

CERTIFICATION OF ENROLLMENT

SENATE BILL 5170

Chapter 338, Laws of 1991
(partial veto)

52nd Legislature
1991 Regular Session

DISTRICT JUDGES--SALARIES

EFFECTIVE DATE: 7/28/91

Passed by the Senate April 27, 1991
Yeas 41 Nays 0

JOEL PRITCHARD
President of the Senate

Passed by the House April 27, 1991
Yeas 97 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Approved May 21, 1991, with
the exception of sections 1
and 4, which are vetoed.

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5170** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB
Secretary

FILED

May 21, 1991 - 11:06 a.m.

**Secretary of State
State of Washington**

SENATE BILL 5170

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Senators Snyder, Nelson and Rasmussen.

Read first time January 22, 1991. Referred to Committee on Law & Justice.

1 AN ACT Relating to district judges; amending RCW 3.34.010,
2 3.34.040, and 3.58.020; and declaring an emergency.

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

4 **Sec. 1. RCW 3.34.010 and 1989 c 227 s 6 are each amended to read*
5 *as follows:*

6 *The number of district judges to be elected in each county shall*
7 *be: Adams, three; Asotin, one; Benton, two; Chelan, one; Clallam, one;*
8 *Clark, four; Columbia, one; Cowlitz, two; Douglas, one; Ferry, two;*
9 *Franklin, one; Garfield, one; Grant, one; Grays Harbor, two; Island,*
10 *three; Jefferson, one; King, twenty-four; Kitsap, two; Kittitas, two;*
11 *Klickitat, two; Lewis, two; Lincoln, one; Mason, one; Okanogan, two;*
12 *Pacific, ((three)) two; Pend Oreille, two; Pierce, eight; San Juan,*
13 *one; Skagit, three; Skamania, one; Snohomish, eight; Spokane, eight;*
14 *Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three;*
15 *Whatcom, two; Whitman, two; Yakima, six: PROVIDED, That this number*
16

1 *may be increased in accordance with a resolution of the county*
2 *commissioners under RCW 3.34.020.*

3 **Sec. 1 was vetoed, see message at end of chapter.*

4 **Sec. 2.** RCW 3.34.040 and 1984 c 258 s 10 are each amended to read
5 as follows:

6 A district judge serving a district having a population of forty
7 thousand or more persons, and a district judge receiving a salary
8 (~~greater than~~) equal to the maximum salary (~~provided in RCW~~
9 ~~3.58.020(6)~~) set by the salary commission under RCW 3.58.020 for
10 district judges shall be deemed full time judges and shall devote all
11 of their time to the office and shall not engage in the practice of
12 law. Other judges shall devote sufficient time to the office to
13 properly fulfill the duties thereof and may engage in other occupations
14 but shall maintain a separate office for private business and shall not
15 use for private business the services of any clerk or secretary paid
16 for by the county or office space or supplies furnished by the judicial
17 district.

18 **Sec. 3.** RCW 3.58.020 and 1984 c 258 s 35 are each amended to read
19 as follows:

20 The annual salaries of part time district judges shall be set by
21 the (~~county legislative authority in each county in accordance with~~
22 ~~the minimum and maximum salaries provided in this subsection:~~

23 (~~1) In districts having a population under two thousand five~~
24 ~~hundred persons, the salary shall be not less than one thousand five~~
25 ~~hundred dollars nor more than twelve thousand dollars;~~

26 (~~2) In districts having a population of two thousand five hundred~~
27 ~~persons or more, but less than five thousand, the salary shall be set~~

1 at not less than one thousand eight hundred dollars nor more than
2 fifteen thousand five hundred dollars;

3 (3) In districts having a population of five thousand persons or
4 more, but less than seven thousand five hundred, the salary shall be
5 set at no less than one thousand eight hundred or more than twenty five
6 thousand dollars;

7 (4) In districts having a population of seven thousand five hundred
8 persons or more, but less than ten thousand, the salary shall be set at
9 not less than two thousand two hundred fifty dollars or more than
10 thirty thousand dollars;

11 (5) In districts having a population of ten thousand persons or
12 more, but less than twenty thousand, the salary shall be set at no less
13 than three thousand dollars or more than thirty two thousand dollars;

14 (6) In districts having a population of twenty thousand persons or
15 more, but less than thirty thousand, the salary shall be set at not
16 less than five thousand two hundred fifty dollars or more than forty
17 thousand dollars)) citizens' commission on salaries.

18 ***NEW SECTION.** Sec. 4. *This act is necessary for the immediate*
19 *preservation of the public peace, health, or safety, or support of the*
20 *state government and its existing public institutions, and shall take*
21 *effect immediately.*

22 *Sec. 4 was vetoed, see message at end of chapter.

Passed the Senate April 27, 1991.

Passed the House April 27, 1991.

Approved by the Governor May 21, 1991, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State May 21, 1991.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 1 and
3 4, Senate Bill No. 5170 entitled:

4 "AN ACT Relating to district judges."

5 This bill reduces the number of district court judges in Pacific
6 County from three to two and changes the salary setting authority for
7 part-time district court judges' salaries from county commissions to
8 the Citizens' Commission on Salaries.

9 Section 1 of the bill reduces the number of district court judges
10 in Pacific County. Identical language is included in House Bill No.
11 1467 which I have signed.

12 Section 4 contains an emergency clause. If the emergency clause
13 were to go into effect, the Citizens' Commission on Salaries would have
14 only 13 days to analyze, determine a process, and set salaries for
15 district court judges. I do not consider that sufficient time to
16 properly address a potentially complex issue. By deleting the
17 emergency clause, the salary commission will have time to evaluate the
18 salary needs of part-time judges, take public testimony, and make
19 appropriate salary determinations.

20 For the reasons stated, I have vetoed sections 1 and 4 of Senate
21 Bill No. 5170.

22 With the exception of sections 1 and 4, Senate Bill No. 5170 is
23 approved."