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HOUSE COMMITTEE REPORT

File

(11)

Date Referred: April 20, 1990

FURTHER REFERRALS:

Date of Committee Action: 5/6/90

The FINANCE Committee considered:

CSSB 230 (FINANCE)

CS SB NO. 230 (Finance)

COMPENSATION OF JUSTICES AND JUDGES

"An Act relating to compensation of justices and judges; and providing for an effective date."

RECOMMENDATIONS:

- be replaced with _____ the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) 4/7/90 / AK. COURT System
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not Pass No Rec Amend

[Signature] Hoffman

[Signature] Larson

[Signature] Swackhamer

[Signature] Brown

[Signature] Koponen

[Signature] Umer

[Signature] Barnes

[Signature] Rieger

Signature	Do Not Pass	No Rec	Amend
<u>[Signature]</u> Phillips		<input checked="" type="checkbox"/>	

[Signature] Larson
 CD Chairman's Signature
[Signature] Hoffman

Original sponsor(s): Rules/State Officers Compensation Commission

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 230 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

9 * Section 1. AS 22.05.140(a) is repealed and reenacted to read:

10 (a) The monthly base salary of the chief justice is \$8,333 and
11 for each other justice, the monthly base salary is \$8,292.

12 * Sec. 2. AS 22.05.140(c) is repealed and reenacted to read:

13 (c) In addition to the monthly salary, each justice is entitled
14 to receive a geographic cost-of-living adjustment under AS 22.35.010,
15 based on the location of the primary office assignment. Retirement
16 contributions and benefits shall be computed only on the monthly base
17 salary not including the geographic cost-of-living adjustment.

18 * Sec. 3. AS 22.07.090(a) is repealed and reenacted to read:

19 (a) The monthly base salary of a judge of the court of appeals
20 is \$7,833. The compensation of a judge may not be diminished during
21 the term of office, unless by a general law applying to all salaried
22 officers of the state.

23 * Sec. 4. AS 22.10.190(a) is repealed and reenacted to read:

24 (a) The monthly base salary for each superior court judge is
25 \$7,667.

26 * Sec. 5. AS 22.10.190(c) is repealed and reenacted to read:

27 (c) In addition to the monthly salary, each superior court judge
28 is entitled to receive a geographic cost-of-living adjustment under
29 AS 22.35.010, based on the location of the primary office assignment.

1 Retirement contributions and benefits shall be computed only on the
2 monthly base salary not including the geographic cost-of-living
3 adjustment.

4 * Sec. 6. AS 22.15.220(a) is repealed and reenacted to read:

5 (a) The monthly base salary for each district court judge is
6 \$6,500.

7 * Sec. 7. AS 22.15.220(d) is repealed and reenacted to read:

8 (d) In addition to the monthly salary, each district court judge
9 is entitled to receive a geographic cost-of-living adjustment under
10 AS 22.35.010, based on the location of the primary office assignment.
11 Retirement contributions and benefits shall be computed only on the
12 monthly base salary not including the geographic cost-of-living
13 adjustment.

14 * Sec. 8. AS 22 is amended by adding a new chapter to read:

15 CHAPTER 25. MISCELLANEOUS PROVISIONS.

16 Sec. 22.35.010. GEOGRAPHIC COST-OF-LIVING ADJUSTMENT. The
17 following geographic cost-of-living adjustments apply to the first
18 \$40,000 of the base salary of a justice of the supreme court or a
19 judge of the superior or district court earned during a fiscal year:

20	Location of Primary Office	Percent Change
21	First Judicial District	0
22	Second Judicial District	17.5
23	Third Judicial District other than	
24	Kodiak and Valdez	0
25	Kodiak and Valdez	10.5
26	Fourth Judicial District other than Bethel	3.5
27	Bethel	17.5

28 * Sec. 9. This Act takes effect July 1, 1990.

