

**HOUSE BILL NO. 408**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE DYSON

Introduced: 2/16/00

Referred: State Affairs, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act limiting compensation paid to state officers and employees to no more  
2 than the governor's compensation except as provided by law."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 22.05.140(a) is amended to read:

5 (a) Except as provided in (d) of this section, the monthly base salary of the  
6 chief justice **and** [IS \$9,203 AND FOR] each other justice [, THE MONTHLY BASE  
7 SALARY] is **\$6,804** [\$9,159].

8 \* **Sec. 2.** AS 22.05.140(d) is amended to read:

9 (d) **If** [BEGINNING JANUARY 1, 1991, IF] the monthly basic salary for **the**  
10 **governor under AS 39.20.010** [STEP E, RANGE 28, OF THE SALARY SCHEDULE  
11 SET OUT IN AS 39.27.011] increases, the monthly base salary of the chief justice and  
12 the other justices shall increase by the same percentage. The increase takes effect  
13 when the **governor's** salary increase [UNDER AS 39.27.011] takes effect and may be  
14 retroactive if consistent with the change **to the governor's salary** [IN AS 39.27.011].

1 The commissioner of administration shall, by regulation, establish the percentage at  
2 which the salary is increased and the increased salary amount.

3 \* **Sec. 3.** AS 22.07.090(a) is amended to read:

4 (a) Except as provided in (c) of this section, the monthly base salary of a  
5 judge of the court of appeals is **\$6,804** [\$8,652]. The compensation of a judge may  
6 not be diminished during the term of office, unless by a general law applying to all  
7 salaried officers of the state.

8 \* **Sec. 4.** AS 22.07.090(c) is amended to read:

9 (c) **If** [BEGINNING JANUARY 1, 1991, IF] the monthly basic salary for **the**  
10 **governor under AS 39.20.010** [STEP E, RANGE 28, OF THE SALARY SCHEDULE  
11 SET OUT IN AS 39.27.011] increases, the monthly base salary of the judges of the  
12 court of appeals shall increase by the same percentage. The increase takes effect when  
13 the **governor's** salary increase [UNDER AS 39.27.011] takes effect and may be  
14 retroactive if consistent with the change to **the governor's salary** [AS 39.27.011]. The  
15 commissioner of administration shall, by regulation, establish the percentage at which  
16 the salary is increased and the increased salary amount.

17 \* **Sec. 5.** AS 22.10.190(a) is amended to read:

18 (a) Except as provided in (d) of this section, the monthly base salary for each  
19 superior court judge is **\$6,804** [\$8,469].

20 \* **Sec. 6.** AS 22.10.190(d) is amended to read:

21 (d) **If** [BEGINNING JANUARY 1, 1991, IF] the monthly basic salary for **the**  
22 **governor under AS 39.20.010** [STEP E, RANGE 28, OF THE SALARY SCHEDULE  
23 SET OUT IN AS 39.27.011] increases, the monthly base salary of the judges of the  
24 superior court shall increase by the same percentage. The increase takes effect when  
25 the **governor's** salary increase [UNDER AS 39.27.011] takes effect and may be  
26 retroactive if consistent with the change to **the governor's salary** [AS 39.27.011]. The  
27 commissioner of administration shall, by regulation, establish the percentage at which  
28 the salary is increased and the increased salary amount.

29 \* **Sec. 7.** AS 22.15.220(a) is amended to read:

30 (a) Except as provided in (e) of this section, the monthly base salary for each  
31 district court judge is **\$6,804** [\$7,179].

1 \* **Sec. 8.** AS 22.15.220(e) is amended to read:

2 (e) If [BEGINNING JANUARY 1, 1991, IF] the monthly basic salary for the  
 3 governor under AS 39.20.010 [STEP E, RANGE 28, OF THE SALARY SCHEDULE  
 4 SET OUT IN AS 39.27.011] increases, the monthly base salary of the judges of the  
 5 district court shall increase by the same percentage. The increase takes effect when  
 6 the governor's salary increase [UNDER AS 39.27.011] takes effect and may be  
 7 retroactive if consistent with the change to the governor's salary [AS 39.27.011]. The  
 8 commissioner of administration shall, by regulation, establish the percentage at which  
 9 the salary is increased and the increased salary amount.

10 \* **Sec. 9.** AS 39.20.080(a) is amended to read:

11 (a) The monthly salary of the head of each principal executive department of  
 12 the state is equal to the governor's salary [STEP E, RANGE 28 OF THE SALARY  
 13 SCHEDULE IN AS 39.27.011(a) FOR JUNEAU, ALASKA].

14 \* **Sec. 10.** AS 39.20.080(b) is amended to read:

15 (b) The monthly salary of a deputy head of a principal executive department  
 16 of the state is not less than Step A nor more than Step F, Range 28 of the salary  
 17 schedule in AS 39.27.011(a) for Juneau, Alaska, nor more than the governor's  
 18 salary.

19 \* **Sec. 11.** AS 39.20 is amended by adding new sections to read:

20 **Sec. 39.20.095. Salary limit.** (a) Notwithstanding AS 23.40.070 - 23.40.260  
 21 (Public Employment Relations Act), the state may not pay an officer or employee a  
 22 basic monthly salary that is greater than the monthly salary of the governor set out in  
 23 AS 39.20.010 unless the salary is authorized by law under AS 39.20.097.

24 (b) In this section,

25 (1) "basic monthly salary" or "monthly salary" means an individual's  
 26 monthly salary before the addition of adjustments, including cost-of-living adjustments,  
 27 overtime wages, geographical differentials, hazardous duty pay, travel per diem, and  
 28 travel allowances;

29 (2) "state" includes the executive, legislative, and judicial branches of  
 30 state government, the University of Alaska, state boards, commissions, and authorities  
 31 including boards, commissions, authorities, and other entities created by statute but

1 having an existence separate from the state.

2 **Sec. 39.20.097. Legislative approval of exceptions.** The legislature may, by  
3 law, approve a basic monthly salary that is greater than the monthly salary of the  
4 governor set out in AS 39.20.010. In this section, "basic monthly salary" and  
5 "monthly salary" have the meanings given in AS 39.20.095.

6 \* **Sec. 12.** AS 42.40.110 is amended by adding a new subsection to read:

7 (c) Except as provided in AS 39.20.097, the board may not fix a basic monthly  
8 salary for the chief executive officer or approve basic monthly salaries for other  
9 executive officers that exceed the basic monthly salary of the governor set out in  
10 AS 39.20.010. In this subsection, "basic monthly salary" has the meaning given in  
11 AS 39.20.095.

12 \* **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section  
13 to read:

14 APPLICATION TO COLLECTIVE BARGAINING AGREEMENTS AND  
15 CONTRACTS. Nothing in this Act modifies the terms of a collective bargaining agreement  
16 or a contract for personal or professional services in effect on the effective date of this Act.

17 \* **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section  
18 to read:

19 APPLICATION TO INCUMBENT JUDGES. The amendments to AS 22.05.140,  
20 AS 22.07.090, AS 22.10.190, and AS 22.15.220, made by secs. 1 - 8 of this Act apply only  
21 to the compensation of a justice or judge who first holds that judicial office on or after the  
22 effective date of this Act.