

BILLS 1981 - 1982

HB 586 cont. - SSB 590

Lawrence

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 586
Title "An Act relating to permits for overweight vehicles"
Requested by Bob Schroeder Date _____

II. FISCAL DETAIL

Agency Affected Department of Transportation & Public Facilities
Program Category Affected Transportation
BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		2012.1				
200 TRAVEL		28.8				
300 CONTRACTUAL		185.3				
400 COMMODITIES		28.8				
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
		24.6				
TOTAL		2287.4	Assumed to increase with inflation			

FUNDING (Thousands of Dollars)

GENERAL FUND		1615.4				
FEDERAL FUNDS		672.0				
OTHER (Specify Source)						
		2287.4				

POSITIONS

FULL TIME		48.0				
PART TIME		6.0				
TEMPORARY		5.0				
TOTAL		59.0				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This Bill would effectively remove the Bureau of Vehicle Enforcement BRU from the Department of Public Safety and place it under the Department of Transportation. The Above fiscal data represents the entire cost of this BRU as noted in the Governor's Detail Budget request for FY 83, Page 849.

It is assumed that all necessary space and any other equipment, and tools and training would either be provided in the BRU or be make available at no cost from other units within Public Safety.

IV. DATE February 19, 1982 PREPARED BY Ron Lind
AGENCY DETF
Original: Legislative Finance PHONE 465-3900
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

MEMORANDUM

State of Alaska

TO: The Honorable Brian D. Rogers
Representative
Alaska State Legislature

DATE: February 18, 1982

FILE NO:

TELEPHONE NO: 465-4322

FROM: William R. Nix *WRN*
Commissioner
Department of Public Safety

SUBJECT: Position Paper -
HB 586

The Department of Public Safety is strongly opposed to HB 586 which will effectively transfer enforcement of vehicle weight and size regulations and the permit function to the Department of Transportation and Public Facilities.

The Bureau of Vehicle Enforcement (BVE) within the Department of Public Safety is part of the Division of Alaska State Troopers which is the chief law enforcement agency for the State. As such, the Troopers enforce the traffic laws, including size, weight and load laws, on the highway system. Enactment of this Bill will delegate the enforcement to two State agencies instead of one. Confusion and delay will result when two agencies begin to perform the same function.

This dual enforcement will occur when regulations are enforced by DOT/PF at weigh stations and the State Troopers in the course of routine patrol duties when violations are observed. Inconsistent enforcement could result from this duality of functions.

At present, under BVE, uniform overweight/oversize permit procedures have been developed, and guidelines have been established for the permit program. It should be noted that Public Safety considers the safety of the traveling public first and the highway damage factors second when issuing permits.

The primary purpose of size and weight enforcement is to protect the state's highway system from damage caused by excessively heavy trucks. A July, 1979 report to the United States Congress by the Comptroller General clearly identifies excessive truck weights as a major cause of highway damage and further states that the rate of highway deterioration will slow down if excessively heavy trucks are kept off the highways.

Each year the State of Alaska is required to certify to the United States Government that it is enforcing the State's size and weight regulations. Failure to adequately and consistently enforce the weight and size laws could result in Federal sanctions which could reduce the Federal funds allocated to the State's Highway Program by 10%. This would mean approximately \$10 million to the State of Alaska.

The Honorable Brian D. Rogers
February 18, 1982
Page 2

The DOT/PF, due to its organizational mission and structure, is not equipped at the present time to provide the uniform enforcement necessary. The fact of movement along highways requires an around-the-clock communications and enforcement capability to coordinate oversize moves which can be a hazard to the driving public. The Department of Public Safety has a statewide communications blanket to provide instant, 24-hour information on road and weather conditions or other driving hazards, whereas DOT/PF is basically a daytime office hours operation.

Under the auspices of the Alaska State Troopers, overweight and oversize permits that have been issued can be speedily verified via electronic telecommunications, which helps to eliminate fraudulent or altered permits.

An additional benefit of the current program under the Department of Public Safety has been to the commercial carrier operators directly. The Managing Director of the Alaska Trucking Association has indicated that the Association is seeking a reduction in insurance rates for member firms because of our truck inspection program.

Under the Alaska State Troopers within the Department of Public Safety, the expansion and uniformity of the overweight/oversize permit program's scope of operation has provided a deterrent to the "Gypo" operators who routinely operated in an unsafe and overweight condition. This undercuts the honest trucking firms who consistently comply with the regulations.

In summary, the following results are anticipated if the proposed legislation is enacted into law. Due to dual responsibility and inconsistency in enforcement:

- A. Commercial truck accidents could increase, endangering all vehicle operators. (Note: Commercial carrier insurance rates that have been lowered will rise.)
- B. Damage to our highways could increase, resulting in higher repair and maintenance costs.
- C. With a less effective regulations enforcement program, there is a possibility of reduced Federal highway funding due to sanctions.
- D. Conscientious trucking firms that try to operate at legal weights and maintain their equipment will be "penalized" as "Gypo" firms will consistently operate with overweight and poor equipment and undercut the honest firms.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 586
 Title "An Act relating to permits for overweight vehicles"
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Transportation
 BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		(2012.1)				
200 TRAVEL		(28.8)				
300 CONTRACTUAL		(185.3)				
400 COMMODITIES		(28.8)				
500 EQUIPMENT		(7.8)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		(24.6)				
TOTAL		(2287.4)				

FUNDING (Thousands of Dollars)

GENERAL FUND		(1615.4)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						
TOTAL		(2287.4)				

POSITIONS

FULL TIME		(48.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

Department Public Safety	Sponsor (Principal) Rogers	Bill Number House Bill 586
Department Position Opposed		
Division Director Colonel T.R. Anderson	Date 2-11-82	Commissioner's Signature TRA
		Date

GOVERNOR'S OFFICE USE

Comments:

Position Noted By _____ Date _____

SUMMARY

1. a) Related Bills (Similar or Conflicting) SB 58	1. b) Other Agencies Affected by Bill DOT/PF
2. a) Organizational Support for Bill	2. b) Organizational Opposition to Bill

3. Program Effects of Bill

A. The issuance of oversize/overweight permits would be removed from the Department of Public Safety to DOT/PF.

B. The operation of the fixed scalehouses on the State highway system and the related enforcement of the size, weight and load limitations will also be removed from Public Safety to DOT/PF.

4. Fiscal Impact: None Fiscal Note Attached

5. Amendments Proposed:

6. Comments:

The State Troopers are the chief law enforcement agency for the State. As such, the Troopers enforce the traffic laws, including size, weight and load laws, on the highway system. Enactment of this Bill will delegate the enforcement to two state agencies instead of one. Confusion and delay will result when two agencies begin to perform the same function.

The related enforcement support that Public Safety will not be as ready available to DOT/PF.

The DOT/PF does not have the communications capability at present to communicate with other areas of the state for verification of permit information on trucks that are stopped at a scale for questionable loads. This lack of communication with other areas of the state will

cause delays in the movement of questionable loads until some type of verification can be obtained.

In reference to the issuance of overweight/oversize permits the following comments are offered:

1. More uniform issuing procedures.
 - a. A Statewide Permit Officer attempts to bring about a uniform procedure through permit review and training.
 - b. Under DOT - The various Highway Districts have historically acted in an independant manner from one another adding to large inconsistencies.
 - c. The permit program has established guidelines.
 - d. Public Safety has considered the safety of the traveling public first when issuing permits.
2. Better communications link to coordinate oversize moves.
 - a. With the function in our Department, one area office in the State has better communications access with another to determine road and weather conditions or other hazardous information.
 - b. Trooper Offices are open virtually 24 hours per day while DOT is basically an 8 to 5 operation.
 - c. Errors in policy and procedure can be identified easier and corrective action taken.
 - d. Communicating from one Department to another is most often cumbersome and not very timely.
3. Enforcement of oversize and overweight regulation and the issuance of permits are closely related.
 - a. Permits that have been issued can be verified by Public Safety personnel with relative speed.
 - b. This helps to eliminate fraudulent or altered permits.
 - c. Under DOT control, the speedy verification is not available.
4. Facilities design.
 - a. The new Public Safety Building in Fairbanks was designed to accomodate truck traffic applying for permits; other buildings are being designed for this purpose also.
 - b. The Anchorage Public Safety Office which issues the largest volume of permits in the State has parking and office resources which accomodate the truck traffic constantly coming and going.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 586
Title "An Act relating to permits for overweight vehicles"
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Public Safety
Program Category Affected Transportation
BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		(2012.1)				
200 TRAVEL		(28.8)				
300 CONTRACTUAL		(185.3)				
400 COMMODITIES		(28.8)				
500 EQUIPMENT		(7.8)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(2287.4)				

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		(1615.4)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						
TOTAL		(2287.4)				

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		(48.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				
TOTAL		(59.0)				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This Bill would effectively remove the Bureau of Vehicle Enforcement BRU from the Department of Public Safety and place it under the Department of Transportation. The above fiscal data represents the entire cost of this BRU as noted in the Governor's Detail Budget request for FY '83, page 849.

IV. DATE February 11, 1982 PREPARED BY Francis C. Allan
AGENCY Department of Public Safety
Original: Legislative Finance PHONE 269-5691
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 586 (Fin) DRAFT
 Title Relating to permits for overweight and oversize vehicles
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Commerce and Economic Development
 Program Category Affected Consumer Protection
 BRU, Program, Or Subprogram(s) Affected Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		25.1	26.9	28.8	30.8	33.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		25.1	26.9	28.8	30.8	33.0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		25.1	26.9	28.8	30.8	33.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Personal Services: Accounting Clerk III, Range 10

No support personnel are being transferred from Public Safety with the program.

IV. DATE 4/1/82 PREPARED BY Lois Cook
 AGENCY Commerce and Economic Development
 Original: Legislative Finance PHONE 465-2505
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Lois Cook / cej

Lear

Original sponsor: Rogers

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 586 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to permits for overweight and oversize
7 vehicles; and providing for an effective date."

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

9 * Section 1. AS 44.33.020 is amended by adding a new paragraph to read:

10 (25) operate motor vehicle weighing stations, issue special
11 written permits authorizing the operation of overweight and oversize
12 vehicles, establish fees for the overweight and oversize vehicle special
13 permits, enforce the size, weight, and load limitations adopted by the
14 Department of Transportation and Public Facilities under AS 19.10.060,
15 and establish regulations relating to enforcement of the size, weight,
16 and load limitations adopted under AS 19.10.060.

17 * Sec. 2. AS 19.10.060(1) is amended to read:

18 (1) establish limitations on weight, size, and load of
19 vehicles;

20 * Sec. 3. AS 28.05.011(8) is repealed.

21 * Sec. 4. This Act takes effect July 1, 1982.

A M E N D M E N T

OFFERED IN THE HOUSE:

By: Finance Committee

To: _____ HOUSE BILL No. 586

SENATE BILL No. _____

PAGE: 1

LINE: 10 and 15

Page 1, line 10, after overweight insert "and oversize"

Page 1, line 10, following "vehicles" insert:

"and prescribe fees for the special permits"

Page 1, line 15 add new Sec. 4

AS 19.10.060 is amended to read:

(1) establish limitations on weight, size
and load of vehicles.

A M E N D M E N T

OFFERED IN THE HOUSE:

By: Labor & Commerce Committee

To: _____ HOUSE BILL No. 586

SENATE BILL No. _____

PAGE: 1

⁶ and
LINES 15

Page 1, line 6

After "vehicles" add "and providing for an effective date."

Page 1, line 15, add

* Sec. 4. This Act takes effect January 1, 1983.

Introduced: 5/20/81
Referred: Labor & Commerce

1 IN THE HOUSE

BY ROGERS

2 HOUSE BILL NO. 586

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to permits for overweight vehicles."

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

8 * Section 1. AS 19.10.060 is amended by adding a new paragraph to read:

9 (2) issue special written permits authorizing the operation
10 of overweight vehicles;

11 * Sec. 2. AS 19.10.060 is amended by adding a new paragraph to read:

12 (4) operate motor vehicle weighing stations and establish
13 regulations for the enforcement of size, weight, and load limitations.

14 * Sec. 3. AS 28.05.011(8) is repealed.
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COMMITTEE REPORT
SENATE

FURTHER: None

Date: 8/14/82

Mr. President:

The Committee on FINANCE has had CS SSB 590 (RIS) re
relating to superior court judges and superior court facilities

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with ^{CS} CS for CS CS HR 590 (RIS) same title
 new title
- and recommends DO PASS
- AND attaches a "Letter of Intent" New Fiscal Notes
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

John A. Beckwith

W. K. ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

LETTER OF INTENT

SCS CS SS HB 590 (FINANCE)

It is the intent of the Legislature that the superior court judgeship in Wrangell shall not be filled until the Supreme Court eliminates the Wrangell-Petersburg district court judgeship.

4/30/82

Original sponsors: Haugen and Cato

1 IN THE HOUSE

BY THE ^{fin} ~~RULES~~ COMMITTEE

2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 590 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA ^{fin}

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to superior court judges and superior
7 court facilities; 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 of
11 26 [23] judges, five [FOUR] of whom shall be judges in the first judicial
12 district, three [TWO] of whom shall be judges in the second judicial
13 district, 13 [12] 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. Section 3, ch. 160, SLA 1980, is amended to read:

19 Sec. 3. This Act terminates June 30, 1984 [1982].

20 * Sec. 3. The Alaska Court System may enter into negotiations for lease
21 or rental of space in Barrow, Palmer, and Wrangell for the use of the superior
22 court.

