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Research Brief

TO: Representative Bob Lynn
FROM: Susan Haymes, Legislative Analyst
DATE: March 20, 2013
RE: The Ombudsman's Salary
LRS Report 13.322

You asked why the salary for the state ombudsman was set in statute as a Range 26A in 1987.

In 1975, Alaska lawmakers created the Office of the Ombudsman and established the annual salary for that position to be equal to that of a superior court judge (ch 32 SLA 1975). In 1987, legislation was introduced (SB 139) to standardize the salary schedule and benefits for legislative employees. As originally introduced, SB 139 did not include any reference to the ombudsman's salary, but did include language specifying that the law did not apply to employees in the Office of the Ombudsman.¹

In the one Senate Finance Committee hearing held on SB 139, Senator Richard Eliason testified that SB 139 was introduced as a result of the state's financial situation, and the intent was to make legislative pay consistent with the State salary schedule.² In this way, further staff salary adjustments, if necessary, could be made in a more consistent and fair way. No specific discussion of the ombudsman's salary occurred during the hearing.³ Senate Bill 139 passed the Senate as introduced.

The bill was referred to the House Finance Committee where a committee substitute was introduced, which reduced the ombudsman's salary to a Range 26A. According to minutes from the one House Finance Committee hearing held on the committee substitute, the only mention of the ombudsman's salary was at the outset when Representative Mark Boyer noted that the main difference between the House and Senate versions of the bill was "the lowering of the Ombudsman's salary."⁴ Clearly, the Legislature meant to reduce the ombudsman's salary and at the same time link it to the Executive branch salary schedule, rather than the Judicial branch schedule. Given the state's financial distress at the time, it appears most likely that the ombudsman's salary was reduced as part of a general effort at the time to address the financial situation as well the effort to standardize salaries of exempt employees.

We hope this is helpful. If you have questions or need additional information, please let us know.

¹ Memorandum from Teresa Cramer, Legislative Counsel, to Senator Richard Eliason, "Subject Analysis of SB 139," February 19, 1987. The memorandum is located in the bill file for SB 139 in the Legislative Library.

² In 1987, the State was in a recession and salary reductions and layoffs were being considered across state government. In addition, in 1983, the National Conference of State Legislatures had conducted a study of the Alaska Legislature's hiring and staffing procedures and recommended that the Legislature, among other things, adopt a consistent and unified salary schedule. Memorandum from Senator Arliss Sturgulewski to Representative Jack Fuller, May 30, 1983.

³ The minutes from the February 24, 1987, Senate Finance Committee hearing can be viewed at www.legis.state.ak.us/basis/folio.asp.

⁴ The minutes from the May 2, 1987, House Finance Committee hearing can be viewed at www.legis.state.ak.us/basis/folio.asp. Senate Bill 139 was also considered in the House Rules Committee on May 4, 1987. The bill file does not include any mention of the ombudsman's salary.