



General Assembly

February Session, 2012

Governor's Bill No. 31

LCO No. 544

*00544 _____ *

Referred to Committee on Judiciary

Introduced by:

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

**AN ACT ESTABLISHING A COMMISSION ON JUDICIAL
COMPENSATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2012*) (a) There is established a
2 Commission on Judicial Compensation for the purpose of examining
3 and making recommendations with respect to judicial compensation.
4 The commission shall consist of nine members as follows: (1) Three
5 appointed by the Governor; (2) one appointed by the president pro
6 tempore of the Senate; (3) one appointed by the speaker of the House
7 of Representatives; (4) one appointed by the minority leader of the
8 Senate; (5) one appointed by the minority leader of the House of
9 Representatives; and (6) two appointed by the Chief Justice of the
10 Supreme Court. To the extent practicable, each appointing authority
11 shall appoint members who have experience in financial management,
12 human resource administration or the determination of executive
13 compensation. Each member of the commission shall serve a term of

14 four years, and no member may be appointed to more than one four-
15 year term, except that any member may continue to serve until such
16 member's successor is appointed and qualified. Any vacancy on the
17 commission shall be filled for the unexpired portion of the term by the
18 appointing authority having the power to make the original
19 appointment. The commission shall elect a chairperson from among its
20 members. A majority of the members of the commission shall
21 constitute a quorum for the transaction of any business.

22 (b) Not later than January 2, 2013, and every four years thereafter,
23 the commission shall:

24 (1) Examine the adequacy and need for adjustment of compensation
25 for each of the following four fiscal years, for (A) the Chief Justice of
26 the Supreme Court, (B) the Chief Court Administrator if a judge of the
27 Supreme Court, Appellate Court or Superior Court, (C) each associate
28 judge of the Supreme Court, (D) the Chief Judge of the Appellate
29 Court, (E) each judge of the Appellate Court, (F) the Deputy Chief
30 Court Administrator if a judge of the Superior Court, (G) each judge of
31 the Superior Court, (H) the judge designated as the administrative
32 judge of the appellate system, (I) each Superior Court judge designated
33 as the administrative judge of a judicial district, (J) each Superior Court
34 judge designated as chief administrative judge, (K) the Chief Family
35 Support Magistrate, and (L) each Family Support Magistrate; and

36 (2) Examine the adequacy and need for adjustment of per diem
37 compensation for each of the following four fiscal years, for senior
38 judges, judge trial referees and family support referees.

39 (c) In conducting its examination under subsection (b) of this
40 section, the commission shall take into account all appropriate factors
41 including, but not limited to: (1) The overall economic climate in the
42 state; (2) the rate of inflation; (3) the levels of compensation received by
43 judges of other states and of the federal government; (4) the levels of
44 compensation received by attorneys employed by government
45 agencies, academic institutions and private and nonprofit

46 organizations; (5) the state's interest in attracting highly qualified and
47 experienced attorneys to serve in judicial capacities; (6) compensation
48 adjustments applicable to employees of the state during applicable
49 fiscal years; and (7) the state's ability to fund increases in
50 compensation.

51 (d) Not later than January 2, 2013, and every four years thereafter,
52 the commission shall submit a report on its findings, in accordance
53 with section 11-4a of the general statutes, to the Governor, the General
54 Assembly and the Chief Justice of the Supreme Court.
55 Notwithstanding sections 46b-231, 46b-236, 51-47, 51-47b and 52-434 of
56 the general statutes, each recommendation made in such report
57 regarding changes in compensation shall have the force of law and
58 shall become effective July first of the year in which the report was
59 submitted, unless modified or abrogated by statute or resolution prior
60 to May first of the year in which the report was submitted.

61 Sec. 2. Section 2-9a of the general statutes is repealed and the
62 following is substituted in lieu thereof (*Effective July 1, 2012*):

63 (a) (1) There is created a Compensation Commission consisting of
64 eleven members, three of whom shall be appointed by the Governor,
65 two of whom shall be appointed by the president pro tempore of the
66 Senate, two of whom shall be appointed by the speaker of the House of
67 Representatives, two of whom shall be appointed by the minority
68 leader of the Senate and two of whom shall be appointed by the
69 minority leader of the House of Representatives. All members of said
70 commission shall be appointed on or before July 1, 1971, and
71 quadrennially thereafter, to serve for a term of four years. No person
72 shall be appointed to said commission who is an official or employee
73 of the state of Connecticut or any department, agency or political
74 subdivision thereof, or who is an official or employee of any agency or
75 institution more than ten per cent of the gross annual income of which
76 is from state funds. Members shall not be compensated for their
77 services as such but shall be reimbursed for all necessary expenses

78 incurred in the performance of their duties. (2) On or before July 15,
79 1971, and biennially thereafter, the commission shall elect a chairman
80 from its members. A majority of the members of said commission shall
81 constitute a quorum for the transaction of any business. Any action
82 taken by said commission shall be by majority vote of those present.

83 (b) The Compensation Commission shall recommend to the General
84 Assembly, on or before February fifteenth, in odd-numbered years,
85 legislative proposals for salary, expenses, pension, workers'
86 compensation and any other benefits to be paid to the Governor,
87 Lieutenant Governor, Secretary of the State, Attorney General,
88 Treasurer, Comptroller [,] and members of the General Assembly. [and
89 judges of the courts of the state, except judges of probate.] In its
90 discretion, the commission also may submit its recommendation for
91 such legislative proposals, on or before February fifteenth in even-
92 numbered years. The General Assembly shall take action on such
93 proposals at the session to which they are submitted. No proposals for
94 legislative salary, if enacted by the General Assembly, shall become
95 effective until the first Wednesday following the first Monday of the
96 January succeeding the next election of members of the General
97 Assembly. No proposals for salaries shall be effective as to the
98 Governor, Lieutenant Governor, Secretary of the State, Attorney
99 General, Treasurer and Comptroller until the first Wednesday
100 following the first Monday of the January succeeding the next election
101 of said officers. Any other proposals of benefits, if enacted, shall be
102 applicable with respect to the incumbents in the offices covered. Said
103 commission may recommend different rates of salary, expenses and
104 allowances for members of the General Assembly for session and
105 interim periods and may recommend rates of salary, expenses and
106 allowances for members of the General Assembly who are officers
107 which are different from that established for other members.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2012</i>	New section
Sec. 2	<i>July 1, 2012</i>	2-9a

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]