23 * Sec. 4. This Act takes effect immediately in accordance with AS C1.10.-
24 070(c).
25
26
27
28



From The
**SENATE
FINANCE COMMITTEE**

5/4/82

*All four fiscal notes
were passed with*

SCS CS SS HB 590 (fin)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSS for House Bill No. 590 (Rules) am
Title "An Act increasing the number of superior court judges."
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
Program Category Affected Administration of Justice and Social Services
BRU, Program, Or Subprogram(s) Affected Youth Svcs., 2nd & 4th Dist., Soc. Svcs.
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		31.8	34.7	37.9	41.4	45.2
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES		.4	.4	.5	.5	.6
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		32.2	35.1	38.4	41.9	45.8

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		32.2	35.1	38.4	41.9	45.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1.0	1.0	1.0	1.0	1.0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Youth Services, 2nd and 4th Districts of Family and Youth Services, Barrow:

In Barrow the Division's staff consists of a social worker supervisor, two social workers, and one probation officer (new in FY 82). The office handles one of the highest caseloads in the State. In March, 1982 the Division began serving delinquents through the local office rather than on an itinerant basis. Within two months the office had a full caseload of delinquent youth. The addition of a superior court judge would further increase the office workload. The Department feels this increase in workload, along with the already high caseload, necessitates the addition of a Clerk Typist III.

CONTINUED ON PAGE 2

IV. DATE 5/3/82 PREPARED BY John R. Pugh, Director JCC
AGENCY Division of Family and Youth Services
Original: Legislative Finance PHONE 465-3170
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Fiscal Year 1983 costs are as follows (future years estimates includes a 9% inflation factor):

PERSONAL SERVICES

Clerk Typist III, Barrow 8B	\$2,010/mo. x 12 =	\$24,120
	Benefits .1663	4,011
	SBS .0613	1,479
	Fixed 183 x 12	2,196
		<u>\$31,806</u>

COMMODITIES

General Office Supplies	\$	400
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TOTAL COSTS:		<u>\$32,206</u>
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1	POSITION TITLE Clerk Typist III			RANGE/STEP 8B	BARG. UNIT. GGU	LOCATION Barrow	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION: This position will provide the sole clerical support for the Barrow office of the Division of Family and Youth Services, which is presently comprised of four professional staff.			
	1	2	3						
4	PERSONAL SERVICES: SALARY		24,120						
5	BENEFITS		4,011						
6	SBS		1,479						
7	FIXED BENEFITS		2,196						
8	TOTAL PERSONAL SERVICES		01	31,806					
9	TRAVEL		02						
10	CONTRACTUAL		03						
11	COMMODITIES		04	400					
12	EQUIPMENT		05						
13	OTHER								
14	TOTAL COST			32,206					
	RECEIPT CODE	FUNDING SOURCE							
15		FED RCPTS. 1002							
16		GF MATCH. 1003							
17		GEN. FUND 1004		32,206					
18		I-A RCPTS. 1005							
19		PGM RCPTS 1028							
20		OTHER							
21	CONTINUATION			FOR B&M USE ONLY					
22	ADDITION								
4A KEY NUMBER				COLUMN NO.					

AGENCY Department of Health and Social Services PROGRAM Administration of Justice

BRU Youth Services

COMPONENT Second and Fourth Districts

13 REQUEST FOR NEW POSITION

Page 1 of 1 REVISED DATE _____

FY 83

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST Committee Substitute for Sponsor
 Bill/Resolution No. Substitute for House Bill No. 590 (Rules) am
 Title "An Act increasing the number of Superior Court Judges"
 Requested by Rules Committee Date May 3, 1982

II. FISCAL DETAIL
 Agency Affected Department of Health and Social Services
 Program Category Affected Offender Confinement, Reformation & Supervision
 BRU, Program, Or Subprogram(s) Affected Probation and Community Programs
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		03.2	130.3	149.0	159.5	170.6
200 TRAVEL		24.9	16.2	17.7	19.3	21.0
300 CONTRACTUAL		22.9	25.0	27.2	29.7	32.3
400 COMMODITIES		2.4	2.6	2.9	3.1	3.4
500 EQUIPMENT		6.7				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	150.1	183.1	196.8	211.6	227.3

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	150.1	183.1	196.8	211.6	227.3
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	3	3	3	3	3
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. It has been the experience of the Division of Adult Corrections that whenever a new judgeship and court is created at the Superior Court level in a remote location of the state, a full workload for a district probation office ensues. Therefore, creating a superior court judgeship in Barrow will result in the requirement for a new district office in this community. The workload for Wrangell-Petersburg area fluctuates between 15 and 20 units per month and can be handled by an itinerant Probation Officer II from Ketchikan for another year. The itinerant can also assist in the Ketchikan workload. This officer would be funded for 10 months during FY 1983. The new office in Barrow must be staffed with a Probation Officer III, with the clerical support of a Clerk Typist III. Since a district probation office exists in Palmer, no additional staff will be required for the new Superior Court judgeship in the Third Judicial District. The Barrow office will be difficult to establish and will probably take 4 months to appoint a Judge, therefore, funding

IV. DATE May 3, 1982 PREPARED BY Roger C. Lange
 AGENCY Division of Adult Corrections
 PHONE 465-3376

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Roger C. Lange
JCC

- will only be needed for eight months.
- B. First year costs include \$6,700 for office equipment for the three positions and \$10,000 for moving a promoted employee to Barrow. These one time costs were not carried forward into FY 1984 and subsequent years.
- C. Inflation was assumed to be 9% from year to year for all expenditure object groups, with the exception of Personal Services where 7% was used.
- D. Personal Services Costs (Annual):

Probation Officer III - Barrow

Annual Salary	at \$3917/mo.	\$47,004
Variable Benefits	at 16.63%	7,817
Supplemental Benefits	at 6.13%	2,881
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$59,898</u>

Probation Officer II - Ketchikan

Annual Salary	at \$2463/mo.	\$29,556
Variable Benefits	at 16.63%	4,915
Supplemental Benefits	at 6.13%	1,812
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$38,479</u>

Clerk-Typist III - Barrow

Annual Salary	at \$2010/mo.	\$24,120
Variable Benefits	at 16.63%	4,011
Supplemental Benefits	at 6.13%	1,479
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$31,806</u>

TOTAL SALARIES(Annual) \$130,183

FY 1983 Requirements

Probation Officer III - Barrow - 8 months	39,932
Clerk-Typist III - Barrow - 8 months	21,204
Probation Officer II - Ketchikan - 10 months	32,066
TOTAL	<u>\$93,202</u>

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 590
Title "An Act increasing the number of superior court judges."
Requested by Sen. Sturgulewski, Senate Finance Date May 3, 1982

II. FISCAL DETAIL

Agency Affected Department of Law
Program Category Affected Administration of Justice
BRU, Program, Or Subprogram(s) Affected Prosecution
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		188.9	260.2	281.0	303.5	327.8
200 TRAVEL		66.0	44.3	47.8	51.6	55.7
300 CONTRACTUAL		61.4	65.4	70.6	65.2	70.4
400 COMMODITIES		18.3	10.4	11.2	12.1	13.1
500 EQUIPMENT		3.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	337.6	380.3	410.6	432.4	467.0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	337.6	380.3	410.6	432.4	467.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

At the request of Senator Sturgulewski, the department has revised this fiscal note to reflect partial year funding of the prosecution positions needed to respond to the establishment of superior courts at Barrow, Palmer and Wrangell. We have also reduced certain support elements to provide the most reasonable minimum annual costs possible. In so doing, the writer must point out that the outright purchase of word processors, at a one-time cost of \$12,700, will save the state \$6,596 over a three year installment purchase schedule, which is now shown in the fiscal note spending plan, in order to reduce annual expenditures. The revised fiscal note is based upon nine months operation at Barrow, and ten months operation at Palmer.

(Please see attached discussion.)

IV. DATE May 8, 1982 (Revised) PREPARED BY Richard I. Pegues, Director, Admin. Svcs.

AGENCY Department of Law

Original: Legislative Finance PHONE 465-3672

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

Barrow

The department currently uses two attorneys from its Fairbanks office to serve Barrow. One attorney handles felonies and children's matters and the other attorney handles misdemeanors. Each attorney spends more than one half of his or her time at Barrow and each of these attorneys also handles a caseload in Fairbanks. In order to accommodate a fulltime resident judge at Barrow, and the resultant court calendar which will stretch throughout the month, it will be necessary to base two attorneys at Barrow. During 1981, the department handled 69 felony cases and over 400 misdemeanors which originated at Barrow. Additionally, a growing civil caseload has now reached 100 matters per year. This work will increase steadily and it already equals one third of the time that is spent on felonies.

The 1980 legislature authorized the establishment of an Attorney III position at Nome (PCN 031106) giving that office a staff compliment of two criminal attorneys and one civil attorney, to accommodate the creation of a superior court at Kotzebue. At that time, it was the court system's plan to use the Kotzebue judge to handle the Kotzebue and Barrow caseload and to handle overflow work at Nome. This plan was never realized, due to travel difficulties and a greater than expected workload at Kotzebue. Consequently, the court system continued to handle the Barrow caseload from Fairbanks and we transferred PCN 031106 to Fairbanks to parallel the calendar of Fairbanks judges assigned to Barrow. The 1981 legislature further authorized the creation of a district attorney's office in Barrow, however, the funds provided for this purpose were insufficient to cover personal services and travel expenses, which are primarily used for witness travel and subsistence and other associated litigation support purposes. Using the funding that was available, the department was able to fund a liaison office at Barrow staffed by a paralegal to provide pretrial diversion, witness assistance and liaison services for local law enforcement agencies.

Once fulltime superior court services become available at Barrow, it will become necessary to locate two attorneys in that community to support the court's activities. The current caseload requires the services of approximately one and one half attorneys. Historically, caseloads in communities with large service areas, such as the 88,000 square mile North Slope Borough, grow dramatically when the complete service of the criminal justice system becomes available. The need for two attorneys is conservative, and it is a minimum requirement. The least expensive and most practical way of satisfying this requirement is to transfer Attorney III PCN 031106 from Fairbanks to Barrow and to create a new Attorney V position at the latter location. It will also be necessary to create a Legal Secretary I position to provide required legal clerical support services. It is not possible to transfer more than one attorney position from Fairbanks due to that portion of Fairbanks caseload which is also being handled by the two attorneys who currently handle Barrow matters.

Wrangell

In order to accommodate a new superior court at Wrangell it will not be necessary for the department to establish any new positions, given the close proximity of the department's existing district attorney's office in Juneau, Ketchikan, and Sitka, and provided that existing staffing levels in these offices are not reduced. Using these existing resources, the department can adequately support superior court activities; however, additional travel funds will be needed to cover a greatly expanded court calendar and to provide for increased court/witness expenses caused by the availability of fulltime superior court level trial services. We estimate that \$15.0 will be required for additional attorney travel and \$15.0 will be required to cover witness travel and subsistence expenses. Slightly more than 500 cases were filed at Wrangell, Petersburg and Kake during the past year. Due to the department's existing First Judicial District resources and the availability of the area's transportation and communications systems, we do not believe that creating a district attorney's office in Wrangell is warranted at this time. With six attorneys currently in the adjoining area offices, there is sufficient calendar flexibility to handle the Wrangell caseload. Should there be any reduction in this number, however, this flexibility will be gone, making it necessary to establish a Wrangell office, which now accounts for slightly more than one half of an attorneys time. Because basic office costs will far exceed any savings by transferring a position, or eliminating one elsewhere, an office should not be established, absent a demonstrated caseload demand. The cost of establishing and staffing a Wrangell office would exceed \$150,000. This amount is not included in this fiscal note. In terms of long range planning, growth will probably occur first at Ketchikan, in response to construction of the Quartz Hill mine and related facilities.

Palmer

The creation of a superior court in Palmer will require the additional services of one Attorney V and a Legal Secretary I. The department has been fortunate in having the services of an extremely productive and hard working attorney who spends three weeks of each month at Palmer to handle misdemeanor cases. Heretofore, Palmer felony cases have all been tried in Anchorage. With the establishment of the superior court in Palmer, it will be necessary to have a resident district attorney to handle the very heavy caseload and the additional legal work, such as arraignments and other pretrial and post-trial motions, which will be generated when a full level trial court is established. During the past year, the felony case-load reached 75 cases and the misdemeanor caseload exceeded 1,000 cases. Even with the creation of an attorney position at Palmer, it will still be necessary to provide some attorney assistance from Anchorage. We estimate that the time of one and one half attorneys is being devoted to Palmer cases. As this caseload grows, justifying a two attorney office, the department will probably transfer a position from Anchorage. Transferring a position at this time, in lieu of creating a new position, is not feasible given the additional work which will simply be generated as a consequence of establishing a new court in an area with the caseload characteristics which occur in Palmer.

