

H B

9 2

RECEIVED MAR 22 1991



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

303 K Street
Anchorage, AK 99501
(907) 264-8228

March 20, 1991

The Honorable Dave Donley
Chairman, House Judiciary Committee
P.O. Box V
Juneau, Alaska 99811

Dear Representative Donley:

I am writing to request that the Judiciary Committee schedule House Bill 92, relating to the Judicial Retirement System (JRS), at its earliest convenience. This bill was introduced at the request of the Alaska Court System.

HB 92 proposes amendments to AS 09.38.015(b), a provision of the Alaska Exemptions Act. As you know, that act provides debtors with certain protection from creditors. AS 09.38.015(b) specifically provides that a creditor (other than a bankruptcy creditor) may not seize amounts held in an individual debtor's Teachers' Retirement System (TRS) account or Public Employees' Retirement System (PERS) account.

Through an oversight, this statute does not provide the same protection to participants in the JRS. HB 92 merely adds the JRS to the existing exemption list, giving participants in that system the same protection currently granted to participants in the TRS and PERS.

The Conference of Alaska Judges passed a resolution in support of the judicial exemption in 1986; a copy of this resolution is attached. The bill has no fiscal impact.

The Honorable Dave Donley
March 20, 1991
Page 2

Please feel free to contact me if you have any questions or comments.

Very truly yours,



C. S. Christensen III
Staff Counsel

CSC:bh

Attachments


CONFERENCE OF ALASKA JUDGES

Resolution No. 86 - 03


A RESOLUTION SUPPORTING EXEMPTION OF JUDICIAL RETIREMENT FUNDS FROM EXECUTION

IT IS HEREBY RESOLVED by the Conference of Alaska Judges that the Court Administration propose the amendment of Alaska Statutes Section 09.38.015 to exempt funds held in the Judicial Retirement System from execution.

PASSED this 2nd day of July, 1986, at Anchorage, Alaska, by the members of the Conference of Alaska Judges.


HERSCHEL "ED" CRUTCHFIELD
President

ATTEST:


Secretary

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Bill No. HB 82

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act establishing an exemption for BRU: Trial Courts
the Judicial Retirement System Components: _____
 Sponsor: Judiciary
 Requestor: Judiciary Committee COMPONENT SERIAL NO.

000 000	000 768
-----------	-----------

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

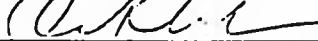
POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel  Phone: 264-8228
 Division: Alaska Court System Date: 02/08/91

Approved by: Arthur H. Snowden, II, Administrative Director  Date: 02/08/91
 Agency: Alaska Court System

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Patrick M. Rodey
Senator

Alaska State Legislature



Senate

3111 C. St., Suite 510
Anchorage, Alaska 99503
(907) 561-7618

During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-3793

April 4, 1991

To: Representative Dave Donley, Chair
House Judiciary Committee

From: Senator Pat Rodey *Pat*

Subj: HB-92, establishing an exemption for the judicial
retirement system.

HB-92 seeks to include Judicial Retirement System (JRS) employees in the exemptions listed in AS 09.38.015 (b), now enjoyed by TRS and PERS employees.

I am requesting you also consider adding members of the now defunct Elected Public Officials Retirement System (EPORS) to the statute.

There are a handful of people who fall under the EPORS system which was terminated in 1976. Adoption of the amendment will ensure equal treatment under the law for all state employees.

I have attached a copy of CSSB-99(STA) which adds both JRS and EPORS members to AS 09.38.015 (b).

Thanks for your consideration.



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

303 K Street
Anchorage, AK 99501
(907) 264-8228

February 15, 1991

The Honorable Gene Kubina
Chairman, House State
Affairs Committee
P.O. Box V
Juneau, Alaska 99811

Dear Representative Kubina:

I am writing to request that the State Affairs Committee schedule House Bill 92, relating to the Judicial Retirement System (JRS), at its earliest convenience. This bill was introduced at the request of the Alaska Court System.

HB 92 proposes amendments to AS 09.38.015(b), a provision of the Alaska Exemptions Act. As you know, that act provides debtors with certain protection from creditors. AS 09.38.015(b) specifically provides that a creditor (other than a bankruptcy creditor) may not seize amounts held in an individual debtor's Teachers' Retirement System (TRS) account or Public Employees' Retirement System (PERS) account.

Through an oversight, this statute does not provide the same protection to participants in the JRS. HB 92 merely adds the JRS to the existing exemption list, giving participants in that system the same protection currently granted to participants in the TRS and PERS.

The Conference of Alaska Judges passed a resolution in support of the judicial exemption in 1986; a copy of this resolution is attached. The bill has no fiscal impact.

