

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

7/15/83

Date: 7/27/83

Mr. Speaker:

The Committee on FINANCE has had HD 214

"An Act relating to the number of superior court judges; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

YPHB

CHAIRMAN

Introduced: 2/21/83
Referred: Judiciary and Finance

1 IN THE HOUSE

BY CATO

2

HOUSE BILL NO. 214

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the number of superior court
7 judges; and providing for an effective date."

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

9 * Section 1. AS 22.10.120 is amended to read:

10 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists
11 of 27 [26] judges, five of whom shall be judges in the first judicial
12 district, three of whom shall be judges in the second judicial dis-
13 trict, 14 [13] of whom shall be judges in the third judicial district,
14 and five of whom shall be judges in the fourth judicial district. At
15 the time of submitting the names of nominees to the governor to fill a
16 vacancy on the superior court bench, the judicial council shall also
17 designate the district in which the appointee is to reside and serve.

18 * Sec. 2. The Alaska Court System may enter into negotiations for lease
19 or rental space in Valdez for use by the superior court.

20 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
21 10.073(c).

HOUSE JOURNAL

LETTER OF INTENT
FOR
HOUSE BILL 214

It is the intent of the House Committee on Finance that the superior court judgeship in Valdez shall not be filled until the Supreme Court eliminates the Valdez district court judgeship.

Respectfully Submitted,

Al Adams, Chairman
House Finance Committee

STATE OF ALASKA
FISCAL NOTE

Revision Date , 1983

I. REQUEST

Bill/Resolution No.: HB 214
 Title: "Superior Court Judges"
 Sponsor: Rep. Cato
 Requestor: House Judiciary Committee

II. FISCAL DETAIL

Agency Affected: Department of Law
 Program Category Affected: Adm. of Justice
 BRU, Program of Subprogram(s) Affected: Prosecution

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY.87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	15.0	15.9	16.9	17.9	19.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	15.0	15.9	16.9	17.9	19.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not specified by sponsor.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Richard I. Pegues, Director
 Division: Administrative Services Division

Phone: 465-3672
 Date: April 5, 1983

Approved by Commissioner: Richard I. Pegues / FOR
Norman C. Gorsuch Attorney General Date: April 5, 1983
 Department: Department of Law

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

HB 214
Fiscal Analysis

It is estimated that the establishment of a superior court in Valdez will increase district attorney travel to Valdez from one week each month to two weeks per month. Current annual travel expenses for Valdez are estimated at \$15,000 including witness subsistence expenses. A doubling of this effort would require an additional \$15,000 in travel funds. This is the total amount being requested in this fiscal note.

Caseload statistics indicate that the Valdez area can be satisfactorily serviced from other offices until such time as the caseload warrants a full-time resident prosecutor. At the present time Valdez is being handled by our two attorneys from the Palmer office where Valdez cases represent only 20% of their total caseload.

Creation of a full service prosecutor's office at Valdez would require the addition of one Attorney V and one Legal Secretary I, as well as associated support costs for expanded office space, equipment, word processing, a small law library, and increased communications. The following additional costs would be incurred to establish such an office on a 10 month year start-up basis:

Personel Services	94.2
Travel	7.5
(single time transfer cost)	
Contractual	10.0
(expanded office space & communications)	
Commodities - on-going	4.0
Commodities - single time	6.0
Equipment - single time	17.5
Total	<u>\$139.2</u>

HB 214
Analysis

This bill would establish a superior court judge position in Valdez, Alaska. The prosecution of criminal cases in Valdez is currently handled through the maintenance of a small office staffed by a paralegal in Valdez, and the services of an attorney from the District Attorney's office in Palmer. An assistant district attorney now travels to Valdez approximately once a month, and stays there for about one week. If a superior court judge were permanently assigned to Valdez, it is estimated that the increased workload would require that this assistant district attorney travel to Valdez twice a month for about a week each time.

Caseload statistics indicate that the Palmer District Attorney's office can satisfactorily service the Valdez area through periodic visits. Some members of the Valdez community have expressed a desire for a fully staffed district attorney's office located in their area, however. At a minimum, the opening of a complete district attorney's office in Valdez would require the addition of one full-time prosecuting attorney, one full-time secretary, more office space, and basic legal research materials.

from House Judiciary

April 8, 1983

HB 214--By Rep. Cato

Statistics phoned in from Anchorage today:

In the past 16 months, to date, there have been 9 trips from Anchorage by Superior Court judges to hold court sessions in Valdez and Cordova. (Four trips to Cordova, Five to Valdez)

Five different Superior Court judges of Anchorage were involved in handling the nine trips.

