

# HOUSE BILL REPORT

## SHB 2284

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*As Amended by the Senate*

**Title:** An act relating to counties.

**Brief Description:** Revising provisions relating to county law libraries.

**Sponsor(s):** By House Committee on Local Government (originally sponsored by Representatives Haugen, Horn, Paris and May).

**Brief History:**

Reported by House Committee on:  
Local Government, February 7, 1992, DPS;  
Revenue, February 8, 1992, DPS(LG-A REV);  
Passed House, February 18, 1992, 78-20;  
Amended by Senate.

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**HOUSE COMMITTEE ON  
LOCAL GOVERNMENT**

**Majority Report:** *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 14 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; and Zellinsky.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Wynne.

**Staff:** Bill Lynch (786-7092).

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**HOUSE COMMITTEE ON  
REVENUE**

**Majority Report:** *The substitute bill by Committee on Local Government be substituted therefor and the substitute bill as amended by Committee on Revenue do pass.* Signed by 14 members: Representatives Wang, Chair; Fraser, Vice Chair; Brumsickle, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Carlson; Day; J. Kohl; Leonard; Morris; Morton; Rust; and Silver.

**Staff:** Rick Peterson (786-7150).

**Background:** Each county with a population of 300,000 or more must maintain a county law library. Each county with a population of 8,000 up to 125,000 must also maintain a county law library. There is no statutory requirement for a county with a population of 125,000 up to 300,000 to maintain a county law library.

Three sets of parallel statutes govern the establishment and operation of county law libraries. Each set of statutes regulates county law libraries of a particular size: counties with a population of 300,000 or more, counties with a population of 8,000 up to 125,000, and counties with a population of less than 8,000. Although these statutes largely parallel each other, there are some inconsistencies between them.

Some of the inconsistencies between the statutes governing law libraries in different size counties are:

- Counties with a population of 8,000 - 125,000 must provide janitor service to the law library; counties with a population of over 300,000 do not have to provide janitor service; and
- The bar association representatives on the law library board of trustees are chosen by the superior court judges in counties with a population of 300,000 or more; the bar association representatives in counties with a population of 8,000 up to 125,000 are chosen by members of the county bar association.

The county treasurer is required to deposit \$7 for every probate and civil filing fee in superior court, and \$3 for every civil action filed in district court into a law library fund for the support of the county or regional law library. The \$7 fee can be increased up to \$9 upon the request of the law library board of trustees and approval of the county legislative authority. It has been suggested that this fee should be able to be raised above \$9 because the current funding is inadequate.

Some district courts charge for issuing writs or providing other services. Other district courts feel they do not have this authority. Fees charged by district courts are not always allowed when court costs are awarded.

**Summary of Bill:** Each county with a population of 125,000 up to 300,000 must maintain a county law library. The provisions that apply to county law libraries in counties with a population of 8,000 up to 125,000 apply to county law libraries with a population of 125,000 up to 300,000.

All counties with a population of 8,000 or more must provide janitor services to the county law library, in addition to providing a suitable room for that purpose that is adequately heated and lighted.

Bar association representatives on the law library board of trustees in counties with a population of 300,000 or more are chosen by the members of the county bar association.

The amount of the fee of civil filings in superior court that supports the county or regional law library can be raised up to \$15 upon the request of the law library board of trustees and approval of the county legislative authority.

The fee for filing an action in district court is raised from \$25 up to \$31. District court fees for performing other services are established as follows:

- Issuing a writ of garnishment or other writ, \$6;
- Filing a supplemental proceeding, \$12;
- Demanding a jury in a civil case, \$50;
- Preparing a transcript of a judgment, \$6;
- Certifying a document on file or of record in the clerk's office, \$5;
- Preparing the record of a case for appeal to superior court, including any tape duplication, \$50; and
- Duplicating part of all of an electronic tape, \$10 per tape.

Courts of limited jurisdiction, including municipal courts, may charge the fees allowed to be charged by district courts. After July 1, 1992, the Office of Administrator for the Courts, at the direction of the Board for Judicial Administration, shall establish fees for all courts in the state.

Fees or charges for court services must be allowed when a judgment for court costs is awarded.

**EFFECT OF SENATE AMENDMENT(S):** The provision which allowed the Office of Administrator for the Courts to establish the fees for all courts in the state is deleted.

The section that increased the amount of the set-aside from civil filings in superior court to fund county law libraries is deleted.

**Fiscal Note:** Requested February 9, 1992.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Local Government) The law governing county law libraries needs to be clarified. There needs to be some standardization of how district court fees are charged.

(Revenue) None.

**Testimony Against:** (Local Government) None.

(Revenue) Section 10, which has the court administrator setting fees for all courts, should be dropped.

**Witnesses:** (Local Government) Fred Saeger, Washington Association of County Officials; Janet McClain, Administrator for the Courts; Kurt Sharar, Washington State Association of Counties; and Bonita McCormick, Washington Collection Association.

(Revenue) Stu Halsan, Washington State Bar Association (opposed Section 10).

**VOTE ON FINAL PASSAGE:**

Yeas 78; Nays 20

Nays: Representatives Ballard, Beck, Betrozoff, Bowman, Brumsickle, Carlson, Casada, Chandler, Fuhrman, Hochstatter, Lisk, McLean, Mielke, Morton, Nealey, Padden, Prince, Sommers D, Tate, Vance