



ALASKA COURT SYSTEM

State of Alaska

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The Honorable Kelly Merrick, Chair
House Finance Committee

Dear Chair Merrick:

I'd like to correct the information that I provided to committee members on Tuesday when the committee was considering Amendment 3 to HB 226, offered by Rep. Ortiz. As drafted, the amendment would provide that all employees of the judicial branch, except for judges and justices, would receive the 10% salary increase provided in an earlier section of the bill. Rep. LeBon asked if the amendment should delete the words "other than justices and judges," based on the description I had given earlier in the hearing on another amendment, and the related statutes that apply to pay increases for judges and justices when the state salary schedule is amended.

I responded that the specific statutes relating to judge salaries meant that the phrase should be deleted, meaning that that the salary increase would apply to judges and justices. This is not correct. It is true that those specific statutes mean that judges must receive the same percent salary increases when the salary schedule in AS 39.27.011 changes (i.e., when all non-covered state employees receive a pay increase, as with amendment 1), but that does not apply when a salary increase is provided in a section of uncodified law that provides a separate pay raise, as Amendment 3 did.

Therefore, it would be proper and legal to exclude judges and justices in the 10% additional raise provided to judicial branch employees in Amendment 3. The phrase "other than justices and judges" should remain in the amendment; the statutes I mentioned do not require otherwise. I'll work with your office on a process for revising Amendment 3 accordingly.

The net effect is that HB 226, as amended, will provide a 5% salary increase to all state non-covered employees, including the judicial branch and including justices and judges (per amendment 1); in addition, it will provide a 10% salary increase for judicial branch employees *other than* justices and judges (per amendment 3). I will prepare a fiscal note to reflect that, and I will clarify my statement on the record at the earliest opportunity.

Sincerely,

/s/

Nancy Meade

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