Total number of days scheduled for them was 36 working days, although one of the 5-day schedules was canceled, making 31 actual days expended by a judge away from Anchorage.

For May, June & July, 1983, there are three five-day trips scheduled, two to Valdez and one to Glennallen, for a total of 15 projected work days. (These will be handled by Judge Cutler, out of Palmer).

STATE OF ALASKA
FISCAL NOTE

Revision Date 1983

I. REQUEST

Bill/Resolution No.: HB 214
 Title: Number of Superior Court Judges
 Sponsor: Cato
 Requestor: Judiciary & Finance

II. FISCAL DETAIL

Agency Affected: Alaska Court System
 Program Category Affected: Justice
 BRU, Program of Subprogram(s) Affected:
 Alaska Court System

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING		21.4	21.4	21.4	21.4	21.4
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		21.4	21.4	21.4	21.4	21.4
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		21.4	21.4	21.4	21.4	21.4
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Robert G. Fisher, Fiscal Officer Phone: 264-0561
 Division: Alaska Court System, Administration Date: 3/31/83
 Approved by Commissioner: _____ Date: _____
 Department: _____

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

3/8/83

FY 84 COST OF IMPLEMENTING HB 214

PERSONNEL SERVICES:

Salary (Superior Court Judge - Valdez)	\$ 82,368
Benefits (Retirement, variable & fixed)	<u>80,129</u>
Total Cost of Superior Court Judge	\$162,515
Less: Budgeted funds for existing District Court Judge position.	<u>141,157</u>
Net cost of upgrading Valdez court to superior court level.	<u>\$ 21,358</u>

ANALYSIS:

This bill would upgrade the district court judge position in Valdez to the superior court level. The fiscal impact is limited to the increased costs of salary and benefits. There appears to be adequate clerical support in Valdez at the present staffing level.

While it would be beneficial to the court to add a law clerk (\$38,000/year total cost) this is not requested at this time.

The following individuals are expected to testify on HB
214:

Representative Bette Cato (or staff), prime sponsor

A representative of the Alaska Court System

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 214 Date on Bill: 2-21-83
 Title: "An Act relating to the number of superior court judges;..."
 Sponsor: Cato
 Requestor: House Judiciary

1. Estimated fiscal impacts on: No fiscal impact is anticipated.

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	0	0	0	0

b. Revenues:

Revenue				
---------	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Francis C. Allan G.C.C. Phone: 269-5691
 Division: Alaska State Troopers Date: 2-24-83
 Approved by Commissioner: [Signature] Date: 3-1-83
 Department: Department of Public Safety

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

cc

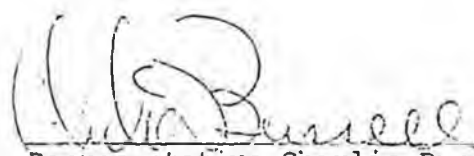
HOUSE BILL NO. 214

LETTER OF INTENT

HOUSE JUDICIARY COMMITTEE

April 8, 1983

It is the intent of the House Committee on Judiciary that the superior court judgeship in Valdez shall not be filled until the Supreme Court eliminates the Valdez district court judgeship.



Representative Charlie Russell
Chairman, Committee on Judiciary

Introduced: 2/21/83
Referred: Judiciary and Finance

1 IN THE HOUSE

BY CATO

2

HOUSE BILL NO. 214

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the number of superior court
7 judges; and providing for an effective date."

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

9 * Section 1. AS 22.10.120 is amended to read:

10 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists
11 of 27 [26] judges, five of whom shall be judges in the first judicial
12 district, three of whom shall be judges in the second judicial dis-
13 trict, 14 [13] of whom shall be judges in the third judicial district,
14 and five of whom shall be judges in the fourth judicial district. At
15 the time of submitting the names of nominees to the governor to fill a
16 vacancy on the superior court bench, the judicial council shall also
17 designate the district in which the appointee is to reside and serve.

18 * Sec. 2. The Alaska Court System may enter into negotiations for lease
19 or rental space in Valdez for use by the superior court.

20 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).