

**SENATE BILL NO. 138**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

**BY SENATOR MICCICHE**

**Introduced: 1/16/18**

**Referred: Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to per diem allowances for legislators during regular or special**  
2 **legislative sessions."**

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

4 **\* Section 1.** AS 24.10.130 is amended by adding new subsections to read:

5 (d) The policy adopted by the Alaska Legislative Council under (c) of this  
6 section must set a per diem allowance that

7 (1) is based on the federal rate of per diem established by the United  
8 States Department of Defense;

9 (2) does not exceed, during a regular session of the legislature,

10 (A) for a legislator whose principal place of residence is more  
11 than 100 miles from the boundary of the capital city,

12 (i) 80 percent of the federal rate for the first 90 days;

13 and

14 (ii) 65 percent of the federal rate during the 91st

1 through 121st day and during an extension of a regular session  
2 authorized by art. II, sec. 8, Constitution of the State of Alaska;

3 (B) for a legislator whose principal place of residence is more  
4 than 50 miles, but not more than 100 miles, from the boundary of the capital  
5 city,

6 (i) 50 percent of 80 percent of the federal rate during  
7 the first 90 days; and

8 (ii) 50 percent of 65 percent of the federal rate during  
9 the 91st through 121st day and during an extension of a regular session  
10 authorized by art. II, sec. 8, Constitution of the State of Alaska;

11 (3) does not exceed, during a special session of the legislature,

12 (A) for a legislator whose principal place of residence is more  
13 than 100 miles from the boundary of the municipality where the special session  
14 of the legislature is convened,

15 (i) 80 percent of the federal rate; or

16 (ii) during a calendar year in which the legislature has  
17 not passed a fully funded state operating budget by the 121st legislative  
18 day and during an extension of a regular session authorized by art. II,  
19 sec. 8, Constitution of the State of Alaska, 50 percent of 80 percent of  
20 the federal rate;

21 (B) for a legislator whose principal place of residence is more  
22 than 50 miles, but not more than 100 miles, from the boundary of the  
23 municipality where the special session of the legislature is convened,

24 (i) 50 percent of 80 percent of the federal rate; or

25 (ii) during a calendar year in which the legislature has  
26 not passed a fully funded state operating budget by the 121st legislative  
27 day and during an extension of a regular session authorized by art. II,  
28 sec. 8, Constitution of the State of Alaska, 25 percent of 80 percent of  
29 the federal rate.

30 (e) In setting the per diem allowance under (c) of this section, the policy  
31 adopted by the Alaska Legislative Council must provide that a legislator may not be

1           paid per diem for a regular or special session of the legislature if the legislator's  
2           principal place of residence is 50 miles or less from the boundary of the municipality  
3           where that regular or special session is convened.