

HOUSE BILL REPORT

HB 1960

As Reported by House Committee On:
Appropriations

Title: An act relating to the court of appeals.

Brief Description: Changing travel reimbursement provisions affecting judges of the court of appeals.

Sponsors: Representatives Williams and Quall; by request of Court Of Appeals.

Brief History:

Committee Activity:

Appropriations: 2/12/07, 2/14/07 [DP].

Brief Summary of Bill

- Authorizes the Court of Appeals to adopt rules providing for the reimbursement of work-related travel expenses from a judge's customary residence to the division headquarters of the court and back.
- Judges elected from or residing in the county in which the division is headquartered are not eligible for work-related travel expenses.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 22 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Cody, Conway, Darneille, Ericks, Fromhold, Grant, Haigh, Hunt, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Morrell, Pettigrew, Schual-Berke, Seaquist and P. Sullivan.

Minority Report: Do not pass. Signed by 12 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Dunn, Hinkle, Kretz, McDonald, Priest and Walsh.

Staff: Owen Rowe (786-7391).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

The Legislature established the Court of Appeals in statute in 1969. The state Court of Appeals (Court) is divided into three divisions that serve a defined geographic area of the state. The divisions are designated as I, II, and III, and are headquartered in Seattle, Tacoma, and Spokane respectively. Each of the divisions is further subdivided into three geographic districts, and a specific number of judges must be elected from each district.

The 22 judges of the Court serve six-year terms, staggered to ensure that all judges are not up for re-election at the same time. To qualify for a position on the Court, a person must have practiced law in Washington for five years and, at the time of election, must have lived for a year or more in the district from which that position was drawn. Vacancies are filled by the Governor, with appointees serving until the next general election.

Currently, judges of the Court are not entitled to per diem or mileage for services performed at either the judge's legal residence or the headquarters of the division of the court in which the judge is a member.

Summary of Bill:

The Court is authorized to adopt rules providing for the reimbursement of work-related travel expenses from a judge's customary residence to the division headquarters of the court and back. Judges elected from or residing in the county in which the division is headquartered are not eligible for reimbursement.

The rates of travel reimbursement will be equal to those set by the Director of the Office of Financial Management (Director) for officials, employees, and members of boards, commissions, or committees. The rates for mileage reimbursement will also be equal to those set by the Director for elective or appointive officials, or employees of the state.

Appropriation: None.**Fiscal Note:** Available.**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.**Staff Summary of Public Testimony:**

(In support) Under current law, the judges are elected to ensure geographic diversity from throughout the state, and yet the current prohibition against reimbursing those judges for their travel expenses in traveling to the division headquarters in the three urban areas, provides a financial disincentive and creates some issues with the court in an era of \$3 gasoline, so we're asking the committee's support for this legislation so that the court can adopt appropriate rules to permit reimbursement.

(Opposed) None.

Persons Testifying: Dirk Marler, Administrative Office of the Courts.

Persons Signed In To Testify But Not Testifying: None.