



General Assembly

Substitute Bill No. 31

February Session, 2012

* SB00031JUD__032712__ *

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

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

40 (c) In conducting its examination under subsection (b) of this
41 section, the commission shall take into account all appropriate factors
42 including, but not limited to: (1) The overall economic climate in the
43 state; (2) the rate of inflation; (3) the levels of compensation received by
44 judges of other states and of the federal government; (4) the levels of
45 compensation received by attorneys employed by government
46 agencies, academic institutions and private and nonprofit
47 organizations; (5) the state's interest in attracting highly qualified and
48 experienced attorneys to serve in judicial capacities; (6) compensation
49 adjustments applicable to employees of the state during applicable
50 fiscal years; and (7) the state's ability to fund increases in
51 compensation.

52 (d) Not later than January 2, 2013, and every four years thereafter,

53 the commission shall submit a report on its findings, in accordance
54 with section 11-4a of the general statutes, to the Governor, the General
55 Assembly and the Chief Justice of the Supreme Court.
56 Notwithstanding sections 46b-231, 46b-236, 51-47, 51-47b and 52-434 of
57 the general statutes, each recommendation made in such report
58 regarding changes in compensation shall have the force of law and
59 shall become effective July first of the year in which the report was
60 due, unless modified or abrogated by statute or resolution prior to
61 May first of the year in which the report was due.

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

64 (a) (1) There is created a Compensation Commission consisting of
65 eleven members, three of whom shall be appointed by the Governor,
66 two of whom shall be appointed by the president pro tempore of the
67 Senate, two of whom shall be appointed by the speaker of the House of
68 Representatives, two of whom shall be appointed by the minority
69 leader of the Senate and two of whom shall be appointed by the
70 minority leader of the House of Representatives. All members of said
71 commission shall be appointed on or before July 1, 1971, and
72 quadrennially thereafter, to serve for a term of four years. No person
73 shall be appointed to said commission who is an official or employee
74 of the state of Connecticut or any department, agency or political
75 subdivision thereof, or who is an official or employee of any agency or
76 institution more than ten per cent of the gross annual income of which
77 is from state funds. Members shall not be compensated for their
78 services as such but shall be reimbursed for all necessary expenses
79 incurred in the performance of their duties. (2) On or before July 15,
80 1971, and biennially thereafter, the commission shall elect a chairman
81 from its members. A majority of the members of said commission shall
82 constitute a quorum for the transaction of any business. Any action
83 taken by said commission shall be by majority vote of those present.

84 (b) The Compensation Commission shall recommend to the General
85 Assembly, on or before February fifteenth, in odd-numbered years,

86 legislative proposals for salary, expenses, pension, workers'
87 compensation and any other benefits to be paid to the Governor,
88 Lieutenant Governor, Secretary of the State, Attorney General,
89 Treasurer, Comptroller [,] and members of the General Assembly. [and
90 judges of the courts of the state, except judges of probate.] In its
91 discretion, the commission also may submit its recommendation for
92 such legislative proposals, on or before February fifteenth in even-
93 numbered years. The General Assembly shall take action on such
94 proposals at the session to which they are submitted. No proposals for
95 legislative salary, if enacted by the General Assembly, shall become
96 effective until the first Wednesday following the first Monday of the
97 January succeeding the next election of members of the General
98 Assembly. No proposals for salaries shall be effective as to the
99 Governor, Lieutenant Governor, Secretary of the State, Attorney
100 General, Treasurer and Comptroller until the first Wednesday
101 following the first Monday of the January succeeding the next election
102 of said officers. Any other proposals of benefits, if enacted, shall be
103 applicable with respect to the incumbents in the offices covered. Said
104 commission may recommend different rates of salary, expenses and
105 allowances for members of the General Assembly for session and
106 interim periods and may recommend rates of salary, expenses and
107 allowances for members of the General Assembly who are officers
108 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

JUD *Joint Favorable Subst.*