Cost Summary

Barrow (Nine months)

Personal Services:

Attorney V (25A)	\$ 69,947
Attorney III (Fbxs/Barrow salary differential)	9,600
Legal Secretary I (10B)	26,656
	<u>\$106,203</u>

Travel:

Attorney transfer costs (2 attorneys \$10.0 each one-time)	\$ 20,000
The department already has a \$45,000 authorization for witness/attorney litigation expenses for Barrow. No additional funds will be required for this purpose.	
	<u>\$ 20,000</u>

Contractual:

170 SF of additional rental space at \$3.75 per sq. ft.	\$ 5,740
Communications and copying is estimated at \$500 per month for the two attorneys and \$200 per month for the legal secretary. 1200 x 9 =	10,800
Expert witness fees	8,000
Word processor lease, \$2,578 down payment, plus \$536 per month x 9 =	7,402
	<u>\$ 31,942</u>

Commodities:

Expendable desk top materials \$100 per month per employee. \$300 x 9 =	\$ 3,700
New employee startup equipment & library (one-time)	6,000
Recurrent library expense	1,800
	<u>\$ 10,500</u>

Equipment:

New position equipment \$600 x 3 (one-time)	\$ 1,800
	<u>\$ 1,800</u>

Barrow Total \$170,445

Wrangell

Travel:

Increased attorney travel	\$ 15,000
Increased witness travel and subsistence	15,000
Wrangell Total	<u>\$ 30,000</u>

Palmer (Ten Months)

Personal Services:

Attorney V (25A)	\$ 59,249
Legal Secretary I (10B)	23,461
	<u>\$ 82,710</u>

Travel:

Attorney litigation travel	\$ 3,000
Attorney moving/transfer cost (one-time)	\$ 5,000
Witness travel/subsistence	\$ 8,000
	<u>\$ 16,000</u>

Contractual:

Rent at \$2.00 SF x 450 SF =	\$ 9,000
Attorney communications & copying at \$400 per month	4,000
Secretarial communicating & copying at \$200 per month	2,000
Expert witness fees =	6,500
Word processor, \$2,578 down payment, plus \$536 per month x 10 =	7,938
	<u>\$ 29,438</u>

Commodities:

Desk top expendable \$100 per month, per employee	\$ 2,000
New employees start up equipment & library (one-time)	4,000
Recurrent library	1,800
	<u>\$ 7,800</u>

Equipment:

New position equipment \$600 x 2 (one-time)	\$ 1,200
	<u>\$ 1,200</u>

Palmer Total \$137,148

An annual inflation factor of 8% has been applied beyond FY83.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCS CS SS HB 590 (Finance)
 Title An Act relating to numbers of District and Superior Court Judges.
 Requested by Senate Finance Committee Date 5/4/82

II. FISCAL DETAIL

Agency Affected Alaska Court System
 Program Category Affected Administration of Justice
 BRU, Program, Or Subprogram(s) Affected Trial Courts
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		297.2	346.2	377.4	411.4	448.4
200 TRAVEL		13.0	4.4	4.8	5.3	5.8
300 CONTRACTUAL						
400 COMMODITIES		4.5	4.9	5.3	5.8	6.3
500 EQUIPMENT		15.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		329.7	355.5	382.5	422.5	460.5

FUNDING (Thousands of Dollars)


GENERAL FUND		329.7	355.5	382.5	422.5	460.5
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill will create superior court judge positions in Barrow and Palmer and will upgrade the Wrangell District Court judge position to the Superior Court level.

IV. DATE May 4, 1982 PREPARED BY  Admin Dir
 AGENCY Alaska Court System
 Original: Legislative Finance PHONE 264-0547
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB. 590

Title An Act Relating to the numbers of District & Superior Court Judge

Requested by House Finance Date 3/26/82

II. FISCAL DETAIL

Agency Affected Alaska Court System

Program Category Affected Administration of Justice

ERU, Program, Or Subprogram(s) Affected Trial Courts

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		297.2	246.4	377.4	411.4	448.4
200 TRAVEL		13.0	4.4	4.8	5.3	5.8
300 CONTRACTUAL						
400 COMMODITIES		4.5	4.9	5.3	5.8	6.3
500 EQUIPMENT		15.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		329.7	355.5	392.5	422.5	460.5
		374.2	448.1	479.6	513.5	549.7

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		329.7	355.5	392.5	422.5	460.5
FEDERAL FUNDS						
OTHER (Specify Source)						
		374.2	448.1	479.6	513.5	549.7

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		5	5	5	5	5
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill will create superior court judge positions in Barrow and Palmer and will upgrade the Wrangell District Court judge position to the Superior Court level

IV. DATE 3/30/82

PREPARED BY Robert G. Fisher

AGENCY Alaska Court System

Original: Legislative Finance

PHONE 264-0561

cc: Budget and Management

Prime Sponsor (First Legislator Named)

SI-001 (Rev. 12/81)

FY 83 COST OF IMPLEMENTING SPONSOR SUBSTITUTE FOR HB 590

	<u>BARROW</u>	<u>PALMER</u>	<u>WRANGELL</u>
JUDGE			(Upgrade)
Salary	\$ 78,600 (5)	\$ 69,240	\$ 9,396
Benefits:			
JRS, Accident, W.C.,			
T.L. (1.0648)	83,693	73,727	10,005
HI	2,196	2,196	-
SBS	2,188	2,188	-
TOTAL	<u>\$166,677</u>	<u>\$147,352</u>	<u>\$ 19,401</u>
 SECRETARY/IN-COURT CLERK			
Salary (12B)	29,460	22,440	
Benefits:			
Variable	4,608	3,510	
SBS	1,806	1,376	
HI	2,196	2,196	
TOTAL	<u>\$ 38,070</u>	<u>\$ 29,522</u>	
 CLERK UPGRADE:			
Fulltime, Range 12B			22,400
Part-time, Range 10B			(14,958)
(9 months)			<u>\$ 7,442</u>
Salary Difference			
Benefits Difference (Variable & SBS)			<u>1,620</u>
			<u>\$ 9,062</u>
 TOTAL PERSONAL SERVICES	204,747	176,873	28,463
 LESS: Two Months			
Recruitment time	<u>(34,200)</u>	<u>(29,480)</u>	<u>(4,744)</u>
 FIRST YEAR FUNDING	\$170,547	\$147,393	\$ 23,719
 TRAVEL (Including Moving			
Expense)	9,000	4,000	-
COMMODITIES	2,000	2,000	500
EQUIPMENT	<u>7,000</u>	<u>7,000</u>	<u>1,000</u>
 TOTAL FY 83 BUDGET	<u>\$188,547</u>	<u>\$160,393</u>	<u>\$ 25,219</u>

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CSSS for House Bill No. 590 (Rules) am
Title "An Act increasing the number of superior court judges."
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Department of Health and Social Services
Program Category Affected Administration of Justice and Social Services
BRU, Program, Or Subprogram(s) Affected Youth Svcs., 2nd & 4th Dist., Soc. Svcs.
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		31.8	34.7	37.5	41.4	45.2
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES		.4	.4	.5	.5	.6
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		32.2	35.1	38.4	41.9	45.8

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		32.2	35.1	38.4	41.9	45.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1.0	1.0	1.0	1.0	1.0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
Youth Services, 2nd and 4th Districts of Family and Youth Services, Barrow:

In Barrow the Division's staff consists of a social worker supervisor, two social workers, and one probation officer (new in FY 82). The office handles one of the highest caseloads in the State. In March, 1982 the Division began serving delinquents through the local office rather than on an itinerant basis. Within two months the office had a full caseload of delinquent youth. The addition of a superior court judge would further increase the office workload. The Department feels this increase in workload, along with the already high caseload, necessitates the addition of a Clerk Typist III.

CONTINUED ON PAGE 2

IV. DATE 5/3/82 PREPARED BY John R. Pugh, Director *JCC*
AGENCY Division of Family and Youth Services
Original: Legislative Finance PHONE 465-3170
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Fiscal Year 1983 costs are as follows (future years estimates includes a 9% inflation factor):

PERSONAL SERVICES

Clerk Typist III, Barrow 8B	\$2,010/mo. x 12 =	\$24,120
	Benefits .1663	4,011
	SBS .0613	1,479
	Fixed 183 x 12	2,196
		<u>\$31,806</u>

COMMODITIES

General Office Supplies	\$	400
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TOTAL COSTS:		<u>\$32,206</u>
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1	POSITION TITLE Clerk Typist III	RANGE/STEP 8B	BARG. UNIT. GGU	LOCATION Barrow	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE

3 TYPE OF EXPENDITURE		AMOUNT
1	2	3
4	PERSONAL SERVICES: SALARY	24,120
5	BENEFITS	4,011
6	SBS	1,479
7	FIXED BENEFITS	2,196
8	TOTAL PERSONAL SERVICES 01	31,806
9	TRAVEL 02	
10	CONTRACTUAL 03	
11	COMMODITIES 04	400
12	EQUIPMENT 05	
13	OTHER	
14	TOTAL COST	32,206

JUSTIFICATION:

This position will provide the sole clerical support for the Barrow office of the Division of Family and Youth Services, which is presently comprised of four professional staff.

	RECEIPT CODE	FUNDING SOURCE
15		FED RCPTS. 1002
16		GF MATCH. 1003
17		GEN. FUND 1004
18		I-A RCPTS. 1005
19		PGM RCPTS 1028
20		OTHER

32,206

21	CONTINUATION	
22	ADDITION	

FOR B&M USE ONLY

4A KEY NUMBER _____

COLUMN NO. _____

AGENCY Department of Health and Social Services PROGRAM Administration of Justice

BRU Youth Services

COMPONENT Second and Fourth Districts

13 REQUEST FOR NEW POSITION.

Page 1 of 1 REVISED DATE _____

FY 83

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCS CS SS HB 590 (Finance)
 Title An Act relating to numbers of District and Superior Court Judges.
 Requested by Senate Finance Committee Date 5/4/82

II. FISCAL DETAIL

Agency Affected Alaska Court System
 Program Category Affected Administration of Justice
 BRU, Program, Or Subprogram(s) Affected Trial Courts
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		297.2	346.2	377.4	411.4	448.4
200 TRAVEL		13.0	4.4	4.8	5.3	5.8
300 CONTRACTUAL						
400 COMMODITIES		4.5	4.9	5.3	5.8	6.3
500 EQUIPMENT		15.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		329.7	355.5	382.5	422.5	460.5

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		329.7	355.5	382.5	422.5	460.5
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill will create superior court judge positions in Barrow and Palmer and will upgrade the Wrangell District Court judge position to the Superior Court level.

IV. DATE May 4, 1982

PREPARED BY Art Snowden II, Admin Dir
 AGENCY Alaska Court System

Original: Legislative Finance
 cc: Budget and Management

PHONE 264-0547

Prime Sponsor (First Legislator Named)

Original sponsors: Haugen and Cato

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 590 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to superior court judges and superior
7 court facilities; 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 of
11 26 [23] judges, five [FOUR] of whom shall be judges in the first judicial
12 district, three [TWO] of whom shall be judges in the second judicial
13 district, 13 [12] 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. Section 3, ch. 160, SLA 1980, is amended to read:

19 Sec. 3. This Act terminates June 30, 1984 [1982].

20 * Sec. 3. The Alaska Court System may enter into negotiations for lease
21 or rental of space in Barrow, Palmer, and Wrangell for the use of the superior
22 court.

23 * Sec. 4. This Act takes effect immediately in accordance with AS C1.10.-
24 C70(c).

LETTER OF INTENT

SCS CS SS HB 590 (FINANCE)

It is the intent of the Legislature that the superior court judgeship in Wrangell shall not be filled until the Supreme Court eliminates the Wrangell-Petersburg district court judgeship.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. SSHB 590
Title "An Act increasing the number of superior court judges."
Requested by Sen. Sturgulewski, Senate Finance Date May 3, 1982

II. FISCAL DETAIL
Agency Affected Department of Law
Program Category Affected Administration of Justice
BRU, Program, Or Subprogram(s) Affected Prosecution
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

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FUNDING (Thousands of Dollars)

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GENERAL FUND	0	337.6	380.3	410.6	432.4	467.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

At the request of Senator Sturgulewski, the department has revised this fiscal note to reflect partial year funding of the prosecution positions needed to respond to the establishment of superior courts at Barrow, Palmer and Wrangell. We have also reduced certain support elements to provide the most reasonable minimum annual costs possible. In so doing, the writer must point out that the outright purchase of word processors, at a one-time cost of \$12,700, will save the state \$6,596 over a three year installment purchase schedule, which is now shown in the fiscal note spending plan, in order to reduce annual expenditures. The revised fiscal note is based upon nine months operation at Barrow, and ten months operation at Palmer.

(Please see attached discussion.)

Richard I. Pegues

IV. DATE May 8, 1982 (Revised) PREPARED BY Richard I. Pegues, Director, Adm. Svcs.
AGENCY Department of Law

Original: Legislative Finance PHONE 465-3672
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Barrow

The department currently uses two attorneys from its Fairbanks office to serve Barrow. One attorney handles felonies and children's matters and the other attorney handles misdemeanors. Each attorney spends more than one half of his or her time at Barrow and each of these attorneys also handles a caseload in Fairbanks. In order to accommodate a fulltime resident judge at Barrow, and the resultant court calendar which will stretch throughout the month, it will be necessary to base two attorneys at Barrow. During 1981, the department handled 69 felony cases and over 400 misdemeanors which originated at Barrow. Additionally, a growing civil caseload has now reached 100 matters per year. This work will increase steadily and it already equals one third of the time that is spent on felonies.

The 1980 legislature authorized the establishment of an Attorney III position at Nome (PCN 031106) giving that office a staff compliment of two criminal attorneys and one civil attorney, to accommodate the creation of a superior court at Kotzebue. At that time, it was the court system's plan to use the Kotzebue judge to handle the Kotzebue and Barrow caseload and to handle overflow work at Nome. This plan was never realized, due to travel difficulties and a greater than expected workload at Kotzebue. Consequently, the court system continued to handle the Barrow caseload from Fairbanks and we transferred PCN 031106 to Fairbanks to parallel the calendar of Fairbanks judges assigned to Barrow. The 1981 legislature further authorized the creation of a district attorney's office in Barrow, however, the funds provided for this purpose were insufficient to cover personal services and travel expenses, which are primarily used for witness travel and subsistence and other associated litigation support purposes. Using the funding that was available, the department was able to fund a liaison office at Barrow staffed by a paralegal to provide pretrial diversion, witness assistance and liaison services for local law enforcement agencies.

Once fulltime superior court services become available at Barrow, it will become necessary to locate two attorneys in that community to support the court's activities. The current caseload requires the services of approximately one and one half attorneys. Historically, caseloads in communities with large service areas, such as the 88,000 square mile North Slope Borough, grow dramatically when the complete service of the criminal justice system becomes available. The need for two attorneys is conservative, and it is a minimum requirement. The least expensive and most practical way of satisfying this requirement is to transfer Attorney III PCN 031106 from Fairbanks to Barrow and to create a new Attorney V position at the latter location. It will also be necessary to create a Legal Secretary I position to provide required legal clerical support services. It is not possible to transfer more than one attorney position from Fairbanks due to that portion of Fairbanks caseload which is also being handled by the two attorneys who currently handle Barrow matters.

