

Introduced: 3/20/73
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY ORSINI BY REQUEST

2 HOUSE BILL NO. 375

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the compensation of judicial
7 officers; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 22 is amended by adding a new chapter to read:

10 CHAPTER 22. COMPENSATION OF JUDICIAL OFFICERS.

11 Sec. 22.22.010. COMMISSION CREATED; COMPOSITION; TERM OF OFFICE.

12 (a) The Commission on Compensation of Judicial Officers is created in
13 the Office of the Governor.

14 (b) The commission consists of five members chosen from the general
15 public: two are appointed by the governor, one each is appointed by the
16 president of the senate and the speaker of the house of representatives,
17 and one is appointed by the chief justice of the supreme court.

18 (c) Commission members shall serve four-year, staggered terms.
19 The initial appointees of the governor shall serve one-year and four-
20 year terms, respectively; the initial appointees of the president of
21 the senate and of the speaker of the house shall serve two-year terms,
22 respectively; and the initial appointee of the chief justice shall serve
23 a three-year term.

24 (d) Vacancies shall be filled in the same manner as original
25 appointment.

26 (e) Commission members serve without compensation but are entitled
27 to travel expenses and per diem as provided by law for other boards and
28 commissions.

29 Sec. 22.22.020. OFFICERS, MEETINGS, PROCEDURE. (a) The chairman

1 and vice-chairman shall be elected from among the commission members
2 for a one-year term.

3 (b) The commission shall prescribe its own rules of procedure.
4 The commission shall meet at least once every six months at a time
5 and place determined by the chairman, and at other times and places
6 as the chairman, or a majority of the commission members, consider
7 necessary. A quorum is a majority of the members of the commission.
8 The proceedings of the commission and the votes of the commission
9 members shall be recorded. Effective action requires the affirmative
10 vote of a majority of the commission members. No member may, with
11 respect to a matter before the commission, vote for or on behalf of,
12 or in any way exercise the vote of, another commission member.

13 (c) The provisions of AS 44.62.310 apply to meetings of the
14 commission. All meetings of the commission, its committees or sub-
15 committees, are open to the public and press except as otherwise pro-
16 vided in AS 44.62.310(c).

17 Sec. 22.22.030. STAFF. (a) The commission may appoint an ex-
18 ecutive officer and fix his compensation. The executive officer is a
19 member of the exempt service under AS 39.25.110 and serves at the
20 pleasure of the commission. With the approval of the commission, the
21 executive officer may appoint persons to the staff positions authorized
22 by the commission and fix their compensation.

23 (b) To the extent not provided by the commission staff, the Office
24 of the Governor shall provide support services for the commission.

25 Sec. 22.22.040. DUTIES. During each fiscal year, the commission
26 shall conduct a review of the compensation of the judicial officers of
27 the state. The ongoing review by the commission shall be made for the
28 purpose of determining the appropriate pay levels and relationships
29 among the respective judicial officers and between the judicial officers

1 and other executive officers and members of the legislature.

2 Sec. 22.22.050. REPORT AND RECOMMENDATIONS TO GOVERNOR, LEGISLATURE.

3 (a) The commission shall submit to the governor a report of its review
4 of compensation of judicial officers conducted under sec. 40 of this
5 chapter together with its recommendations. The report shall be sub-
6 mitted on a date the governor may designate, but not later than
7 October 1 following the close of the fiscal year in which the review
8 is conducted.

9 (b) The governor shall include in the budget transmitted by him to
10 the legislature under AS 37.07 the report and recommendations submitted
11 by the commission together with his recommendations as to the exact
12 rates of compensation he considers appropriate.

13 Sec. 22.22.060. RECOMMENDATIONS EFFECTIVE. (a) The governor's
14 recommendations under sec. 50(b) of this chapter are effective on the
15 first day of the pay period which begins after 30 days following the
16 transmittal of the recommendations, unless between the date of trans-
17 mittal and the beginning of the first pay period:

18 (1) a statute has been enacted which establishes a rate of
19 compensation different from those proposed by all or part of the gov-
20 ernor's recommendations; or

21 (2) the legislature has adopted a concurrent resolution which
22 specifically disapproves all or part of the governor's recommendations.

23 (b) If the governor's recommendations so provide, any part of the
24 recommendations, under sec. 50(b) of this chapter, may be made effective
25 on a date later than the date on which the recommendations would become
26 effective under (a) of this section.

27 Sec. 22.22.070. PUBLICATION. The governor's recommendations that
28 become effective shall be published in the same manner as if they were
29 enacted as a statute and shall be printed in the Alaska Statutes in the

1 manner provided by law.

2 Sec. 22.22.080. DEFINITIONS. In this chapter:

3 (1) "commission" means the Commission on Compensation of
4 Judicial Officers;

5 (2) "judicial officers" means a supreme court justice,
6 including the chief justice, a judge of the superior court, a district
7 judge and a magistrate.

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

9 (a) The chief justice and each associate justice shall receive
10 annual compensation determined in accordance with AS 22.22.010 -
11 22.22.080 [\$36,000 ANNUALLY AS COMPENSATION].

12 * Sec. 3. AS 22.10.190(a) is amended to read:

13 (a) Each superior court judge shall receive annual compensation
14 determined in accordance with AS 22.22.010 - 22.22.080 [\$33,000 ANNUALLY,
15 AS COMPENSATION], payable monthly in 12 equal installments. The compen-
16 sation of a judge shall not be diminished during his term of office,
17 unless by general law applying to all salaried officers of the state.

18 * Sec. 4. AS 22.15.220(a) and (b) are amended to read:

19 (a) Each district judge shall receive annual compensation deter-
20 mined in accordance with AS 22.22.010 - 22.22.080 [\$25,000 ANNUALLY
21 AS COMPENSATION], payable montly in 12 equal installments.

22 (b) Each magistrate shall receive annual compensation to be deter-
23 mined in accordance with AS 22.22.010 - 22.22.080 [BY THE SUPREME COURT.
24 SALARY INCREASES SHALL BE DETERMINED ON THE BASIS OF PERCENTAGE OF PAY
25 INCREASE THE LEGISLATURE PROVIDES FOR STATE EMPLOYEES IN THE CLASSIFIED
26 SERVICE].

27 * Sec. 5. AS 39.25.110 is amended by adding a new paragraph to read:

28 (14) The executive officer of the Commission on Compensation
29 of Judicial Officers.

1 * Sec. 6. Sections 1 and 5 of this Act take effect on the day after its
2 passage and approval or on the day it becomes law without approval. Secs.
3 2 - 4, inclusive, take effect on the day the governor's recommendations
4 become effective under AS 22.22.060.

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