

SENATOR HOAGLAND: It won't be a double salary situation, Marge. If you had spent as much time as I have talking to Joe Steele and other members of the court system about the terribly difficult problems they are having stretching their current budget, we are facing the layoff of probation officer problem, for instance, around the state, that is simply not going to happen. They are scratching for every penny they can find.

SENATOR HIGGINS: Thank you, Senator. I just wanted to clarify that one point.

SENATOR MARSH: Senator Pirsch.

SENATOR PIRSCH: Thank you. Senator Hoagland, I am sorry to take more time on this. My bill is coming up next but there was a question on page 6 of the old bill which would be Section 5 where it has been stated that the salary of the associate county judge would be set pursuant to law. It now is by rule of the Supreme Court. And I guess I had a question, is that constitutional or what laws then are we setting aside to have the Supreme Court?

SENATOR HOAGLAND: Senator Pirsch, I can't personally answer that question. I am informed by counsel that the current process for setting salaries within the judicial system is through the rule-making process.

SENATOR PIRSCH: And has been? Yes, I wondered if that delegation of authority is in law somewhere else or if that cannot be delegated if it is set in statute.

SENATOR HOAGLAND: Senator Pirsch, if you look at the stricken language on the bottom half of page 6 and the upper quarter of page 7 of the bill, why that is the current provision for setting salaries for court personnel. For instance, the maximum salary for an associate county judge shall be three-fourths of the salary of a county judge.

SENATOR PIRSCH: Uh-huh, right.

SENATOR HOAGLAND: And that language will all be replaced by the language you are referring to that their salaries will be set by rule by the Supreme Court.