Wrangell

In order to accommodate a new superior court at Wrangell it will not be necessary for the department to establish any new positions, given the close proximity of the department's existing district attorney's office in Juneau, Ketchikan, and Sitka, and provided that existing staffing levels in these offices are not reduced. Using these existing resources, the department can adequately support superior court activities; however, additional travel funds will be needed to cover a greatly expanded court calendar and to provide for increased court/witness expenses caused by the availability of fulltime superior court level trial services. We estimate that \$15.0 will be required for additional attorney travel and \$15.0 will be required to cover witness travel and subsistence expenses. Slightly more than 500 cases were filed at Wrangell, Petersburg and Kake during the past year. Due to the department's existing First Judicial District resources and the availability of the area's transportation and communications systems, we do not believe that creating a district attorney's office in Wrangell is warranted at this time. With six attorneys currently in the adjoining area offices, there is sufficient calendar flexibility to handle the Wrangell caseload. Should there be any reduction in this number, however, this flexibility will be gone, making it necessary to establish a Wrangell office, which now accounts for slightly more than one half of an attorneys time. Because basic office costs will far exceed any savings by transferring a position, or eliminating one elsewhere, an office should not be established, absent a demonstrated caseload demand. The cost of establishing and staffing a Wrangell office would exceed \$150,000. This amount is not included in this fiscal note. In terms of long range planning, growth will probably occur first at Ketchikan, in response to construction of the Quartz Hill mine and related facilities.

Palmer

The creation of a superior court in Palmer will require the additional services of one Attorney V and a Legal Secretary I. The department has been fortunate in having the services of an extremely productive and hard working attorney who spends three weeks of each month at Palmer to handle misdemeanor cases. Heretofore, Palmer felony cases have all been tried in Anchorage. With the establishment of the superior court in Palmer, it will be necessary to have a resident district attorney to handle the very heavy caseload and the additional legal work, such as arraignments and other pretrial and post-trial motions, which will be generated when a full level trial court is established. During the past year, the felony case-load reached 75 cases and the misdemeanor caseload exceeded 1,000 cases. Even with the creation of an attorney position at Palmer, it will still be necessary to provide some attorney assistance from Anchorage. We estimate that the time of one and one half attorneys is being devoted to Palmer cases. As this caseload grows, justifying a two attorney office, the department will probably transfer a position from Anchorage. Transferring a position at this time, in lieu of creating a new position, is not feasible given the additional work which will simply be generated as a consequence of establishing a new court in an area with the caseload characteristics which occur in Palmer.

Cost Summary

Barrow (Nine months)

Personal Services:

Attorney V (25A)	\$ 69,947
Attorney III (Fbxs/Barrow salary differential)	9,600
Legal Secretary I (10B)	<u>26,656</u>
	\$106,203

Travel:

Attorney transfer costs (2 attorneys \$10.0 each one-time)	\$ 20,000
The department already has a \$45,000 authorization for witness/attorney litigation expenses for Barrow. No additional funds will be required for this purpose.	
	<u>\$ 20,000</u>

Contractual:

170 SF of additional rental space at \$3.75 per sq. ft.	\$ 5,740
Communications and copying is estimated at \$500 per month for the two attorneys and \$200 per month for the legal secretary. 1200 x 9 =	10,800
Expert witness fees	8,000
Word processor lease, \$2,578 down payment, plus \$536 per month x 9 =	<u>7,402</u>
	\$ 31,942

Commodities:

Expendable desk top materials \$100 per month per employee. \$300 x 9 =	\$ 3,700
New employee startup equipment & library (one-time)	6,000
Recurrent library expense	<u>1,800</u>
	\$ 10,500

Equipment:

New position equipment \$600 x 3 (one-time)	\$ 1,800
	<u>\$ 1,800</u>

Barrow Total \$170,445

Wrangell

Travel:

Increased attorney travel	\$ 15,000
Increased witness travel and subsistence	<u>15,000</u>
Wrangell Total	\$ 30,000

Palmer (Ten Months)

Personal Services:

Attorney V (25A)	\$ 59,249
Legal Secretary I (10B)	<u>23,461</u>
	\$ 82,710

Travel:

Attorney litigation travel	\$ 3,000
Attorney moving/transfer cost (one-time)	\$ 5,000
Witness travel/subsistence	<u>\$ 8,000</u>
	\$ 16,000

Contractual:

Rent at \$2.00 SF x 450 SF =	\$ 9,000
Attorney communications & copying at \$400 per month	4,000
Secretarial communicating & copying at \$200 per month	2,000
Expert witness fees =	6,500
Word processor, \$2,578 down payment, plus \$536 per month x 10 =	<u>7,938</u>
	\$ 29,438

Commodities:

Desk top expendable \$100 per month, per employee	\$ 2,000
New employees start up equipment & library (one-time)	4,000
Recurrent library	<u>1,800</u>
	\$ 7,800

Equipment:

New position equipment \$600 x 2 (one-time)	\$ 1,200
	<u>\$ 1,200</u>

Palmer Total \$137,148

An annual inflation factor of 8% has been applied beyond FY83.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST Committee Substitute for Sponsor
Bill/Resolution No. Substitute for House Bill No. 590 (Rules) am
Title "An Act increasing the number of Superior Court Judges"
Requested by Rules Committee Date May 3, 1982

II. FISCAL DETAIL
Agency Affected Department of Health and Social Services
Program Category Affected Offender Confinement, Reformation & Supervision
BRU, Program, Or Subprogram(s) Affected Probation and Community Programs
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		93.2	139.3	149.0	159.5	170.6
200 TRAVEL		24.9	16.2	17.7	19.3	21.0
300 CONTRACTUAL		22.9	25.0	27.2	29.7	32.3
400 COMMODITIES		2.4	2.6	2.9	3.1	3.4
500 EQUIPMENT		6.7				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	150.1	183.1	196.8	211.6	227.3

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	150.1	183.1	196.8	211.6	227.3
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME	-0-	3	3	3	3	3
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. It has been the experience of the Division of Adult Corrections that whenever a new judgeship and court is created at the Superior Court level in a remote location of the state, a full workload for a district probation office ensues. Therefore, creating a superior court judgeship in Barrow will result in the requirement for a new district office in this community. The workload for Wrangell-Petersburg area fluctuates between 15 and 20 units per month and can be handled by an itinerant Probation Officer II from Ketchikan for another year. The itinerant can also assist in the Ketchikan workload. This officer would be funded for 10 months during FY 1983. The new office in Barrow must be staffed with a Probation Officer III, with the clerical support of a Clerk Typist III. Since a district probation office exists in Palmer, no additional staff will be required for the new Superior Court judgeship in the Third Judicial District. The Barrow office will be difficult to establish and will probably take 4 months to appoint a Judge, therefore, funding

IV. DATE May 3, 1982 PREPARED BY Roger C. Lange *Roger C. Lange*
AGENCY Division of Adult Corrections
Original: Legislative Finance PHONE 465-3376
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

- will only be needed for eight months.
- B. First year costs include \$6,700 for office equipment for the three positions and \$10,000 for moving a promoted employee to Barrow. These one time costs were not carried forward into FY 1984 and subsequent years.
- C. Inflation was assumed to be 9% from year to year for all expenditure object groups, with the exception of Personal Services where 7% was used.
- D. Personal Services Costs (Annual):

Probation Officer III - Barrow

Annual Salary	at \$3917/mo.	\$47,004
Variable Benefits	at 16.63%	7,817
Supplemental Benefits	at 6.13%	2,881
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$59,898</u>

Probation Officer II - Ketchikan

Annual Salary	at \$2463/mo.	\$29,556
Variable Benefits	at 16.63%	4,915
Supplemental Benefits	at 6.13%	1,812
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$38,479</u>

Clerk-Typist III - Barrow

Annual Salary	at \$2010/mo.	\$24,120
Variable Benefits	at 16.63%	4,011
Supplemental Benefits	at 6.13%	1,479
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$31,806</u>

TOTAL SALARIES(Annual) \$130,183

FY 1983 Requirements

Probation Officer III - Barrow - 8 months	39,932
Clerk-Typist III - Barrow - 8 months	21,204
Probation Officer II - Ketchikan - 10 months	32,066
TOTAL	<u>\$93,202</u>

LETTER OF INTENT
CSSSHB 590 (Rules)

It is the intent of the Legislature that the superior court judgeship in Wrangell shall not be filled until the Supreme Court eliminates the Wrangell-Petersburg district court judgeship.

These were considered
4/30/82 before bill
passage.

Fiscal notes were
revised subsequent
to the 4/30/82 meeting.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST Committee Substitute for
Bill/Resolution No. Sponsor Substitute for House Bill No. 590 (RLS) am
Title "An Act increasing the number of Superior Court Judges
Requested by the Rules Committee Date April 15, 1982

II. FISCAL DETAIL
Agency Affected Department of Health & Social Services
Program Category Affected Offender Confinement, Reformation & Supervision
BRU, Program, Or Subprogram(s) Affected Probation & Community Programs
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		163.5	175.0	187.2	200.3	214.3
200 TRAVEL		32.9	16.2	17.7	19.3	21.0
300 CONTRACTUAL		44.7	25.0	27.2	29.7	32.3
400 COMMODITIES		3.3	3.6	3.9	4.2	4.6
500 EQUIPMENT		8.9				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	253.3	219.8	236.0	253.5	272.2

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	253.3	219.8	236.0	253.5	272.2
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. It has been the experience of the Division of Adult Corrections that whenever a new judgeship and court is created at the Superior Court level in a remote location of the state, a full workload for a district probation office is created. Therefore, creating superior court judgeships in Barrow and Wrangell will result in the requirement for new district offices in these two communities. Each office must be staffed with a Probation Officer III, with the clerical support of a Clerk Typist III. Since a district probation office exists in Palmer, no additional staff will be required for the new Superior Court judgeship in the Third Judicial District.

B. First year costs include \$21,800 for the purchase of two vehicles for the Department of Transportation/Public Facilities Highway Working Capital Fund, \$8,900 for office equipment for the four

IV. DATE April 30, 1982 PREPARED BY William W. Ladwig
AGENCY Division of Adult Corrections
Original: Legislative Finance PHONE 465-3376

cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

JCC

Committee Substitute for
 Sponsor Substitute for House Bill No. 590 (RLS) am
 Continuation

positions and \$18,000 for moving promoted employees to Barrow and Wrangell. These one time costs were not carried forward into FY 1984 and subsequent years.

C. Inflation was assumed to be 9% from year to year for all expenditure object groups, with the exception of Personal Services where 7% was used.

D. Personal Services Costs:

Probation Officer III - Barrow

Annual Salary	at \$3917/mo.	\$47,004
Variable Benefits	at 16.63%	7,817
Supplemental Benefits	at 6.13%	2,881
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$59,898</u>

Probation Officer III - Wrangell

Annual Salary	at \$2998/mo.	\$35,976
Variable Benefits	at 16.63%	5,983
Supplemental Benefits	at 6.13%	2,205
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$46,360</u>

Clerk-Typist III - Barrow

Annual Salary	at \$2010/mo.	\$24,120
Variable Benefits	at 16.63%	4,011
Supplemental Benefits	at 6.13%	1,479
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$31,806</u>

Clerk-Typist III - Wrangell

Annual Salary	at \$1570/mo.	\$18,936
Variable Benefits	at 16.63%	3,149
Supplemental Benefits	at 6.13%	1,161
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$25,442</u>

TOTAL SALARIES \$163,506

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSS for House Bill No. 590 (Rules) am
Title "An Act increase the number of superior court judges."
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
Program Category Affected Administration of Justice and Social Services
BRU, Program, Or Subprogram(s) Affected Youth Svcs., 2nd & 4th Dist., Soc. Svcs.
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		45.6	49.7	54.2	59.1	64.5
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES		.4	.4	.5	.5	.6
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		46.0	50.1	54.7	59.6	65.1

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		46.0	50.1	54.7	59.6	65.1
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		2.0	2.0	2.0	2.0	2.0
PART TIME		(1.0)				
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Youth Services, 2nd and 4th Districts of Family and Youth Services, Barrow:

In Barrow the Division's staff consists of a social work supervisor, two social workers, and one probation officer (new in FY 82). The office handles one of the highest caseloads in the State. In March, 1982 the Division began serving delinquents through the local office rather than on an itinerant basis. Within two months the office had a full caseload of delinquent youth. The addition of a superior court judge would further increase the office workload. The Department feels this increase in workload, along with the already high caseload, necessitates the addition of a Clerk Typist III.

CONTINUED ON PAGE 2

IV. DATE 4/29/82 PREPARED BY John R. Pugh, Director
AGENCY Division of Family & Youth Services *JCC*
PHONE 465-3170

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

HOUSE BILL NO. 590 FISCAL NOTE CONTINUATION

Fiscal Year 83 costs are as follows (future years estimates includes a 9% inflation factor):

PERSONAL SERVICES

Clerk Typist III, Barrow 8B	\$2,010/mo. x 12 =	\$24,120
	Benefits .1663	4,011
	SBS .0613	1,479
	Fixed 183 x 12	<u>2,196</u>
		\$31,806

COMMODITIES

General Office Supplies	\$	400
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TOTAL COSTS:		<u>\$32,206</u>
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Social Services, Southern Region, Wrangell:

The addition of a superior court judge in Wrangell would increase the caseload of the Wrangell office of the Division of Family and Youth Services. To meet the increased workload, the existing Clerk Typist III position must be upgraded from part-time to full-time.