The Honorable Gene Kubina
February 15, 1991
Page 2

Please feel free to contact me if you have any questions or comments.

Very truly yours,

A handwritten signature in cursive script, appearing to read "C. S. Christensen III".

C. S. Christensen III
Staff Counsel

CSC:bh

Attachments

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 1, 1991

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 3-6-91

The STATE AFFAIRS Committee considered:

HB 92

HOUSE BILL NO. 92

JRS BENEFITS/ACCTS EXEMPT FROM LEVY

"An Act establishing an exemption for the judicial retirement system."

RECOMMENDATIONS:

be replaced with _____ [] the same title

[] have attached amendments(s)

[] do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note AK Court System 2-8-91

[] zero fiscal note(s) _____

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

	Check appropriate column:	Do Not Pass	No Rec	Amend
<i>Gene Kubina</i>				
<i>T. Onley</i>				
<i>E. Spindler</i>				
<i>John W. ...</i>				
<i>Mike Miller</i>				
<i>D. ...</i>				
<i>David ...</i>				

Gene Kubina
Chairman's Signature



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

303 K Street
Anchorage, AK 99501
(907) 264-8223

March 19, 1991

The Honorable Dave Donley
Chairman, House Judiciary Committee
P.O. Box V
Juneau, Alaska 99811

Dear Representative Donley:

I respectfully request that the Judiciary Committee schedule a hearing on the following legislation at its earliest convenience:

HB 92 "An Act establishing an exemption for the Judicial Retirement System."

HB 93 "An Act relating to the factors to be considered when awarding shared child custody."

Thank you for your courtesy.

Very truly yours,

A handwritten signature in dark ink, appearing to read "C.S. Christensen III", is written over the typed name.

C.S. Christensen III

HOUSE COMMITTEE REPORT

(7) Date Referred: March 8, 1991 FURTHER REFERRALS: Finance

Date of Committee Action: 4-8-91

The JUDICIARY Committee considered: HB 92

HOUSE BILL NO. 92 JRS BENEFITS/ACCTS EXEMPT FROM LEVY

"An Act establishing an exemption for the judicial retirement system."

RECOMMENDATIONS:
 be replaced with CS HB 92 (Jud) the same title
 a new title
 have attached amendments(s)
 do pass
 do not pass
 no recommendations
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
 fiscal impact _____ fiscal note(s) _____
 zero fiscal note _____ zero fiscal note(s) Alaska Court System 3/8/91

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Daniel Donley</i>	✓				
<i>Terry Marston</i>	✓				
<i>Mark Stanley</i>	X				
<i>Spencer</i>	-				
<i>J. Ellis</i>	/				
<i>Kevin Redburn</i>	✓				

Daniel Donley

 CHAIRMAN'S SIGNATURE

HOUSE BILL NO. 92

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE BY REQUEST

Introduced: 2/1/91

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED.

from execution

1 "An Act establishing an exemption for the judicial retirement system."

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

3 * Section 1. AS 09.38.015(b) is amended to read:

4 (b) The right to benefits held by the state on behalf of an individual that [WHICH] may
5 become payable by reason of disability, unemployment, or illness, amounts held in the teachers',
6 judicial, or public employees' retirement system, and child support collections made by the child
7 support enforcement agency are exempt.

8 * Sec. 2. AS 22.25 is amended by adding a new section to read:

9 Sec. 22.25.100. EXEMPTION OF RETIREMENT FUNDS AND BENEFITS. Employee
10 contributions and other amounts held in the judicial retirement system and benefits payable under
11 this chapter are exempt from garnishment, execution, and levy as provided in AS 09.38 (Alaska
12 Exemptions Act).

mv. by Max
adopt AS CS HB 92 (Jud)

CS FOR SENATE BILL NO. 99 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 2/15/91
Referred: Judiciary

Sponsor(s): SENATE JUDICIARY COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing an exemption for the judicial retirement system and the former
2 elected public officers' retirement system."

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

4 * Section 1. AS 09.38.015(b) is amended to read:

5 (b) The right to benefits held by the state on behalf of an individual that [WHICH] may
6 become payable by reason of disability, unemployment, or illness, amounts held in the teachers',
7 judicial, or public employees' retirement system, or in the elected public officers' retirement
8 system under former AS 39.37, and child support collections made by the child support
9 enforcement agency are exempt.

10 * Sec. 2. AS 22.25 is amended by adding a new section to read:

11 Sec. 22.25.100. EXEMPTION OF RETIREMENT FUNDS AND BENEFITS. Employee
12 contributions and other amounts held in the judicial retirement system and benefits payable under
13 this chapter are exempt from garnishment, execution, and levy as provided in AS 09.38 (Alaska
14 Exemptions Act).