

HOUSE BILL REPORT

HB 1046

As Reported By House Committee On:

Judiciary
Appropriations

Title: An act relating to superior court judges.

Brief Description: Adding a judge to the superior court of Okanagan county.

Sponsors: Representatives Constantine, Sheahan and Kenney; by request of Board for Judicial Administration.

Brief History:

Committee Activity:

Judiciary: 2/16/99 [DP];

Appropriations: 3/3/99, 3/6/99 [DPS].

Brief Summary of Substitute Bill

- Creates a new judicial position in the superior court of Okanagan County.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

Staff: Jim Morishima (786-7191).

Background:

The Legislature sets by statute the number of superior court judges in each county. Periodically, the Office of the Administrator for the Courts conducts a weighted caseload study to determine the need for additional judges in the various counties.

Retirement benefits and one-half of the salary and other employee benefits of a superior court judge are paid by the state. The other half of the judge's salary and all

other costs associated with the judicial position, such as capital and support staff costs, are borne by the county.

New superior court positions are filled by gubernatorial appointment. The appointed judge must then stand for election at the next general election.

Summary of Bill:

The number of superior court judges in Okanagan County is increased from one to two. The additional position is conditioned upon the approval of Okanagan County and its agreement to pay the expenses associated with the position as provided by state law or the state constitution.

Appropriation: None.

Fiscal Note: Requested on February 11, 1999.

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

Testimony For: The superior court judge in Okanagan County is currently handling the workload of over two and one-half judges.

Testimony Against: None.

Testified: Chuck Foster (for Judge Jack Barnhard of the Okanagan County Superior Court), Board for Judicial Administration.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Huff, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Alexander, Republican Vice Chair; Doumit, Democratic Vice Chair; D. Schmidt, Republican Vice Chair; Barlean; Benson; Boldt; Carlson; Clements; Cody; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Lambert; Linville; Lisk; Mastin; McIntire; McMorris; Mulliken; Parlette; Regala; Rockefeller; Ruderman; Sullivan; Tokuda and Wensman.

Staff: Mark Matteson (786-7145).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Judiciary: Okanagan County must agree to pay

its share of the salary and benefits for both existing and proposed positions, required by state laws and the state constitution.

Appropriation: None.

Fiscal Note: Available on the original bill.

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

Testimony For: The current workload in Okanagan is the equivalent of that of two and a half judges. Currently, there is only one superior court judge in the county.

Testimony Against: None.

Testified: Chuck Foster, Board for Judicial Administration.