Salary	\$1,578/mo. x 6 mos. =	\$ 9,468
Benefits	at .1663 =	1,575
SBS	at .0613 =	580
Fixed	at \$183/mo. =	<u>1,098</u>
		\$12,721

1	POSITION TITLE Clerk Typist III				RANGE/STEP 8B	BARG. UNIT. GGU	LOCATION Wrangell	GOV.	APPRGV	BIBAPP.							
2	TYPE OF POSITION PFT	STAFF MONTHS 6	RP No.	PCN No.	PRIORITY		FORM 12 PAGE/LINE	LEG									
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:											
	1	2	3														
4	PERSONAL SERVICES: SALARY		9,468	The increase of this position from part-time to full-time will be required to provide all clerical support functions for the Family Services office in Wrangell. The increased caseload will result in an additional workload in case record transcription, documents for court hearings, filing, recordkeeping, and other related functions.													
5	BENEFITS		1,575														
6	SBS		580														
7	FIXED BENEFITS		1,098														
8	TOTAL PERSONAL SERVICES		01								12,721						
9	TRAVEL		02														
10	CONTRACTUAL		03														
11	COMMODITIES		04														
12	EQUIPMENT		05														
13	OTHER																
14	TOTAL COST										12,721						
15	RECEIPT CODE	FUNDING SOURCE															
16		FED RCPTS. 1002															
17		GF MATCH. 1003															
18		GEN. FUND 1004		12,721													
19		I-A RCPTS. 1005															
20		PGM RCPTS 1028															
21	CONTINUATION																
22	ADDITION			FOR B&M USE ONLY													
4A KEY NUMBER				COLUMN NO.													

AGENCY Department of Health and Social Services PROGRAM Soc. & Econ. Asst. for the Gen. Pop.

BRU Social Services

COMPONENT Southern Region

Page 2 of 2 REVISED DATE _____

13 REQUEST FOR NEW POSITION.

FY 83

1	POSITION TITLE Clerk Typist III	RANGE/STEP 8/B	BARG. UNIT. GGU	LOCATION Barrow	GOV.	APPROV.	DIBAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE

3	TYPE OF EXPENDITURE	AMOUNT
	1	2
4	PERSONAL SERVICES:	
	SALARY	24,120
5	BENEFITS	4,011
6	SBS	1,479
7	FIXED BENEFITS	2,196
8	TOTAL PERSONAL SERVICES	01 31,806
9	TRAVEL	02
10	CONTRACTUAL	03
11	COMMODITIES	04 400
12	EQUIPMENT	05
13	OTHER	
14	TOTAL COST	32,206

JUSTIFICATION:

This position will provide the sole clerical support for the Barrow office of the Division of Family and Youth Services, which is presently comprised of four professional staff.

	RECEIPT CODE	FUNDING SOURCE
15		FED RCPTS. 1002
16		GF MATCH. 1003
17		GEN. FUND 1004 32,206
18		I-A RCPTS. 1005
19		PGM RCPTS 1028
20		OTHER

21	CONTINUATION	FOR B&M USE ONLY
22	ADDITION	

4A KEY NUMBER _____ COLUMN NO. _____

AGENCY Dept. of Health and Social Services PROGRAM Administration of Justice

BRU Youth Services

COMPONENT Second & Fourth Districts

13 REQUEST FOR NEW POSITION.

Page 1 of 2 REVISED DATE _____

FY 83

Carverton
+
F445 (final
nb)

Original sponsors: Haugen and Cato

Offered: 4/15/82
For Calendar, Friday
4/16/82

1 IN THE HOUSE BY THE RULES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 590 (Rules) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to superior court judges and superior
7 court facilities; 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 of
11 26 [23] judges, five [FOUR] of whom shall be judges in the first judicial
12 district, three [TWO] of whom shall be judges in the second judicial
13 district, 13 [12] 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 of space in Barrow, Palmer, Kodiak, and Wrangell for the use of the
20 superior court.

21 * Sec. 3. This Act takes effect July 1, 1982.

22
23
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28
29

REC'D After bill
 REBUTED OUT
 4-13-82

THE LEGISLATURE OF THE STATE OF ALASKA
 TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 590
 Title "An Act increasing the number of superior court judges."
 Requested by _____ Date April 7, 1982

II. FISCAL DETAIL

Agency Affected Department of Law
 Program Category Affected Administration of Justice
 BRU, Program, Or Subprogram(s) Affected Prosecution
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		240.9	260.2	281.0	303.5	327.8
200 TRAVEL		78.9	57.2	61.8	66.7	72.0
300 CONTRACTUAL		57.2	61.8	66.7	72.0	77.8
400 COMMODITIES		19.6	10.4	11.2	12.1	13.1
500 EQUIPMENT		28.4	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		424.1	389.6	420.7	454.3	490.7

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		424.1	389.6	420.7	454.3	490.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill increases the number of superior court judges from 23 to 26. Preliminary plans call for the establishment of new superior courts at Barrow, Palmer and Wrangell. The establishment of these new courts will have a significant impact of the way the department conducts its business at these localities. Caseload currently originating at these three locations already accounts for approximately four attorneys' time, in the aggregate. It is our belief that at least two attorneys and two legal secretaries must be hired in order to adequately handle the demand for prosecution service which will occur as a result of establishing fulltime and full-spectrum trial service at these new locations.

(Please see attached discussion.)

Richard I. Pegues

IV. DATE April 8, 1982 PREPARED BY Richard I. Pegues, Director, Admin. Svcs.
 AGENCY Department of Law
 PHONE 465-3672
 Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Barrow

The department currently uses two attorneys from its Fairbanks office to serve Barrow. One attorney handles felonies and children's matters and the other attorney handles misdemeanors. Each attorney spends more than one half of his or her time at Barrow and each of these attorneys also handles a caseload in Fairbanks. In order to accommodate a fulltime resident judge in Barrow, and the resultant court calendar which will stretch throughout the month, it will be necessary to base two attorneys at Barrow. During 1981, the department handled 69 felony cases and over 400 misdemeanors which originated at Barrow. Additionally, a growing civil caseload has now reached 100 matters per year. This work will increase steadily and it already equals one third of the time that is spent on felonies.

The 1980 legislature authorized the establishment of an Attorney III position at Nome (PCN 031106) giving that office a staff compliment of two criminal attorneys and one civil attorney, to accommodate the creation of a superior court at Kotzebue. At that time, it was the court system's plan to use the Kotzebue judge to handle the Kotzebue and Barrow caseload and to handle overflow work at Nome. This plan was never realized, due to travel difficulties and a greater than expected workload at Kotzebue. Consequently, the court system continued to handle the Barrow caseload from Fairbanks and we transferred PCN 031106 to Fairbanks to parallel the calendar of Fairbanks judges assigned to Barrow. The 1981 legislature further authorized the creation of a district attorney's office in Barrow, however, the funds provided for this purpose were insufficient to cover personal services and travel expenses, which are primarily used for witness travel and subsistence and other associated litigation support purposes. Using the funding that was available, the department was able to fund a liaison office at Barrow staffed by a paralegal to provide pretrial diversion, witness assistance and liaison services for local law enforcement agencies.

Once fulltime superior court services become available at Barrow, it will become necessary to locate two attorneys in that community to support the courts activities. The current caseload requires the services of approximately one and one half attorneys. Historically, caseloads in communities with large service areas, such as the 88,000 square mile North Slope Borough, grow dramatically when the complete services of the criminal justice system become available. The need for two attorneys is conservative and it is a minimum requirement. The least expensive and most practical way of satisfying this

requirement is to transfer Attorney III PCN 031106 from Fairbanks to Barrow and to create a new Attorney V position at the latter location. It will also be necessary to create a Legal Secretary I position to provide required legal clerical support services. It is not possible to transfer more than one attorney position from Fairbanks due to the Fairbanks caseload which is also being handled by the two attorneys who handle Barrow matters.

Wrangell

In order to accommodate a new superior court at Wrangell it will not be necessary for the department to establish any new positions, given the close proximity of the department's existing district attorney's office in Juneau, Ketchikan, and Sitka, and provided that existing staffing levels in these offices are not reduced. Using these existing resources, the department can adequately support superior court activities; however, additional travel funds will be needed to cover a greatly expanded court calendar and to provide for increased court/witness expenses caused by the availability of fulltime superior court level trial services. We estimate that \$20.0 will be required for additional attorney travel and \$20.0 will be required to cover witness travel and subsistence expenses. Slightly more than 500 cases were filed at Wrangell, Petersburg and Kake during the past year. Due to the department's existing First Judicial District resources and the availability of the area's transportation and communications systems, we do not believe that creating a district attorney's office in Wrangell is warranted at this time. With six attorneys currently in the adjoining area offices, there is sufficient calendar flexibility to handle the Wrangell caseload. Should there be any reduction in this number, however, this flexibility will be gone, making it necessary to establish a Wrangell office, which now accounts for slightly more than one half of an attorneys time. Because basic office costs will far exceed any savings by transferring a position, or eliminating one elsewhere, an office should not be established, absent a demonstrated caseload demand. The cost of establishing and staffing a Wrangell office would exceed \$150,000. This amount is not included in this fiscal note. In terms of long range planning, growth will probably occur first at Ketchikan, in response to construction of the Quartz Hill mine and related facilities.

Palmer

The creation of a superior court in Palmer will require the additional services of one Attorney V and a Legal Secretary I. The department has been fortunate in having the services of an extremely productive and hard working attorney who spends three weeks of each month at Palmer to handle misdemeanor cases. Heretofore, Palmer felony cases have all been tried in Anchorage. With the establishment of the superior court in

Palmer, it will be necessary to have a resident district attorney to handle the very heavy caseload and the additional legal work, such as arraignments and other pretrial and post-trial motions, which will be generated when a full level trial court is established. During the past year, the felony caseload reached 75 cases and the misdemeanor caseload exceeded 1,000 cases. Even with the creation of an attorney position at Palmer it will still be necessary to provide some attorney assistance from Anchorage. We estimate that the time of one and one half attorneys is being devoted to Palmer cases. As this caseload grows, justifying a two attorney office, the department will probably transfer a position from Anchorage. Transferring a position at this time, in lieu of creating a new position, is not feasible given the additional work which will simply be generated as a consequence of establishing a new court in an area with the caseload characteristics which occur in Palmer.

Cost Summary

Barrow

Personal Services:

Attorney V (25A)	\$ 93,262
Attorney III (Fbxs/Barrow salary differential)	12,800
Legal Secretary I (10B)	<u>35,541</u>
	\$141,603

Travel:

Attorney transfer costs (2 attorneys \$10.0 each one time)	\$ 20,000
The department already has a \$45,000 authorization for witness/attorney litigation expenses for Barrow. No additional funds will be required for this purpose.	
	<u>\$ 20,000</u>

Contractual:

170 SF of additional rental space at \$3.75 per sq.ft.	\$ 7,650
Communications and copying is estimated at \$500 per month for the two attorneys and \$200 per month for the legal secretary. 1200 x 12 =	14,400
Expert witness fees	<u>10,000</u>
	\$ 32,050

Commodities:

Expendable desk top materials \$100 per month per employee. \$300 x 12 =	\$ 3,600
New employee startup equipment & library (one time)	6,000
Recurrent library expense	<u>1,800</u>
	\$ 11,400

Equipment:

New position equipment \$600 x 3 (one time)	\$ 1,800
Communicating word processor	<u>12,700</u>
	\$ 14,500

Barrow Total \$219,553

Wrangell

Travel:

Increased attorney travel	\$ 20,000
Increased witness travel and subsistence	<u>20,000</u>
Wrangell Total	\$ 40,000

Palmer:

Personal Services

Attorney V (25A)	\$ 71,102
Legal Secretary I (10B)	<u>28,153</u>
	\$ 99,255

Travel:

Attorney litigation travel	\$ 3,000
Attorney moving/transfer cost (one time)	\$ 5,000
Witness travel/subsistence	<u>\$ 10,000</u>
	\$ 18,000

Contractual:

Rent at \$2.00 SF x 450 SF =	\$ 10,800
Attorney communications & copying at \$400 per month	4,800
Secretarial communicating & copying at \$200 per month	2,400
Expert witness fees	<u>\$ 7,500</u>
	\$ 25,500

Commodities:

Desk top expendables \$100 per month, per employee	\$ 2,400
New employee start up equipment & library (one-time)	4,000
Recurrent library	<u>1,800</u>
	\$ 8,200

Equipment:

New position equipment \$600 x 2 (one-time)	\$ 1,200
Communicating word processor	<u>12,700</u>
	\$ 13,900

Palmer Total \$164,855

An annual inflation factor of 8% has been applied beyond FY83.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB.590
Title An Act Relating to the Numbers of District & Superior Court Judge
Requested by House Finance Date 3/26/82

II. FISCAL DETAIL

Agency Affected Alaska Court System
Program Category Affected Administration of Justice
BRU, Program, Or Subprogram(s) Affected Trial Courts
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		341.7	438.8	469.5	502.4	537.6
200 TRAVEL		13.0	4.4	4.8	5.3	5.8
300 CONTRACTUAL						
400 COMMODITIES		4.5	4.9	5.3	5.8	6.3
500 EQUIPMENT		15.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		374.2	448.1	479.6	513.5	549.7

FUNDING (Thousands of Dollars)

GENERAL FUND		374.2	448.1	479.6	513.5	549.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME		5	5	5	5	5
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill will create superior court judge positions in Barrow and Palmer and will upgrade the Wrangell District Court judge position to the Superior Court level

IV. DATE 3/30/82

PREPARED BY Robert G. Fisher

AGENCY Alaska Court System

Original: Legislative Finance

PHONE 264-0561

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

FY 83 COST OF IMPLEMENTING SPONSOR SUBSTITUTE FOR HB 590

	<u>BARROW</u>	<u>PALMER</u>	<u>WRANGELL</u>
JUDGE			(Upgrade)
Salary	\$ 78,600 (5)	\$ 69,240	\$ 9,396
Benefits:			
JRS, Accident, W.C.,			
T.L. (1.0648)	83,693	73,727	10,005
HI	2,196	2,196	-
SBS	2,188	2,188	-
TOTAL	<u>\$166,677</u>	<u>\$147,352</u>	<u>\$ 19,401</u>
SECRETARY/IN-COURT CLERK			
Salary (12B)	29,460	22,440	
Benefits:			
Variable	4,608	3,510	
SBS	1,806	1,376	
HI	2,196	2,196	
TOTAL	<u>\$ 38,070</u>	<u>\$ 29,522</u>	
CLERK UPGRADE:			
Fulltime, Range 12B			22,400
Part-time, Range 10B			(14,958)
(9 months)			<u>\$ 7,442</u>
Salary Difference			
Benefits Difference (Variable & SBS)			<u>1,620</u>
			<u>\$ 9,062</u>
TOTAL PERSONAL SERVICES	204,747	176,873	28,463
LESS: Two Months			
Recruitment time	<u>(34,200)</u>	<u>(29,480)</u>	<u>(4,744)</u>
FIRST YEAR FUNDING	\$170,547	\$147,393	\$ 23,719
TRAVEL (Including Moving			
Expense)	9,000	4,000	-
COMMODITIES	2,000	2,000	500
EQUIPMENT	<u>7,000</u>	<u>7,000</u>	<u>1,000</u>
TOTAL FY 83 BUDGET	<u>\$188,547</u>	<u>\$160,393</u>	<u>\$ 25,219</u>

Bradley
4/28/82

Original sponsors: Haugen and Cato

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 590 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to superior court judges and superior
7 court facilities; 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 of
11 25 [23] judges, four of whom shall be judges in the first judicial
12 district, three [TWO] of whom shall be judges in the second judicial
13 district, 13 [12] 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. AS 22.10.120 is amended to read:

19 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists of
20 26 [23] judges, five [FOUR] of whom shall be judges in the first judicial
21 district, three [TWO] of whom shall be judges in the second judicial
22 district, 13 [12] of whom shall be judges in the third judicial district,
23 and five of whom shall be judges in the fourth judicial district. At
24 the time of submitting the names of nominees to the governor to fill a
25 vacancy on the superior court bench, the judicial council shall also
26 designate the district in which the appointee is to reside and serve.

