

STANDING COMMITTEE REPORT NO. 15-24

RE: C.B. NO. 15-09 J&GO/J

SUBJECT: SALARY INCREASE FOR SUPREME COURT JUSTICES

SEPTEMBER 06, 2007

The Honorable Isaac V. Figir
Speaker, Fifteenth Congress
Federated States of Micronesia
Second Special Session, 2007

Dear Mr. Speaker:

Your committee on Judiciary and Governmental Operations, to which was referred C.B. No. 15-09, entitled:

"A BILL FOR AN ACT TO FURTHER AMEND TITLE 4 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 108, TO INCREASE THE SALARIES OF THE CHIEF JUSTICE AND ASSOCIATED JUSTICE OF THE SUPREME COURT OF THE FEDERATED STATES OF MICRONESIA, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

The intent and purpose of the bill are expressed in its title.

C.B. No. 15-09 proposes to increase the *per annum* salaries of the Chief Justice of the Supreme Court from \$40,000 to \$50,000 and of the Associated Justices from \$38,000 to \$45,000.

Your committee held a budget hearing with representatives of the FSM Supreme Court on the morning of Tuesday 4 September 2007. The issue of justice salaries was raised. Associate Justice Yamase, on behalf of the Court, presented three points to assist your committee in its consideration of the subject bill:

1. The Justices of the FSM Supreme Court have never, in the history of the FSM, received a salary increase. As a result, salary levels for Supreme Court Justices have remained as they were in the early 1980's.
2. FSM Supreme Court Justices receive salaries that are lower than other Lawyers employed by the FSM National Government. Lawyers employed by the Department of Justice, including the Attorney General and Assistant Attorney Generals, the Staff Attorneys of the Office of the Public Defender, as well as Congress' Legislative Counsel and Staff Attorneys all earn more than the FSM Supreme Court Justices. In addition, Staff Attorneys employed by the Supreme Court earn more than the Justices they provide assistance to.

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3. FSM Supreme Court Justices are the lowest paid in the Micronesian region. Justices in the Republic of the Marshall Islands earn between \$55,000 and \$60,000 while their counterparts in Palau earn between \$80,000 and \$85,000.

Your committee notes that the proposed pay increase is a modest one. FSM Supreme Court Justices would still earn less than their counterparts in RM and Palau; however, their salaries would be on a par with other professional legal staff of the FSM national government. Your committee takes the view that it is appropriate and desirable for our Supreme Court Justices to receive the proposed pay increase at this time.

For this reasons, you Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.B. NO. 15-09 and recommends its passage on First Reading, and that it be placed on the calendar for Second and Final reading in the form attached hereto as C.B. No. 15-09.

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Respectfully submitted,

/s/ Peter Sitan
Peter Sitan, chairman

/s/ Fredrico O. Primo
Fredrico O. Primo, vice chairman

/s/ Tiwiter Aritos
Tiwiter Aritos, member

/s/ Isaac V. Figir
Isaac V. Figir, member

/s/ Dohsis Halbert
Dohsis Halbert, member

/s/ Moses A. Nelson
Moses A. Nelson, member

/s/ Paliknoa K. Welly
Paliknoa K. Welly, member