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**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:  
Referred:**

**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).

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: An act establishing an exemption for the judicial retirement system.

Department Affected: Administration  
BRU: Retirement and Benefits

Sponsor: Senate Judiciary Committee

Component: Retirement and Benefits

Requestor: \_\_\_\_\_

COMPONENT SERIAL NO. 64

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (attach a separate page if necessary.)

We do not anticipate any fiscal impact to the Judicial Retirement System.

Prepared By: Gary Bader *Gary M. Bader*  
Division: Retirement and Benefits

Phone: 465-4460

Date: \_\_\_\_\_

Approved by Commissioner: Millett Keller *Millett Keller*  
Agency: Department of Administration *Lee MK*

Date: 2/13/91

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



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 11, 1991

The Honorable Pat Rodey  
Chairman, Senate State  
Affairs Committee  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Rodey:

Thank you for scheduling Senate Bill 99, relating to the Judicial Retirement System (JRS).

SB 99 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 Teacher' 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. SB 99 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 Pat Rodey  
February 11, 1991  
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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', written in dark ink.

C. S. Christensen III  
Staff Counsel

CSC:bh

Attachment

CONFERENCE OF ALASKA JUDGES

Resolution No. 86 - 03

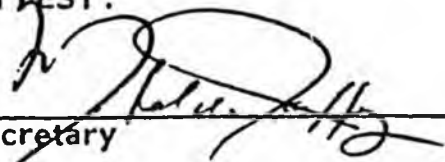
A RESOLUTION SUPPORTING EXEMPTION OF JUDICIAL RETIREMENT  
FUNDS FROM EXECUTION

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:

  
Acting Secretary

**FISCAL NOTE**

**STATE OF ALASKA**  
**1991 LEGISLATIVE SESSION**

**Bill No. SB 99**

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. 

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**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						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

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

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	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 *C. S. Christensen* Phone: 264-8228  
 Division: Alaska Court System Date: 02/08/91

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

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

# CSSB-99

Pat: For CSSB-99, Judicial Retirement System and Elected Public Officials Retirement System exemption under AS 09.38.015 (b)...

CS adds both JRS and EPORS to exemptions granted in statute. Law currently covers TRS and PERS.....this action would bring all state public employees under provisions of law ..... treats everyone equally

Similar bill SB-252 almost made it through in '90.....passed Senate, no final action in House at end of session.

EPORS covers those elected officials in office prior to 1976 when system was stopped.

If Snowden is here he can answer questions for JRS