27 * Sec. 3. AS 22.10.120 is amended to read:

28 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists of
29 26 [25] judges, five [FOUR] of whom shall be judges in the first judicial

1 district, three of whom shall be judges in the second judicial district,
2 13 of whom shall be judges in the third judicial district, and five of
3 whom shall be judges in the fourth judicial district. At the time of
4 submitting the names of nominees to the governor to fill a vacancy on
5 the superior court bench, the judicial council shall also designate the
6 district in which the appointee is to reside and serve.

7 * Sec. 4. Section 3, ch. 160, SLA 1980, is amended to read:

8 Sec. 3. This Act terminates June 30, 1984 [1982].

9 * Sec. 5. The Alaska Court System may enter into negotiations for lease
10 or rental of space in Barrow, Palmer, Kodiak, and Wrangell for the use of the
11 superior court.

12 * Sec. 6. Section 1 of this Act takes effect July 1, 1982.

13 * Sec. 7. Notwithstanding the provisions of sec. 1 of this Act, sec. 2 of
14 this Act takes effect July 1, 1982, if the state supreme court amends Rule 19-
15 (a) of the Rules Governing the Administration of All Courts and reduces to
16 two the number of district court judges in the First Judicial District and
17 eliminates the Wrangell-Petersburg district court and the effective date of
18 that amendment is before July 1, 1982.

19 * Sec. 8. Notwithstanding the provisions of sec. 1 of this Act, sec. 3 of
20 this Act takes effect on the effective date of an amendment by the state
21 supreme court of Rule 19(a) of the Rules Governing the Administration of All
22 Courts that reduces to two the number of district court judges in the First
23 Judicial District and eliminates the Wrangell-Petersburg district court if
24 the effective date of that amendment is after July 1, 1982.

25 * Sec. 9. Sections 4 and 5 of this Act take effect immediately in accor-
26 dance with AS 01.10.070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 590
 Title increasing the number of superior court judges.
 Requested by House Finance Committee Date April 1, 1982

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services
 Program Category Affected Offender Confinement Reformation & Supervisor
 BRU, Program, Or Subprogram(s) Affected Probation & Community Programs
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		88.5	111.6			
200 TRAVEL		22.6	9.0			
300 CONTRACTUAL		28.8	11.0			
400 COMMODITIES		1.9	2.0			
500 EQUIPMENT		3.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		145.3	133.6			

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		145.3	133.6			
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		2	2			
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Two probation officers will cost a minimum of \$145,300 to operate for ten months in FY 83 and approximately \$133,600 in operate in FY 84.

The probation officers in Barrow and Wrangell will be functioning in one officer offices in remote locations. Therefore the Probation Officer III classification will be necessary. FY 83 costs are figured for a 10 month period to adjust for time necessary to establish the positions and select and transfer officers to these locations. FY 84 costs include 12 months funding for the Probation Officers' salaries, office space rent, deletion of first year moving expenses and purchase of Highway working capital fund vehicles, and application of 5% inflation rate.

IV. DATE 4/1/82

PREPARED BY Bob Schroeder, Fiscal Analyst
 AGENCY Legislative Finance

Original: Legislative Finance PHONE 465-3795

cc: Budget and Management
Prime Spncsor (First Legislator Named)

Probation Officer III Wrangell		10 month cost
Annual Salary @ \$2998/mo.	\$35,976	\$29,980
Variable Benefits @ 16.63%	5,983	4,986
Supplemental Benefits @6.13%	2,205	1,839
Health Insurance @ \$183/mo.	2,196	1,830
	<u>\$46,360</u>	<u>\$38,635</u>
<u>Travel</u>		
Employee moving expense		\$ 6,000
Field Travel		3,600
		<u>9,600</u>
<u>Contractual Services</u>		
Space Expense		
120 sq.ft./ \$1.10 sq.ft./mo.		\$ 1,320
Communications & Other Expenses		1,000
Highway Working Capital fund Vehicle Purchase & operating costs		10,000
		<u>\$12,320</u>
<u>Commodities</u>		
Office Supplies, statutes, rules, etc.		900
<u>Equipment</u>		
Desk, chair, typewriter, file cabinet, etc.		<u>\$ 1,500</u>
		TOTAL
		\$66,455

ONE TIME ITEMS

Moving Expenses	\$6,000
H.W.C.F. Vehicle Purchase	7,600
	<u>\$13,600</u>

Probation Officer III Barrow	10 month cost
Annual Salary @ 3917/mo. = 47,004	\$ 39,170
Variable Benefits @ 16.63% 7,817	6,514
Supplemental Bene. @ 6.13% 2,881	2,401
Health Insurance @ 183/mo. 2,196	1,830
<u>\$59,898</u>	<u>\$ 49,915</u>

Travel

Employee moving expense	\$ 8,000
Field Travel	5,000
	<u>\$ 13,000</u>

Contractual Services

Space Expense - 120 sq. ft. @ \$2.77/sq.ft./mo. at Ukpeagvik Inupiat Corp.	3,320
Communications & other expenses	1,200
Highway Working Capital Fund vehicle & operating costs	12,000
	<u>\$ 16,520</u>

Commodities

Office Supplies, statutes, rules, etc.	1,000
--	-------

Equipment

Desk, chair, typewriter, file cabinet, etc.	<u>2,000</u>
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Total	\$ 82,435
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ONE TIME ITEMS

Moving expense	\$8,000
H.W.C.F. Vehicle Purchase	9,500
	<u>\$17,500</u>



Official Business

Alaska State Legislature

HB 590

Senate

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

FEBRUARY 1, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

Legislation Before Committee:

SB 289 - "An Act increasing the number of superior court judges."

SJR 6 - Proposing an amendment to the Constitution of the State of Alaska relating to sessions of the legislature.

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:35 P.M. Committee members present were: Senators Rodey, Parr, and Ray. Senators Bennett and Hohman were absent.

The first item on the agenda was SB 289. Senator Kerttula, prime sponsor of SB 289, testified stating his support for this legislation.

Senator Ferguson, a sponsor of SB 289, was brought before the committee to give his testimony. He expressed his support and asked that the committee's intent to place the court in Barrow be clarified. Chairman Rodey indicated that it was the committee's intent that the additional superior court position be for Barrow and that the Finance Committee could direct the location.

Chairman Rodey next called Senator Zeigler to testify before the committee. He proposed that the committee adopt a substitute for SB 289 to include a superior court position for the Wrangell/Petersburg area in the first judicial district.

Rick Berrier, of the Alaska Court System, testified, stating that the Court System does not have a strong stance either for or against the addition of the Wrangell/Petersburg position. In answering committee questions he did state that the Superior Court could take over all duties of the district court in the Wrangell/Petersburg area.

After brief discussion, Senator Ray moved that the committee adopt the committee substitute for SB 289. There was no objection. Senator Ray next moved that CSSB 289 be passed with committee with individual recommendations. There was no objection. Senator Rodey signed do pass. Senators Ray and Parr signed no recommendation.

Chairman Rodey next brought before the committee SB 594 relating to the Administrative Procedures Act. The Chairman discussed the problems with the Act and problems associated with its revision.

Senator Ray expressed the need for revision and requested a letter be drafted to President Kerttula stating the problems with the Act and requesting assistance to both the Judiciary and Transportation committees.

After committee discussion, no further action was taken.

SJR 6 was not brought before the committee today as scheduled.

Chairman Rodey adjourned the meeting at 2:25 P.M.



Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645 • PHONE 755-4501

DEPARTMENT OF ADMINISTRATION

January 29, 1967

The Honorable Patrick H. Rodey
Chairman, Senate Judiciary Committee
Alaska State Legislature
Pouch Y
Juneau, Alaska 99811

Dear Senator Rodey:

Re: Superior Court Judgeship in Palmer.

By any traditional criteria for establishing a Superior Court Judgeship, ~~judgeship followed in Alaska in the past 20 years the interest in the~~ Valley would have been entitled to Superior Court Judgeship some years ago.

At this time, there are 14 attorneys practicing in the Palmer--Wasilla area. This is a number probably in excess of the number of lawyers practicing in any of the following areas each of which have a Superior Court judge: Ketchikan, Sitka, Kodiak, the Kenai area, the Bethel area and the Homer area.

This part of Alaska is growing very rapidly. We currently have approximately 22,000 population. Over the past 20 years we have more than doubled population each decade. If we have 22,000 in 1980 we are almost certain to have 30 to 40,000 population in 1990.

The absence of a Superior Court judge creates additional cost and delay for local lawyers, businessmen and others who must, from time to time, find their recourse in the courts.

Although I would anticipate that a new Superior Court judge would be fully loaded with a case load from the very beginning, if there should be any slack time, as there occasionally is in some of the other judicial districts, it would be a fairly simple matter for the Palmer Superior Court Judge to render assistance to the Anchorage bench.

Pat Carney

I would think that the Matanuska-Susitna Valley would meet any criteria that might be reasonably established for establishment of a new judgeship. If you have any questions regarding population growth, housing starts, etc. that might throw light on the total volume of activity that engenders a need for a Superior Court judgeship in this area, please let me know and we will furnish it.

Sincerely,

Gary Thurlow
Gary Thurlow
Borough Manager

er

cc: Senator Jalmar Kerttula
Representative Pat Carney

John Kelly
P. O. Box 4^{1/2}
Palmer, AK 99645
January 29, 1982

The Honorable Patrick M. Roday
Chairman, Senate Judiciary Committee
Alaska State Legislature
Pouch V
Juneau, AK 99811

re: Superior Court Judgeship, sitting in Palmer, Alaska,
House Bill #289

Dear Senator Roday:

At its Board of Directors' meeting on January 27, 1982, after review of statistics afforded by the Matanuska Bar Association, and serious consideration of the needs of the citizens of the city of Palmer and its surrounding communities, the Greater Palmer Chamber of Commerce unanimously agreed that the Matanuska Valley sorely needs a Superior Court judge sitting at Palmer, Alaska.

As such, I have been authorized and instructed as president of the Greater Palmer Chamber of Commerce to commit the following resolution to you:

BE IT RESOLVED:

That the president of the Greater Palmer Chamber of Commerce advise the chairman of the Senate Judiciary Committee, Senator Jalmar Kerttula, and Representative Pat Carney of his overwhelming support for Senate Bill #289, which provides for the appointment of a Superior Court Judge sitting at Palmer, Alaska.

Your serious consideration of the Chamber's resolution would be greatly appreciated.

Sincerely,

GREATER PALMER CHAMBER OF COMMERCE

By
WILLIAM T. TULL
President

Alaska State Legislature

SENATOR
ROBERT H. DIEGLER, SR.
207 BAWDEN STREET
KETCHIKAN, ALASKA 99901

POUCH V
JUNEAU, ALASKA 99811



Senate

VICED CHAIRMAN
ADMINISTRATIVE REGULATION REVIEW
SENATE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

MEMBER
SENATE RULES COMMITTEE
SENATE COMMERCE AND LABOR COMMITTEE
STEERING COUNCIL FOR ALASKA LANDS
U.S. SCRAP TASK FORCE

WESTERN STATES LEGISLATIVE
FORESTRY TASK FORCE
EXECUTIVE COMMITTEE,
WESTERN CONFERENCE COUNCIL
OF STATE GOVERNMENTS
COUNCIL OF STATE GOVERNMENTS
COMMITTEE ON SUGGESTED STATE LEGISLATION

January 18, 1982

The Honorable Patrick M. Rodey,
Alaska State Senator
Chairman, Senate Judiciary Committee
Room 125 Capitol Building
Juneau, Alaska

Re: Proposed Committee Substitute for SB 289,
"An Act increasing the number of superior court
judges."

Good Senator:

This may be a lengthy letter, but I'll do my best to confine my remarks to the factual situation as I believe it to be.

Senators Ferguson and Kerttula introduced SB 289 with the idea in mind of creating Superior Court judgeships in Pt. Barrow and in Palmer. This bill is in your committee.

Before getting more involved, I'd like to express my thanks to you for having indicated your willingness to consider increasing the number of Superior Court Judges from two to three to accommodate Wrangell and Petersburg, which communities are also extremely interested in obtaining a Superior Court Judge for their areas.

