

(2) There is hereby appropriated from the general fund—local jail improvement and construction account the sum of one hundred thirty million five hundred thousand dollars, or so much as may be necessary, to the Washington state jail commission for the purposes of this act.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. 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 House April 23, 1981.

Passed the Senate April 20, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 132

[Substitute House Bill No. 431]

JUDICIAL PERSONNEL—TRAINING AND EDUCATION PROGRAM—MOTOR VEHICLE OFFENSES, SPECIAL ASSESSMENT

AN ACT Relating to the judiciary; amending section 3, chapter 259, Laws of 1957 and RCW 2.56.030; amending section 1, chapter 94, Laws of 1974 ex. sess. as amended by section 1, chapter 212, Laws of 1977 ex. sess. and RCW 43.101.010; amending section 3, chapter 94, Laws of 1974 ex. sess. as amended by section 1, chapter 55, Laws of 1979 ex. sess. and RCW 43.101.030; amending section 9, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.090; amending section 10, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.100; amending section 11, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.110; adding a new section to chapter 2.56 RCW; and providing penalties.

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

Section 1. Section 3, chapter 259, Laws of 1957 and RCW 2.56.030 are each amended to read as follows:

The administrator for the courts shall, under the supervision and direction of chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(9) Formulate and submit to the judicial council of this state recommendations of policies for the improvement of the judicial system; and

(10) Submit annually, as of February 1st, to the chief justice and the judicial council, a report of the activities of the administrator's office for the preceding calendar year;

(11) Administer programs and standards for the training and education of judicial personnel;

(12) Attend to such other matters as may be assigned by the supreme court of this state.

Sec. 2. Section 1, chapter 94, Laws of 1974 ex. sess. as amended by section 1, chapter 212, Laws of 1977 ex. sess. and RCW 43.101.010 are each amended to read as follows:

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 public employee or volunteer having as a primary function the enforcement of criminal laws in general or any employee or volunteer of, or any individual commissioned by, 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. For the purposes of this subsection "primary function" means that function to which the greater allocation of resources is made.

(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 counseling 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.))~~

Sec. 3. Section 3, chapter 94, Laws of 1974 ex. sess. as amended by section 1, chapter 55, Laws of 1979 ex. sess. and RCW 43.101.030 are each amended to read as follows:

The commission shall consist of ~~((thirteen))~~ twelve 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)))~~ (5) The governor shall appoint one elected official of a local government.

~~((6))~~ (5) The governor shall appoint one private citizen.

~~((7))~~ (6) The three remaining members shall be:

(a) The attorney general;

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

(c) The chief of the state patrol.

Sec. 4. Section 9, chapter 94, Laws of 1974 ex. sess. and RCW 43.101-.090 are each amended to read as follows:

(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, and (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.))~~

Sec. 5. Section 10, chapter 94, Laws of 1974 ex. sess. and RCW 43-.101.100 are each amended to read as follows:

(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.))~~

Sec. 6. Section 11, chapter 94, Laws of 1974 ex. sess. and RCW 43-.101.110 are each amended to read as follows:

All members of each of the training standards and education boards as set forth in RCW 43.101.100 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. 7. There is added to chapter 2.56 RCW a new section to read as follows:

(1) There shall be levied and paid into the judiciary education account hereby created in the general fund of the state treasury a penalty assessment in addition to the penalty or fine imposed as a result of a hearing conducted under RCW 46.63.090 or 46.63.100 on all offenses involving a violation of a state statute or city or county ordinance relating to the operation or use of motor vehicles or the licensing of vehicle operators, except offenses relating to parking of vehicles. The amount of the assessment shall be as follows:

(a) When the fine or penalty is ten dollars to nineteen dollars and ninety-nine cents, four dollars;

(b) When the fine or penalty is twenty dollars to thirty-nine dollars and ninety-nine cents, seven dollars;

(c) When the fine or penalty is forty dollars to fifty-nine dollars and ninety-nine cents, ten dollars;

(d) When the fine or penalty is sixty dollars to ninety-nine dollars and ninety-nine cents, fifteen dollars; and

(e) When the fine or penalty is one hundred dollars or more, twenty dollars.

(2) When a fine or penalty is paid, the assessment prescribed in this section shall be forwarded to the state treasurer and deposited in the judiciary education account. No money in the judiciary education account may

be spent except pursuant to an appropriation by the legislature to the administrator for the courts authorizing such spending for the purpose of providing programs and standards for the training and education of judicial personnel.

Passed the House April 1, 1981.
Passed the Senate April 21, 1981.
Approved by the Governor May 8, 1981.
Filed in Office of Secretary of State May 8, 1981.

CHAPTER 133

[House Bill No. 433]

CRIMINAL JUSTICE TRAINING COMMISSION—TERMINATION DATE

AN ACT Relating to the criminal justice training commission; adding a new section to chapter 43.101 RCW; repealing section 6, chapter 99, Laws of 1979 and RCW 43.131.159; and repealing section 48, chapter 99, Laws of 1979 and RCW 43.131.160.

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

NEW SECTION. Section 1. There is added to chapter 43.101 RCW a new section to read as follows:

The criminal justice training commission shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time.

NEW SECTION. Sec. 2. The following acts or parts of acts are each repealed:

- (1) Section 6, chapter 99, Laws of 1979 and RCW 43.131.159; and
- (2) Section 48, chapter 99, Laws of 1979 and RCW 43.131.160.

Passed the House April 2, 1981.
Passed the Senate April 21, 1981.
Approved by the Governor May 8, 1981.
Filed in Office of Secretary of State May 8, 1981.

CHAPTER 134

[Substitute House Bill No. 491]

INDIAN LAW ENFORCEMENT OFFICERS—CRIMINAL JUSTICE TRAINING

AN ACT Relating to the criminal justice training commission; and adding a new section to chapter 43.101 RCW.

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

NEW SECTION. Section 1. There is added to chapter 43.101 RCW a new section to read as follows:

Indian tribe officers and employees who are engaged in law enforcement activities and who do not qualify as "criminal justice personnel" or "law enforcement personnel" under RCW 43.101.010, as now law or hereafter amended, may be provided training under this chapter if: (a) The tribe is