

1 **SSB 5038** - H AMD TO LG COMM AMD (H4444.1) **1265 ADOPTED 3-3-94**
2 By Representative Appelwick

3 On page 5, after line 18, insert the following:

4 "Sec. 15. RCW 3.62.070 and 1993 c 317 s 8 are each amended to
5 read as follows:

6 Except in traffic cases wherein bail is forfeited or a
7 monetary penalty paid to a violations bureau, and except in cases
8 filed in municipal departments established pursuant to chapter 3.46
9 RCW and except in cases where a city has contracted with another
10 city for such services pursuant to chapter 39.34 RCW, in every
11 criminal or traffic infraction action filed by a city for an
12 ordinance violation, the city shall be charged a filing fee. Fees
13 shall be determined pursuant to an agreement as provided for in
14 chapter 39.34 RCW, the interlocal cooperation act, between the city
15 and the county providing the court service. In such criminal or
16 traffic infraction actions the cost of providing services necessary
17 for the preparation and presentation of a defense at public expense
18 are not within the filing fee and shall be paid by the city. In
19 all other criminal or traffic infraction actions, no filing fee
20 shall be assessed or collected: PROVIDED, That in such cases, for
21 the purposes of RCW 3.62.010, four dollars or the agreed filing fee
22 of each fine or penalty, whichever is greater, shall be deemed
23 filing costs.

24 ~~((If, one hundred twenty days before the expiration of an~~
25 ~~existing contract under this section, the city and the county are~~
26 ~~unable to agree on terms for renewal, the matter shall be submitted~~
27 ~~to binding arbitration.)) In the event no agreement is reached
28 between a city and the county providing the court service, either
29 party may invoke binding arbitration on the fee issue by notice to
30 the other party. In the case of establishing initial fees, the
31 notice shall be thirty days. In the case of renewal or proposed~~

1 non-renewal, the notice shall be given one hundred twenty days
2 prior to the expiration of the existing contract. In the event
3 that such issue is submitted to arbitration, the arbitrator or
4 arbitrators shall only consider those additional costs borne by the
5 county in providing district court services for such city. The
6 city and the county shall each select one arbitrator, the two of
7 whom shall pick a third arbitrator. The existing contract shall
8 remain in effect until a new agreement is reached or until an
9 arbitration award is made.

10 NEW SECTION. Sec. 16. Section 15 of this act shall take
11 effect January 1, 1995."

12 Renumber the following section consecutively and correct internal
13 references accordingly.

EFFECT: Provides for binding arbitration over the fees a
county charges a city for providing district court services
for the city if no agreement over the fees is reached.