Attached to this letter is a proposed committee substitute which I'm told will do the trick if you and a majority of your Judiciary Committee are favorably inclined.

In Pt. Barrow, there are currently two magistrates; there are no District or Superior Court Judges; Senator Ferguson says if he can get a Superior Court Judge, one of the two magistrates can go. Senator Kerttula - and this staggers one's imagination, has only one magistrate currently - no judges of any other type to serve a population estimated to be between 25,000 and 30,000. In Wrangell, Petersburg and Kake there is a District Court Judge, Robin Taylor, with Superior Court services being furnished on occasion by Ketchikan, Sitka or Anchorage Superior Court judges. Judge Taylor, even though he is up for retention or non-retention on this fall's ballot, has advised me he's not reluctant to advocate the elimination of his Court and to substitute a Superior Court in lieu thereof. Were this procedure to be followed, existing District Court personnel could be redesignated and reclassified as Superior Court employees. Accordingly, the only additional expense

Senator Patrick M. Rodey
January 18, 1982
Page Two

involved would be the difference between the two judicial salaries. Judge Taylor will probably run for the new Superior Court position, but he realizes he'll have to get by both the Judicial Council and the Governor. He is prepared to take that chance, acknowledging that if he doesn't make it, the world won't come to an end.

In fairness to Art Snowden, to whom a copy of this letter has been sent, and in candor to you, he feels the Palmer request is fully justified; he does not intend to argue about the Pt. Barrow or Wrangell-Petersburg positions, but he would contend if pressed or asked, the case load of the latter two communities is perhaps insufficient to warrant the new court. If he's not asked, he says, there'll be no objection from the Court System. I have attached a copy of a well-written letter from Mr. Mark Walker which tends to lend justification to the Wrangell-Petersburg request.


I'm available to testify on the bill if you feel it is necessary and if you schedule it for a hearing. A letter of intent can be drafted by your staff (or mine, if you wish) to spell out with particularity exactly what the bill would accomplish.

A fiscal note should be prepared; that shouldn't prove onerous and we'll do that upon request.

Incidentally, Senators Kerttula and Ferguson have approved of the contents of this letter.

Finally, on information and belief, Chief Justice Burke will interpose no objection to the above and foregoing.

Very truly yours,


Robert H. Ziegler, Sr.

RHZ:lk

Enclosures

cc: Art Snowden, Administrator,
Alaska Court System w/enc.

Wrangell Inter-Agency Group
P.O. Box 1615
Wrangell, Alaska 99929
January 11, 1982

Honorable Edmond W. Burke
Chief Justice
Alaska Supreme Court
303 K Street
Anchorage, Alaska 99501

Dear Mr. Chief Justice:

The Wrangell Inter-Agency Group consists of representatives from various service agencies within the city of Wrangell who are concerned with the delivery of services to the community. A listing of the membership is attached. We meet monthly to discuss problems of mutual concern and to assist one another as best we can.

For some time we have lobbied our local representatives to have the court in Wrangell/Petersburg upgraded to a Superior/District Court location. Last spring Representative Ernie Haugen sponsored legislation to make this change but hydroelectric projects and other political matters at the close of the session left House Bill 590 locked in Finance Committee. In March of last year Lieutenant Governor Terry Miller came to Wrangell to meet with us and the upgrading of the court was a prime subject of discussion.

Wrangell and Petersburg are not receiving the quality of service that is taken for granted in the other urban areas of this state. We are not being critical of either Judge Schulz or Judge Taylor, both of whom have made extraordinary efforts to make the system work. The jurisdictional barrier between District and Superior Court means that Judge Taylor can't do certain things and we must wait until a Superior Court judge can travel to Wrangell or some special authority is acquired so that Judge Taylor can act. When no emergency exists, things get delayed until a more convenient time.

Last year's statistics show there were approximately 30 felonies, 40 juvenile petitions, 58 divorces/dissolutions and 11 mental health commitments which arose in Wrangell and Petersburg. These figures are an understatement of actual need as many matters simply aren't filed because it takes too long to get something done; the best example being juvenile matters. If we were a Superior/District court location, all of the above cases would be handled locally. The savings in travel costs and especially time for the agencies will more than offset the minimal cost of upgrading the local court. Probably more important than cost is the fact that adequate judicial services will finally be provided to the people of Wrangell and Petersburg.

In your opening statements upon assuming office, you indicated that you wanted to hear from the people in the trenches and wanted to make more efficient the delivery of judicial services. The creation of a Superior/District court judgeship in Wrangell/Petersburg is a small step which will go a long way toward achieving your goals.

Sincerely,

Mark Walker

Mark Walker
Chairman

cc: Representatives Haugen, Freeman & Gardiner
Senators Eliason & Ziegler
Lieutenant Governor Miller



CITY OF PALMER

COUNCIL-MANAGER GOVERNMENT

P.O. BOX 1358 • PHONE (907) 745-3272

PALMER, ALASKA 99645

November 27, 1981

The Honorable Jalmar Kerttula
Box Z
Palmer, Alaska 99645

Dear Senator Kerttula,

At the City of Palmer regular City Council meeting held on November 24, 1981, the enclosed resolution was passed unanimously.

We believe it is imperative that a Superior Court be established here in the City of Palmer. The mode of operation that includes going to Anchorage creates a tremendous amount of non-productive man days per year, not only for our police force but the Alaska State Police as well. We must all strive for better efficiency.

I commend you and your fellow legislators for your perception in the growing needs to Alaskans.

Should you have any questions, please feel free to contact me.

Yours truly,

David L. Soulak
City Manager
City of Palmer

DLS/cac

Enclosure

A RESOLUTION FOR ESTABLISHMENT OF A SUPERIOR COURT IN PALMER.

WHEREAS, the Palmer District Court, Third Judicial District serves an estimated population of 25,000 people in the Matanuska-Susitna Borough, and

WHEREAS, the Palmer District Court has had over sixty felony filings for Superior Court action in 1981 to date, and

WHEREAS, this court has handled over ninety divorce filings, and

WHEREAS, there has been over ninety other civil Superior Court filings, and

WHEREAS, there has been over twenty Superior Court Children Proceeding filings, and

WHEREAS, normal Superior Court matters are held in Anchorage which places an undue hardship upon police personnel and those involved in the matters before the Court, and

WHEREAS, since September 1, 1981 the Palmer District Court has been designated as a Probate Court and to date there has been eleven filings, and

WHEREAS, there has been over 815 other criminal filings in the Palmer District Court to date, and

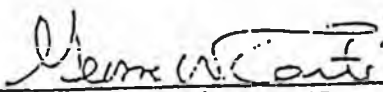
WHEREAS, in addition, there has been over 850 civil filings in district court, and

WHEREAS, the Palmer District Court has handled over 3400 traffic tickets to date,

NOW, THEREFORE, BE IT RESOLVED, the City of Palmer urges the State Legislature during the 1982 session to establish a full-time Superior Court in the Matanuska-Susitna Borough.

BE IT FURTHER RESOLVED, the establishment of a full-time permanent Superior Court in the City of Palmer with support staff will provide a needed service to all Borough residents as well as to many who reside outside of the Borough.

Passed and approved by the City of Palmer, City Council this 24th day of November, 1981.



GEORGE W. CARLE, MAYOR

STATE OF ALASKA -- ELECTION DISTRICT REPORT

7/20/81

DISTRICT 21 BARRON-KOTZEBUE

POSITIONS APPROVED BY FREE CONFERENCE

TITLE	LOCATION	TYPE	APPROVED	\$COST
DEPARTMENT OF ADMINISTRATION				
ATTORNEY IV	BARRON	FULL TIME	1	112.7
LEGAL SECRETARY I	BARRON	FULL TIME	1	27.5
XX TOTAL XX			2XX	140.2XX
DEPARTMENT OF LAW				
ATTORNEY IV	BARRON	FULL TIME	1	112.7
LEGAL SECRETARY I	BARRON	FULL TIME	1	27.5
XX TOTAL XX			2XX	140.2XX
DEPARTMENT OF HEALTH & SOCIAL SERVICES				
SOCIAL WORKER IV	BARRON	FULL TIME	1	55.3
PRODUCTION OFFICER II	BARRON	FULL TIME	1	40.0
XX TOTAL XX			2XX	95.3XX
DEPARTMENT OF NATURAL RESOURCES				
EMPLOYMENT COUNSELOR II	BARRON	FULL TIME	3	203.4
DEPARTMENT OF PUBLIC SAFETY				
TROOPER	KOTZEBUE	FULL TIME	1	60.5
CLERK TYPIST III	KOTZEBUE	FULL TIME	1	27.5
XX TOTAL XX			2XX	88.0XX
DEPARTMENT OF TRANSPORTATION				
HEAVY DUTY MECH. WG III	CHANDALAR	FULL TIME	1	166.4
DEPARTMENT OF COMMUNITY & REGIONAL AFFAIRS				
LOCAL GOV. SPECIALIST II	KOTZEBUE	FULL TIME	1	63.7
CLERK TYPIST III	KOTZEBUE	PART TIME	1	24.0
CLERK TYPIST III	KOTZEBUE	FULL TIME	1	41.8
LOAN EXAMINER II	KOTZEBUE	FULL TIME	1	93.3
XX TOTAL XX			4XX	222.8XX
ALASKA COURT SYSTEM				
COURT CLERK I	KOTZEBUE	FULL TIME	1	30.1
MAGISTRATE	BARRON	FULL TIME	1	44.7
JUVENILE INTAKE OFFICER	BARRON	FULL TIME	1	45.3
XX TOTAL XX			3XX	120.1XX
XXX ELECTION DISTRICT TOTAL XXX			19XXX	1176.4XXX

STATE OF ALASKA -- ELECTION DISTRICT REPORT

7/20/81

DISTRICT 06 PALMER-WASILLA-MATANUSKA

POSITIONS APPROVED BY FREE CONFERENCE

TITLE	LOCATION	TYPE	APPROVED	\$COST
DEPARTMENT OF HEALTH & SOCIAL SERVICES				
ELIGIBILITY TECHNICIAN II	WASILLA	FULL TIME	1	32.2
CLERK TYPIST III	PALMER	FULL TIME	1	24.6
ELIGIBILITY TECHNICIAN II	PALMER	FULL TIME	1	32.2
ELIGIBILITY WORKER II	PALMER	FULL TIME	1	51.5
SOCIAL WORKER III	WASILLA	FULL TIME	1	40.6
CORRECTIONAL OFFICER III	PALMER	FULL TIME	1	34.4
CORRECTIONAL OFFICER II	PALMER	FULL TIME	6	180.1
XX TOTAL XX			12XX	395.6XX
DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT				
DAIRY SPECIALIST	PALMER	FULL TIME	1	75.0
DEPARTMENT OF NATURAL RESOURCES				
LOAN EXAMINER III	WASILLA	FULL TIME	1	57.8
CLERK TYPIST III	WASILLA	FULL TIME	1	28.6
AGRONOMIST II	PALMER	FULL TIME	1	43.3
LABORER WG VIII	PALMER	PART TIME	1	7.2
LABORER WG VIII	PALMER	PART TIME	1	7.2
CLERK TYPIST II	PALMER	PART TIME	1	14.8
XX TOTAL XX			6XX	158.9XX
DEPARTMENT OF PUBLIC SAFETY				
CLERK TYPIST III	PALMER	FULL TIME	1	14.9
DEPARTMENT OF TRANSPORTATION				
EQUIPMENT OPERATOR	PALMER	FULL TIME	2	70.3
EQUIPMENT OPERATOR	PALMER	FULL TIME	2	66.4
XX TOTAL XX			4XX	136.7XX
DEPARTMENT OF ENVIRONMENTAL CONSERVATION				
MICROBIOLOGIST IV	PALMER	FULL TIME	1	79.7
MICROBIOLOGIST I	PALMER	FULL TIME	1	32.4
CLERK TYPIST III	PALMER	PART TIME	1	13.2
LABORATORY ASSIST. II	PALMER	FULL TIME	1	25.3
XX TOTAL XX			4XX	150.6XX
ALASKA COURT SYSTEM				
TRAFFIC CLERK	PALMER	FULL TIME	1	24.9
JUVENILE INTAKE OFFICER	PALMER	FULL TIME	1	42.4
XX TOTAL XX			2XX	67.3XX
UNIVERSITY OF ALASKA				
SCIENCE TEACHER	PALMER	FULL TIME	1	47.5
MATH TEACHER	PALMER	FULL TIME	1	47.5
ADULT BASIC EDUCATION TEACHER	PALMER	FULL TIME	1	65.0
FACULTY SECRETARY	PALMER	FULL TIME	1	23.7

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SS HB 590

Title An Act Relating to the Number of Superior Court Judges

Requested by _____ Date 2/17/82

II. FISCAL DETAIL

Agency Affected Administration - Division of Retirement & Benefits

Program Category Affected Centralized Administrative Services

BRU, Program, or Subprogram(s) Affected Retirement & Benefits (JRS)

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
100 RETIREMENT BENEFITS		91.6	98.5	105.9	113.8	122.3
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		91.6	98.5	105.9	113.8	122.3

FUNDING (Thousands of Dollars)

GENERAL FUND		91.6	98.5	105.9	113.8	122.3
FEDERAL FUNDS						
VETERAN'S FUND						
FISH & GAME FUND						
HIGHWAY FUND						
AIRPORT FUND						
CAPITAL FUND						
PERS						

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- It would be necessary for the State to contribute 45.63% of each new judge's base compensation to pay for their future retirement benefits.
- This fiscal note is based upon:
 - increasing the number of superior court judges by 3.
 - the current annual base salary of a superior court judge of \$66,900.
 - an annual retirement benefit costing \$30,526 per year of service for each judge.
 - annual salary increasing by 7.5%
- This fiscal note does not include the cost of the salary for the 3 additional judges.

