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Wayne
2/27/18

CS FOR HOUSE BILL NO. 309(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVE GUTTENBERG

A BILL

FOR AN ACT ENTITLED

"An Act relating to salary, per diem, stipends, and annual allowances for legislators; relating to the powers and duties of the State Officers Compensation Commission; disapproving all recommendations of the State Officers Compensation Commission relating to the compensation, benefits, and allowances of state officers; and providing for an effective date."

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

* **Section 1.** AS 24.10.100 is amended to read:

Sec. 24.10.100. Salary of legislators. Legislators shall receive a monthly salary of \$3,350. During tenure of office, the [UNDER AS 39.23. THE] president of the senate and the speaker of the house of representatives may receive additional compensation determined by the legislative council [UNDER AS 39.23 DURING TENURE OF OFFICE].

* **Sec. 2.** AS 24.10.100 is amended by adding new subsections to read:

(b) For each day of a legislative session that a legislator is within 50 miles of the Capitol or other facility in which the legislative session is convened or in which a legislative committee is meeting, the legislator shall receive a stipend as follows:

- (1) before the 91st day of a regular legislative session, \$300;
- (2) after the 90th day of a regular legislative session, \$150;
- (3) during a first special legislative session, \$50;
- (4) during a second special legislative session, \$30;
- (5) during a third special legislative session, \$10;
- (6) during a fourth or later special legislative session, \$0.

(c) The stipend under (b) of this section is in addition to a monthly salary or additional compensation under (a) of this section, an annual allowance under AS 24.10.110, and a moving expense and per diem allowance under AS 24.10.130.

* **Sec. 3.** AS 24.10.110 is amended to read:

Sec. 24.10.110. Additional allowances. In addition, each member of the legislature is entitled to an annual allowance, in an amount determined by the legislative council, [PRESCRIBED IN ACCORDANCE WITH AS 39.23] for postage, stationery, stenographic services, and other expenses.

* **Sec. 4.** AS 24.10.120 is amended to read:

Sec. 24.10.120. Method of payment. (a) Salaries, per diem, travel expenses, moving [RELOCATION] expenses, and additional allowances for members of the legislature shall be paid as approved by the legislative fiscal officer.

(b) The legislative fiscal officer shall file a travel and compensation report with the legislature's fiscal office by January 31 of each year. The report must contain detailed information for the previous calendar year of the salaries, per diem, travel expenses, moving [RELOCATION] expenses, and any additional allowances for each legislator and each legislative director.

* **Sec. 5.** AS 24.10.130(b) is amended to read:

(b) Legislators and officers and employees of the legislative branch of government may be entitled to a travel per diem allowance for travel on legislative business.

* **Sec. 6.** AS 24.10.130(c) is amended to read:

(c) The Alaska Legislative Council shall adopt a policy [IN ACCORDANCE WITH AS 39.23.540(d)] regarding reimbursement for moving expenses and travel per diem applicable to all legislators [AND AN APPLICABLE PER DIEM ALLOWANCE POLICY]. The policy must set conditions for the reimbursement for moving expenses and payment of travel per diem and prescribe the amounts of reimbursement adapted to the special needs of the legislative branch as determined by the council.

* **Sec. 7.** AS 24.10.130 is amended by adding new subsections to read:

(d) Except as provided in (e) of this section, for each day of a legislative session, the legislator is entitled to a per diem allowance of \$45 for lodging and \$33 for meals.

(e) A legislator may not receive a per diem allowance under (d) of this section

(1) for lodging and meals for any day

(A) during the interim between one legislative session and the next legislative session;

(B) during a legislative session if the legislator's principal place of residence is within 50 miles of the Capitol or other facility in which the legislative session is convened or a legislative committee is meeting;

(C) for which the legislator claims or is entitled to a travel per diem allowance under (b) of this section;

(2) for meals for any day during a legislative session during which the legislator is not within 50 miles of the Capitol or other facility in which the legislative session is convened or a legislative committee is meeting.

* **Sec. 8.** AS 24.20.060 is amended by adding a new subsection to read:

(b) The legislative council shall determine

(1) any additional compensation provided to the president of the senate and the speaker of the house of representatives under AS 24.10.100; and

(2) the amount of the annual allowance provided to legislators under AS 24.10.110.