STATE OF ALASKA
1990 LEGISLATIVE SESSION

Bill Version: CSSB 230 (Finance)

Publish Date: ~~3/17/89~~ 4/7/90

FISCAL NOTE

REQUEST:

Revision Date	<u>9/7/90</u>	Agency Affected:	<u>Alaska Court System</u>
Title:	<u>An Act relating to compensation of justices and judges</u>	BRU:	<u>Appellate & Trial Courts</u>
Sponsor:	<u>Rules</u>	Components:	
Requestor:	<u>Finance</u>		

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95
Personal Services		944.7	944.7	944.7	944.7	944.7
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
TOTAL OPERATING	0.0	944.7	944.7	944.7	944.7	944.7

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Funds	0.0	944.7	944.7	944.7	944.7	944.7
Federal Funds						
Other						
TOTAL	0.0	944.7	944.7	944.7	944.7	944.7

POSITIONS:

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: Robert G. Fisher, Manager, Fiscal Operations Phone: 284-8215
 Division: Alaska Court System Date: 03/07/90
 Approved by: Arthur H. Snowden, II, Administrative Director Date: 03/07/90
 Agency: Alaska Court System

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management & Budget
 Impacted Agency(ies)

Alaska Court System
 SB 230 - Judicial Compensation
 Analysis of Proposed Salaries

Position	Proposed	Existing	Change
Chief Justice - Anchorage	\$96,996	\$85,728	\$11,268
Supreme Court Justice - Anchorage	96,504	85,728	10,776
Supreme Court Justice - Fairbanks	97,896	97,728	168
Appellate Court Judge - Anchorage	91,200	79,992	11,208
Superior Court Judge - Anchorage	89,196	77,304	11,892
Superior Court Judge - Barrow	96,204	90,828	5,376
Superior Court Judge - Bethel	96,204	90,828	5,376
Superior Court Judge - Fairbanks	90,600	88,128	2,472
Superior Court Judge - Juneau	89,196	77,304	11,892
Superior Court Judge - Kenai	89,196	82,716	6,480
Superior Court Judge - Kodiak	93,396	85,416	7,980
Superior Court Judge - Kotzebue	96,204	90,828	5,376
Superior Court Judge - Nome	96,204	90,828	5,376
Superior Court Judge - Palmer	89,196	80,004	9,192
Superior Court Judge - Petersburg	89,196	80,004	9,192
Superior Court Judge - Sitka	89,196	80,004	9,192
Superior Court Judge - Valdez	93,396	90,828	2,568
District Court Judge - Anchorage	75,696	66,816	8,880
District Court Judge - Fairbanks	77,100	76,176	924
District Court Judge - Homer	75,696	71,496	4,200
District Court Judge - Juneau	75,696	66,816	8,880
District Court Judge - Palmer	75,696	69,156	6,540



**Superior Court
State of Alaska**

FIRST JUDICIAL DISTRICT
415 MAIN STREET, ROOM 318
KETCHIKAN, ALASKA 99801

FIRST JUDICIAL DISTRICT
P.O. BOX 1008
PETERSBURG, ALASKA 99833-1008

FIRST JUDICIAL DISTRICT
P.O. BOX 889
WRANGELL, ALASKA 99829

Chambers of
JUDGE THOMAS M. JAHNKE

April 20, 1990

House Finance Committee
Alaska House of Representatives
P.O. Box V
Juneau, Alaska 99811

RE: Judicial Salaries; SB 230

Dear Members of the Committee:

Senate Bill 230 is now in the House and I wanted to bring to your attention two recent developments.

First, I recently learned that the Alaska judiciary will lose 10 judges this year. Many of them are leaving the bench for financial reasons. That is a loss of talent and experience the people of Alaska simply cannot afford.

Second, at my last count, seven attorneys were applying for the upcoming vacancy on the superior court in Juneau, only one of whom is a private practitioner. It is difficult to resist the conclusion that most of our finest private practitioners are not considering judicial service because the salaries have fallen so far below the salaries in private practice.

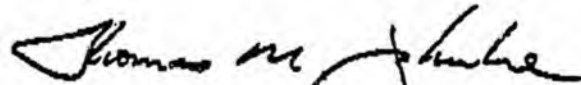
I believe in the ideals of public service, one of which is that a public servant works to achieve the greater good and not to gain great financial reward. However, we have reached the point where dedicated public servants (good judges) and aspiring public servants can make so much more in private

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practice that they cannot justify to their families their decision to remain in or enter the public service.

I urge your favorable action on SB 230 to stop the hemorrhage of talent and to foster an infusion of new talent that will maintain the excellent quality of the Alaska judiciary.

Very truly yours,



Thomas M. Jahnke
Superior Court Judge