Paul B. Arnoldt
 Paul B. Arnoldt

IV. DATE February 11, 1982

PREPARED BY

Paul B. Arnoldt

AGENCY

Division of Retirement & Benefits

PHONE

465-4460

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named) Representative Haugen

Office of the Governor (Keith Specking)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. "Sponsor Substitute for House Bill No. 590"
Title "An Act increasing the number of Superior Court Judges"
Requested by Representative E. Haugen Date February 10, 1982

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services
Program Category Affected Offender Confinement, Reformation & Supervision
BRU, Program, Or Subprogram(s) Affected Probation & Community Programs
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		163.5	175.0	187.2	200.3	214.3
200 TRAVEL		32.9	16.2	17.7	19.3	21.0
300 CONTRACTUAL		44.7	25.0	27.2	29.7	32.3
400 COMMODITIES		3.3	3.6	3.9	4.2	4.6
500 EQUIPMENT		8.9				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	253.3	219.8	236.0	253.5	272.2

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	253.3	219.8	236.0	253.5	272.2
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. It has been the experience of the Division of Adult Corrections that whenever a new judgeship and court is created at the Superior Court level in a remote location of the state, a full workload for a district probation office is created. Therefore, creating superior court judgeships in Barrow and Wrangell will result in the requirement for new district offices in these two communities. Each office must be staffed with a Probation Officer III, with the clerical support of a Clerk Typist III. Since a district probation office exists in Palmer, no additional staff will be required for the new Superior Court judgeship in the Third Judicial District.

B. First year costs include \$21,800 for the purchase of two vehicles for the Department of Transportation/Public Facilities Highway Working Capital Fund, \$8,900 for office equipment for the four

IV. DATE February 16, 1982 PREPARED BY Roger C. Lange
AGENCY Division of Adult Corrections
PHONE 465-3376

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Roger C. Lange
JCC

"Sponsor Substitute for House Bill No. 590"
Continuation

positions and \$18,000 for moving promoted employees to Barrow and Wrangell. These one time costs were not carried forward into FY 1984 and subsequent years.

- C. Inflation was assumed to be 9% from year to year for all expenditure object groups, with the exception of Personal Services where 7% was used.
- D. Personal Services Costs:

Probation Officer III - Barrow

Annual Salary	at \$3917/mo.	\$47,004
Variable Benefits	at 16.63%	7,817
Supplemental Benefits	at 6.13%	2,881
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$59,898</u>

Probation Officer III - Wrangell

Annual Salary	at \$2998/mo.	\$35,976
Variable Benefits	at 16.63%	5,983
Supplemental Benefits	at 6.13%	2,205
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$46,360</u>

Clerk-Typist III - Barrow

Annual Salary	at \$2010/mo.	\$24,120
Variable Benefits	at 16.63%	4,011
Supplemental Benefits	at 6.13%	1,479
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$31,806</u>

Clerk-Typist III - Wrangell

Annual Salary	at \$1570/mo.	\$18,936
Variable Benefits	at 16.63%	3,149
Supplemental Benefits	at 6.13%	1,161
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$25,442</u>

TOTAL SALARIES \$163,506

Original sponsors: Haugen and Cato

Offered: 4/15/82
For Calendar, Friday
4/16/82

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 590 (Rules) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to superior court judges and superior
7 court facilities; 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 of
11 26 [23] judges, five [FOUR] of whom shall be judges in the first judicial
12 district, three [TWO] of whom shall be judges in the second judicial
13 district, 13 [12] 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 of space in Barrow, Palmer, Kodiak, and Wrangell for the use of the
20 superior court.

21 * Sec. 3. This Act takes effect July 1, 1982.

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Alaska House of Representatives MEMO



Phone: 465-3725
Room: 214 Capitol

From the desk of CHIEF CLERK

Prof.

TO: FINANCE

519

DATE: 2/10

Please give the page HB 590 as we now have
a Sponsor Substitute for it (in Judiciary).
Thank you.

Julie

RET'D TO HFC 3-8-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

Rec'd After bill
reported out
4-13-82

FISCAL NOTE

I. REQUEST
Bill/Resolution No. SSHB 590
Title "An Act increasing the number of superior court judges."
Requested by _____ Date April 7, 1982

II. FISCAL DETAIL
Agency Affected Department of Law
Program Category Affected Administration of Justice
BRU, Program, Or Subprogram(s) Affected Prosecution
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		240.9	260.2	281.0	303.5	327.8
200 TRAVEL		78.9	57.2	61.8	66.7	72.0
300 CONTRACTUAL		57.2	61.8	66.7	72.0	77.8
400 COMMODITIES		19.6	10.4	11.2	12.1	13.1
500 EQUIPMENT		28.4	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		424.1	389.6	420.7	454.3	490.7

FUNDING (Thousands of Dollars)

GENERAL FUND		424.1	389.6	420.7	454.3	490.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME		4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill increases the number of superior court judges from 23 to 26. Preliminary plans call for the establishment of new superior courts at Barrow, Palmer and Wrangell. The establishment of these new courts will have a significant impact of the way the department conducts its business at these localities. Caseload currently originating at these three locations already accounts for approximately four attorneys' time, in the aggregate. It is our belief that at least two attorneys and two legal secretaries must be hired in order to adequately handle the demand for prosecution service which will occur as a result of establishing fulltime and full-spectrum trial service at these new locations.

(Please see attached discussion.)

Richard I. Pegues

IV. DATE April 8, 1982 PREPARED BY Richard I. Pegues, Director, Admin. Svcs.
AGENCY Department of Law
Original: Legislative Finance PHONE 465-3672
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Barrow

The department currently uses two attorneys from its Fairbanks office to serve Barrow. One attorney handles felonies and children's matters and the other attorney handles misdemeanors. Each attorney spends more than one half of his or her time at Barrow and each of these attorneys also handles a caseload in Fairbanks. In order to accommodate a fulltime resident judge in Barrow, and the resultant court calendar which will stretch throughout the month, it will be necessary to base two attorneys at Barrow. During 1981, the department handled 69 felony cases and over 400 misdemeanors which originated at Barrow. Additionally, a growing civil caseload has now reached 100 matters per year. This work will increase steadily and it already equals one third of the time that is spent on felonies.

The 1980 legislature authorized the establishment of an Attorney III position at Nome (PCN 031106) giving that office a staff compliment of two criminal attorneys and one civil attorney, to accommodate the creation of a superior court at Kotzebue. At that time, it was the court system's plan to use the Kotzebue judge to handle the Kotzebue and Barrow caseload and to handle overflow work at Nome. This plan was never realized, due to travel difficulties and a greater than expected workload at Kotzebue. Consequently, the court system continued to handle the Barrow caseload from Fairbanks and we transferred PCN 031106 to Fairbanks to parallel the calendar of Fairbanks judges assigned to Barrow. The 1981 legislature further authorized the creation of a district attorney's office in Barrow, however, the funds provided for this purpose were insufficient to cover personal services and travel expenses, which are primarily used for witness travel and subsistence and other associated litigation support purposes. Using the funding that was available, the department was able to fund a liaison office at Barrow staffed by a paralegal to provide pretrial diversion, witness assistance and liaison services for local law enforcement agencies.

Once fulltime superior court services become available at Barrow, it will become necessary to locate two attorneys in that community to support the courts activities. The current caseload requires the services of approximately one and one half attorneys. Historically, caseloads in communities with large service areas, such as the 88,000 square mile North Slope Borough, grow dramatically when the complete services of the criminal justice system become available. The need for two attorneys is conservative and it is a minimum requirement. The least expensive and most practical way of satisfying this

requirement is to transfer Attorney III PCN 031106 from Fairbanks to Barrow and to create a new Attorney V position at the latter location. It will also be necessary to create a Legal Secretary I position to provide required legal clerical support services. It is not possible to transfer more than one attorney position from Fairbanks due to the Fairbanks caseload which is also being handled by the two attorneys who handle Barrow matters.

Wrangell

In order to accommodate a new superior court at Wrangell it will not be necessary for the department to establish any new positions, given the close proximity of the department's existing district attorney's office in Juneau, Ketchikan, and Sitka, and provided that existing staffing levels in these offices are not reduced. Using these existing resources, the department can adequately support superior court activities; however, additional travel funds will be needed to cover a greatly expanded court calendar and to provide for increased court/witness expenses caused by the availability of fulltime superior court level trial services. We estimate that \$20.0 will be required for additional attorney travel and \$20.0 will be required to cover witness travel and subsistence expenses. Slightly more than 500 cases were filed at Wrangell, Petersburg and Kake during the past year. Due to the department's existing First Judicial District resources and the availability of the area's transportation and communications systems, we do not believe that creating a district attorney's office in Wrangell is warranted at this time. With six attorneys currently in the adjoining area offices, there is sufficient calendar flexibility to handle the Wrangell caseload. Should there be any reduction in this number, however, this flexibility will be gone, making it necessary to establish a Wrangell office, which now accounts for slightly more than one half of an attorneys time. Because basic office costs will far exceed any savings by transferring a position, or eliminating one elsewhere, an office should not be established, absent a demonstrated caseload demand. The cost of establishing and staffing a Wrangell office would exceed \$150,000. This amount is not included in this fiscal note. In terms of long range planning, growth will probably occur first at Ketchikan, in response to construction of the Quartz Hill mine and related facilities.

Palmer

The creation of a superior court in Palmer will require the additional services of one Attorney V and a Legal Secretary I. The department has been fortunate in having the services of an extremely productive and hard working attorney who spends three weeks of each month at Palmer to handle misdemeanor cases. Heretofore, Palmer felony cases have all been tried in Anchorage. With the establishment of the superior court in

Palmer, it will be necessary to have a resident district attorney to handle the very heavy caseload and the additional legal work, such as arraignments and other pretrial and post-trial motions, which will be generated when a full level trial court is established. During the past year, the felony caseload reached 75 cases and the misdemeanor caseload exceeded 1,000 cases. Even with the creation of an attorney position at Palmer it will still be necessary to provide some attorney assistance from Anchorage. We estimate that the time of one and one half attorneys is being devoted to Palmer cases. As this caseload grows, justifying a two attorney office, the department will probably transfer a position from Anchorage. Transferring a position at this time, in lieu of creating a new position, is not feasible given the additional work which will simply be generated as a consequence of establishing a new court in an area with the caseload characteristics which occur in Palmer.

Cost Summary

Barrow

Personal Services:

Attorney V (25A)	\$ 93,262
Attorney III (Fbxs/Barrow salary differential)	12,800
Legal Secretary I (10B)	<u>35,541</u>
	\$141,603

Travel:

Attorney transfer costs (2 attorneys \$10.0 each one time)	\$ 20,000
The department already has a \$45,000 authorization for witness/attorney litigation expenses for Barrow. No additional funds will be required for this purpose.	
	<u>\$ 20,000</u>

Contractual:

170 SF of additional rental space at \$3.75 per sq.ft.	\$ 7,650
Communications and copying is estimated at \$500 per month for the two attorneys and \$200 per month for the legal secretary. 1200 x 12 =	14,400
Expert witness fees	<u>10,000</u>
	\$ 32,050

Commodities:

Expendable desk top materials \$100 per month per employee. \$300 x 12 =	\$ 3,600
New employee startup equipment & library (one time)	6,000
Recurrent library expense	<u>1,800</u>
	\$ 11,400

Equipment:

New position equipment \$600 x 3 (one time)	\$ 1,800
Communicating word processor	<u>12,700</u>
	\$ 14,500

Barrow Total \$219,553

Wrangell

Travel:

Increased attorney travel	\$ 20,000
Increased witness travel and subsistence	<u>20,000</u>

Wrangell Total \$ 40,000

Palmer:

Personal Services

Attorney V (25A)	\$ 71,102
Legal Secretary I (10B)	<u>28,153</u>
	\$ 99,255

Travel:

Attorney litigation travel	\$ 3,000
Attorney moving/transfer cost (one time)	\$ 5,000
Witness travel/subsistence	<u>\$ 10,000</u>
	\$ 18,000

Contractual:

Rent at \$2.00 SF x 450 SF =	\$ 10,800
Attorney communications & copying at \$400 per month	4,800
Secretarial communicating & copying at \$200 per month	2,400
Expert witness fees	<u>\$ 7,500</u>
	\$ 25,500

Commodities:

Desk top expendables \$100 per month, per employee	\$ 2,400
New employee start up equipment & library (one-time)	4,000
Recurrent library	<u>1,800</u>
	\$ 8,200

Equipment:

New position equipment \$600 x 2 (one-time)	\$ 1,200
Communicating word processor	<u>12,700</u>
	\$ 13,900

Palmer Total \$164,855

An annual inflation factor of 8% has been applied beyond FY83.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 590

Title increasing the number of superior court judges.

Requested by House Finance Committee Date April 1, 1982

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services

Program Category Affected Offender Confinement Reformation & Supervisor

BRU, Program, Or Subprogram(s) Affected Probation & Community Programs

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		88.5	111.6			
200 TRAVEL		22.6	9.0			
300 CONTRACTUAL		28.8	11.0			
400 COMMODITIES		1.9	2.0			
500 EQUIPMENT		3.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		145.3	133.6			

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		145.3	133.6			
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		2	2			
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Two probation officers will cost a minimum of \$145,300 to operate for ten months in FY 83 and approximately \$133,600 in operate in FY 84.

The probation officers in Barrow and Wrangell will be functioning in one officer offices in remote locations. Therefore the Probation Officer III classification will be necessary. FY 83 costs are figured for a 10 month period to adjust for time necessary to establish the positions and select and transfer officers to these locations. FY 84 costs include 12 months funding for the Probation Officers' salaries, office space rent, deletion of first year moving expenses and purchase of Highway working capital fund vehicles, and application of 5% inflation rate.

IV. DATE 4/1/82

PREPARED BY Bob Schroeder, Fiscal Analyst
AGENCY Legislative Finance

Original: Legislative Finance
cc: Budget and Management

PHONE 465-3795

Prime Sponsor (First Legislator Named)

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