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230

# HOUSE COMMITTEE REPORT

(7)

Date Referred: April 13, 1990

FURTHER REFERRALS:

FINANCE

Date of Committee Action: 4/20/90

The JUDICIARY 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) Crt System 3/7/90
- zero fiscal note(s) \_\_\_\_\_
- zero fn/analysis \_\_\_\_\_

**SIGNING DO PASS:**

**SIGNING:**

(Check approp. column)

Do Not Pass    No Rec    Amend

[Signature] Goll  
[Signature] Groenbergs  
[Signature] Miller  
[Signature] Ellis

<u>[Signature]</u>			
M. Davis		2	

[Signature]  
Chairman's Signature

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 AS 22.05.140(a) is repealed and reenacted to read: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 AS 22.05.140(c) is repealed and reenacted to read: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 AS 22.07.090(a) is repealed and reenacted to read: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.  
S

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 35. 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.  
29

## FISCAL NOTE

**REQUEST:**

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

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services		797.1	797.1	797.1	797.1	797.1
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>797.1</b>	<b>797.1</b>	<b>797.1</b>	<b>797.1</b>	<b>797.1</b>

CAPITAL						
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REVENUE						
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**FUNDING:** (Thousands of Dollars)

General Funds	0.0	797.1	797.1	797.1	797.1	797.1
Federal Funds						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>797.1</b>	<b>797.1</b>	<b>797.1</b>	<b>797.1</b>	<b>797.1</b>

**POSITIONS:**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

See attached analysis.

Prepared by:	<u>Jan Strandberg</u> Jan Strandberg, General Counsel	Phone:	<u>264-8228</u>
Division:	<u>Alaska Court System</u>	Date:	<u>03/29/89</u>
Approved by:	<u>Arthur H. Snowden, II</u> Arthur H. Snowden, II, Administrative Director	Date:	<u>03/29/89</u>
Agency:	<u>Alaska Court System</u>		

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

Alaska Court System

SB 230 – Judicial Compensation

Fiscal Analysis

	<u>Amount</u>
Personal Services:	
Gross salary (adjusted for normal vacancy factor)	\$456,318
Benefits (variable & judicial retirement contributions)	<u>340,803</u>
Total Cost	<u><u>\$797,121</u></u>

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

SENATE COMMITTEE REPORT

FURTHER

3/31/89

DATE TURNED INTO OFFICE 4/6/90

Mr. President:

FINANCE

Committee considered SB 230

compensation of justices and judges; efd

and recommended

replace with \_\_\_\_\_ CS SB 230 (Finance.)  same title  
 or adopt \_\_\_\_\_ CS \_\_\_\_\_  new title  
 attached amendment(s) and  technical title change (HB only)  
 \_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

**FISCAL NOTE(S)**  zero  <sup>Courts 944.7</sup> fiscal impact  appropriation no FN  
 new  updated  previous  
 same as previous fiscal note(s) published \_\_\_\_\_

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]

[Signature]

[Signature]

Paul Ford (Do NOT Pass -  
Now is not the time for  
such a significant pay  
raise for an elected position)

[Signature] No Rec.

[Signature]  
 Chairman signature and recommendation

Committee Backup attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 3-23-89  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

FIN

\*\*FISCAL NOTE(S) MUST BE ATTACHED  
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE \_\_\_\_\_

3/17/89

Mr. President:

Judiciary Committee considered SB 230

compensation of justices and judges; efd

*and a majority of the committee report it had no recommendation*

and recommended:

replace with CS SB  same title

attached amendment(s) and  new title

\_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

FISCAL NOTE(S) attached  zero

appropriation no FN attached

fiscal impact

Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

\_\_\_\_\_

True X 100102 - NO REC

\_\_\_\_\_

Rich Halford NO REC

\_\_\_\_\_

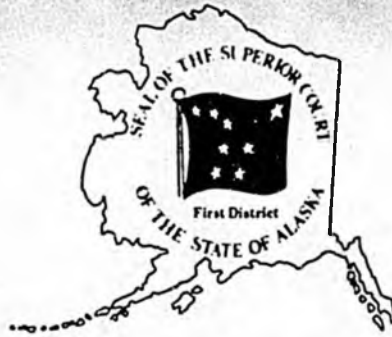
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\_\_\_\_\_

\_\_\_\_\_

Jan Fair No Rec  
Chairman signature and recommendation

Committee backup attached



**Superior Court**  
State of Alaska

FIRST JUDICIAL DISTRICT

415 MAIN STREET, ROOM 318  
KETCHIKAN, ALASKA 99901

FIRST JUDICIAL DISTRICT

P.O. BOX 1008  
PETERSBURG, ALASKA 99833-1008

FIRST JUDICIAL DISTRICT

P.O. BOX 869  
WRANGELL, ALASKA 99929

Chambers of  
JUDGE THOMAS M. JAHNKE

April 20, 1990

Committee on the Judiciary  
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

Committee on the Judiciary

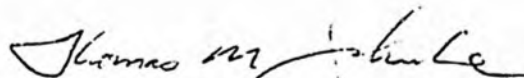
April 20, 1990

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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,

A handwritten signature in cursive script that reads "Thomas M. Jahnke". The signature is written in dark ink and is positioned above the printed name.

Thomas M. Jahnke  
Superior Court Judge