* **Sec. 9.** AS 24.20.062 is amended to read:

Sec. 24.20.062. Legislative internship program. A legislative internship

program established by the legislative council under AS 24.20.060(a)(8)
[AS 24.20.060(8)] shall provide that

(1) the University of Alaska provide academic support and credit to the
program;

(2) students enrolled and in good standing at any accredited
postsecondary educational institution who have successfully completed at least two
years of study are eligible to participate in the program;

(3) interns will be selected by a committee composed of members of
the legislature appointed by the legislative council and representatives of the
university appointed by the university;

(4) interns will be selected on the basis of their experience and interest
in subjects that [WHICH] the legislative council feels are likely to be considered
during a legislative session;

(5) legislative interns are entitled to receive academic credit and
payment of \$30 for each day of participation in the program during the legislative
session.

* **Sec. 10.** AS 39.23.540(a) is amended to read:

(a) The commission shall review the salaries, benefits, and allowances of
[MEMBERS OF THE LEGISLATURE,] the governor, the lieutenant governor, and
each principal executive department head and prepare a report on its findings at least
once every two years, but not more frequently than every year. The commission shall
notify the legislature that the report is available.

* **Sec. 11.** AS 39.23.540(b) is amended to read:

(b) The commission may request reports or studies from any state agency as to
the rate and form of compensation, benefits, and allowances for [LEGISLATORS,]
the governor, the lieutenant governor, and each executive department head. A state
agency from which a report or a study is requested shall furnish it within a period of
time prescribed by the commission.

* **Sec. 12.** AS 39.23.540(d) is amended to read:

(d) The commission shall make available to the governor and presiding
officers of each house of the legislature a final report of its findings and

recommendations as to the rate and form of compensation, benefits, and allowances for [LEGISLATORS,] the governor, the lieutenant governor, and each principal executive department head during the first 10 days of a legislative session. Subject to (g) of this section and unless a bill disapproving all the recommendations for all officers listed in this section is enacted into law within 60 days after the recommendations are submitted to the governor and presiding officers of each house of the legislature, a recommendation as to the compensation, benefits, and allowances for

[(1) A LEGISLATOR HAS THE FORCE OF LAW AND BECOMES EFFECTIVE ON THE FIRST DAY OF THE NEXT REGULAR LEGISLATIVE SESSION; AND

(2)] the governor, the lieutenant governor, and each principal executive department head has the force of law and becomes effective on the first day of the fiscal year following the fiscal year in which the recommendation is submitted.

* **Sec. 13.** AS 39.23.560 is amended to read:

Sec. 39.23.560. Recommendations relating to benefits. The recommendations of the commission relating to benefits may not include any recommendation relating to health, retirement, disability, or death benefits under AS 39.30 and AS 39.35 for [MEMBERS OF THE LEGISLATURE,] the governor, the lieutenant governor, and each principal executive department head.

* **Sec. 14.** AS 39.23.570 is amended to read:

Sec. 39.23.570. Filing with lieutenant governor and certification. The commission shall, on transmitting its final recommendations for the compensation of [LEGISLATORS,] the governor, the lieutenant governor, and each principal executive department head to the legislature, file the recommendations in the office of the lieutenant governor. When the recommendations become effective, the commission shall certify the copy of the recommendations on file in the office of the lieutenant governor.

* **Sec. 15.** AS 39.23.580 is repealed.

* **Sec. 16.** The uncodified law of the State of Alaska is amended by adding a new section to read:

1 DISAPPROVAL OF THE STATE OFFICERS COMPENSATION COMMISSION'S
2 RECOMMENDATIONS. The recommendations contained in the final report of the State
3 Officers Compensation Commission relating to the compensation, benefits, and allowances of
4 members of the legislature, the governor, the lieutenant governor, and each principal
5 executive department head, made available under AS 39.23.540(d), as that subsection read
6 before the effective date of sec. 12 of this Act, to the governor and presiding officers of each
7 house of the legislature during the Second Regular Session of the Thirtieth Alaska State
8 Legislature, are disapproved.

9 * **Sec. 17.** Section 16 of this Act takes effect immediately under AS 01.10.070(c).

10 * **Sec. 18.** Except as provided in sec. 17 of this Act, this Act takes effect January 1, 2019.