

CHAPTER 139

[Substitute Senate Bill No. 4449]

SUPERIOR COURTS—ADDITIONAL JUDICIAL POSITIONS

AN ACT Relating to superior courts; amending section 3, chapter 65, Laws of 1981 (uncodified); amending section 6, chapter 125, Laws of 1951 as last amended by section 1, chapter 65, Laws of 1981 and RCW 2.08.064; creating a new section; and declaring an emergency.

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

Section 1. Section 3, chapter 65, Laws of 1981 (uncodified) is amended to read as follows:

The additional judicial position((s)) created by this 1981 act in ~~((the joint Benton and Franklin judicial district and))~~ the joint Ferry, Stevens, and Pend Oreille judicial district shall be effective only if ~~((, prior to the effective date of this act,))~~ each county in the ~~((respective))~~ judicial district((s)) through its duly constituted legislative authority documents its approval of the additional position((s)) and its agreement that it and the other counties comprising the judicial district will pay out of county funds, without reimbursement from the state, ~~((the same portion of expenses of such additional judicial positions which the judicial district as a whole provides for positions existing prior to the effective date of this act. The amount of funds to be paid by each county is to be determined among the counties comprising each judicial district))~~ the expenses of such additional judicial position as provided by statute. As among the counties, the amount of the judge's salary to be paid by each county shall be in accordance with RCW 2.08.110 unless otherwise agreed upon by the counties involved.

Sec. 2. Section 6, chapter 125, Laws of 1951 as last amended by section 1, chapter 65, Laws of 1981 and RCW 2.08.064 are each amended to read as follows:

There shall be in the counties of Benton and Franklin jointly, five judges of the superior court; in the ~~((counties))~~ county of Clallam ~~((and Jefferson jointly))~~, two judges of the superior court; in the county of Jefferson, one judge of the superior court; in the county of Snohomish, eight judges of the superior court; in the counties of Asotin, Columbia and Garfield jointly, one judge of the superior court; in the county of Cowlitz, three judges of the superior court; in the counties of Klickitat and Skamania jointly, one judge of the superior court.

NEW SECTION. Sec. 3. The additional judicial positions created by section 2 of this 1982 act in Clallam and Jefferson counties shall be effective only if, prior to the effective date of this 1982 act, each county through its duly constituted legislative authority documents its approval of the additional positions and its agreement that it will pay out of county funds,

without reimbursement from the state, the expenses of such additional judicial positions as provided by statute.

NEW SECTION. Sec. 4. This 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 February 12, 1982.

Passed the House March 8, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.

CHAPTER 140

[Engrossed Senate Bill No. 4483]

ASSAULT—TRANSIT DRIVERS

AN ACT Relating to assault; amending section 9A.36.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 10, chapter 244, Laws of 1979 ex. sess. and RCW 9A.36.030; and prescribing penalties.

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

Section 1. Section 9A.36.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 10, chapter 244, Laws of 1979 ex. sess. and RCW 9A.36.030 are each amended to read as follows:

(1) Every person who, under circumstances not amounting to assault in either the first or second degree, shall be guilty of assault in the third degree when he:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself or another person shall assault another; or

(b) With criminal negligence, shall cause physical injury to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

(c) Assaults a person employed as a transit operator or driver by a public or private transit company while that person is operating or is in control of a vehicle owned or operated by the transit company.

(2) Assault in the third degree is a class C felony.

Passed the Senate February 11, 1982.

Passed the House March 11, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.