: PROVIDED, That the per diem for each commissioner shall not exceed ~~((twelve))~~ twenty-four hundred dollars per year. In addition, the secretary may be paid a reasonable sum for clerical services. No commissioner shall be employed full time by the district. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business, including his subsistence and lodging, while away from ~~((his))~~ the commissioner's place of residence and mileage for use of ~~((personal automobile))~~ a privately-owned vehicle at the mileage rate authorized in RCW 43.03.060 as now existing or hereafter amended.

The date for holding elections and taking office as herein provided shall be subject to the provisions of any consolidated election laws that may be made applicable thereto although previously enacted.

Passed the Senate February 22, 1980.

Passed the House February 15, 1980.

Approved by the Governor March 10, 1980.

Filed in Office of Secretary of State March 10, 1980.

CHAPTER 93

[Senate Bill No. 3214]

EIGHTH OR NINTH CLASS COUNTIES—COUNTY ENGINEER EMPLOYMENT

AN ACT Relating to county roads and bridges; amending section 36.80.010, chapter 4, Laws of 1963 as amended by section 6, chapter 182, Laws of 1969 ex. sess. and RCW 36.80-.010; and repealing section 36.77.050, chapter 4, Laws of 1963 and RCW 36.77.050.

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

Section 1. Section 36.80.010, chapter 4, Laws of 1963 as amended by section 6, chapter 182, Laws of 1969 ex. sess. and RCW 36.80.010 are each amended to read as follows:

The board shall employ a full time county road engineer residing in the county: PROVIDED, That in eighth and ninth class counties it may employ a county engineer on a part-time basis who need not be a resident of such county, or may contract with other counties for the engineering services of a county road engineer from such other counties: PROVIDED FURTHER, That any eighth or ninth class county which is reclassified in class because of an increase in population shall retain the right to employ their existing part-time county engineer or contract with other counties for engineering services.

NEW SECTION. Sec. 2. Section 36.77.050, chapter 4, Laws of 1963 and RCW 36.77.050 are each repealed.

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CHAPTER 94

[Engrossed Senate Bill No. 3220]

CIVIL ACTIONS—COSTS

AN ACT Relating to civil procedure; amending section 1, chapter 84, Laws of 1973 and RCW 4.84.250; amending section 4, chapter 84, Laws of 1973 and RCW 4.84.280; amending section 6, chapter 84, Laws of 1973 and RCW 4.84.300; amending section 4, chapter 136, Laws of 1895 as last amended by section 1, chapter 46, Laws of 1969 and RCW 4.56.110; adding a new section to chapter 4.56 RCW; adding a new section to chapter 4.84 RCW; providing an effective date; and declaring an emergency.

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

Section 1. Section 1, chapter 84, Laws of 1973 and RCW 4.84.250 are each amended to read as follows:

Notwithstanding any other provisions of chapter 4.84 RCW and RCW 12.20.060, in any action for damages where the amount pleaded by the prevailing party as hereinafter defined, exclusive of costs, is ~~((one))~~ three thousand dollars or less, there shall be taxed and allowed to the prevailing party as a part of the costs of the action a reasonable amount to be fixed by the court as attorneys' fees. After July 1, 1981, the maximum amount of the pleading under this section shall be five thousand dollars.

Sec. 2. Section 4[3], chapter 84, Laws of 1973 and RCW 4.84.270 are each amended to read as follows:

The defendant, or party resisting relief, shall be deemed the prevailing party within the meaning of RCW 4.84.250, if the plaintiff, or party seeking