

2 SHB 1734 - H COMM AMD  
3 By Committee on Appropriations

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 2.06.020 and 1989 c 328 s 10 are each amended to read  
8 as follows:

9 The court shall have three divisions, one of which shall be  
10 headquartered in Seattle, one of which shall be headquartered in  
11 Spokane, and one of which shall be headquartered in Tacoma:

12 (1) The first division shall have (~~nine~~) twelve judges from three  
13 districts, as follows:

14 (a) District 1 shall consist of King county and shall have (~~six~~)  
15 eight judges;

16 (b) District 2 shall consist of Snohomish county and shall have two  
17 judges; and

18 (c) District 3 shall consist of Island, San Juan, Skagit and  
19 Whatcom counties and shall have (~~one~~) two judges.

20 (2) The second division shall have (~~four~~) six judges from the  
21 following districts:

22 (a) District 1 shall consist of Pierce county and shall have two  
23 judges;

24 (b) District 2 shall consist of Clallam, Grays Harbor, Jefferson,  
25 Kitsap, Mason, and Thurston counties and shall have (~~one~~) two judges;

26 (c) District 3 shall consist of Clark, Cowlitz, Lewis, Pacific,  
27 Skamania, and Wahkiakum counties and shall have (~~one~~) two judges.

28 (3) The third division shall have (~~four~~) five judges from the  
29 following districts:

30 (a) District 1 shall consist of Ferry, Lincoln, Okanogan, Pend  
31 Oreille, Spokane and Stevens counties and shall have two judges;

32 (b) District 2 shall consist of Adams, Asotin, Benton, Columbia,  
33 Franklin, Garfield, Grant, Walla Walla, and Whitman counties and shall  
34 have one judge;

35 (c) District 3 shall consist of Chelan, Douglas, Kittitas,  
36 Klickitat and Yakima counties and shall have (~~one~~) two judges.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 2.06 RCW  
2 to read as follows:

3        (1) Any judicial position created by section 1, chapter ..., Laws  
4 of 1993 (section 1 of this act) shall be effective only if that  
5 position is specifically funded and is referenced by division and  
6 district in an omnibus appropriations act.

7        (2)(a) The full term of office for the judicial positions  
8 authorized pursuant to this act shall be six years.

9        (b) The authorized judicial positions shall be filled at the  
10 general election in the November immediately preceding the beginning of  
11 the full term.

12        (c) The six-year terms shall be staggered as provided in (c)(i)  
13 through (iii) of this subsection.

14        (i) In the first division, the initial full terms of six years for  
15 the two positions in district 1 shall begin the second Monday in  
16 January following the general election held in November 1993. If the  
17 effective dates for the judicial positions are later than the deadline  
18 to include them in the November 1993 election, the initial full terms  
19 shall begin the second Monday in January following the general election  
20 held in November 1999. The initial full term of six years for the  
21 position in district 3 shall begin on the second Monday in January  
22 following the general election held in November 1996. If the effective  
23 date for the judicial position is later than the deadline to include it  
24 in the November 1996 election, the initial full term shall begin the  
25 second Monday in January following the general election held in  
26 November 2002.

27        (ii) In the second division, the initial full terms of six years  
28 for the two positions in district 2 shall begin the second Monday in  
29 January following the general election held in November 1994. If the  
30 effective dates of the judicial positions are later than the deadline  
31 to include them in the November 1994 election, the initial full terms  
32 shall begin the second Monday in January following the general election  
33 held in November 2000. The initial full term for the position in  
34 district 3 shall begin the second Monday in January following the  
35 general election held in November 1998. If the effective date of the  
36 judicial position is later than the deadline to include it in the  
37 November 1998 election, the initial full term shall begin the second  
38 Monday in January following the general election held in November 2004.

1 (iii) In the third division, the initial full term of six years for  
2 the position in district 3 shall begin the second Monday in January  
3 following the general election held in November 1994. If the effective  
4 date of the judicial position is later than the deadline to include it  
5 in the November 1994 election, the initial full term will begin the  
6 second Monday in January following the general election held in  
7 November 2000.

8 (d) Upon becoming effective pursuant to subsection (1) of this  
9 section, the governor shall appoint judges to the additional judicial  
10 positions authorized in section 1, chapter ..., Laws of 1993 (section  
11 1 of this act). The appointed judges shall hold office until the  
12 second Monday in January following the general election following the  
13 effective date of the position. The appointed judges and other  
14 judicial candidates are entitled to run for the judicial position at  
15 the general election following appointment.

16 (e) The initial election for these positions shall be held in  
17 November following the effective date of the position. If the initial  
18 election of a newly authorized position is not held on a date which  
19 corresponds to the beginning of a full term as specified in (c)(i)  
20 through (iii) of this subsection, the election shall be for a partial  
21 term.

22 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
23 preservation of the public peace, health, or safety, or support of the  
24 state government and its existing public institutions, and shall take  
25 effect immediately."

26 EFFECT: The number of court of appeals judges is increased in each  
27 division. However, before any new position takes effect, the position  
28 must be funded in a budget. The terms of positions which become  
29 effective shall be six years. Those six year terms shall be staggered  
30 in six year cycles to avoid having all the judges run for re-election  
31 in the same year. If a position becomes effective before the beginning  
32 of a new six year term, the judge will serve a partial term. The  
33 governor will appoint judges as the positions become effective. The  
34 appointed judges and other judicial candidates may run for election at  
35 the next general election held in November.

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