

Offered: 4/11/86
Referred: Judiciary

Original sponsor: Larson/Legislative
Salaries

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 454 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to compensation of state officers;
7 establishing a commission on compensation of state
8 officers; and providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 24.10.100 is amended to read:
11 Sec. 24.10.100. [ANNUAL] SALARY OF LEGISLATORS. The monthly
12 [ANNUAL] salary for each member of the legislature is equal to Step A,
13 Range 10 of the salary schedule in AS 39.27.011(a) for Juneau
14 [\$46,800]. The president of the senate and the speaker of the house
15 of representatives are each entitled to an additional \$500 a year
16 during tenure of office.
17 * Sec. 2. AS 24.10 is amended by adding a new section to read:
18 Sec. 24.10.105. LEGISLATIVE PER DIEM. (a) A member of the
19 legislature is entitled to receive per diem at the same rate allowed
20 for a state employee under AS 39.20.110 and 39.20.160, including
21 regional variations in the rate where applicable.
22 (b) A legislator is entitled to receive per diem at the short-
23 term rate
24 (1) during a legislative session if the legislator is not
25 living in the legislator's place of permanent residence during the
26 session; and
27 (2) while on committee business or other legislative busi-
28 ness in a place that is not the legislator's place of permanent resi-
29 dence.

1 (c) A legislator is entitled to receive per diem at the long-
2 term rate

3 (1) during a legislative session if the legislator is
4 living in the legislator's place of permanent residence during the
5 session; and

6 (2) while engaged in committee business or other legisla-
7 tive business at the legislator's place of permanent residence.

8 (d) In this section

9 (1) "long-term rate" means the long-term per diem rate for
10 a state employee established in regulations adopted by the commis-
11 sioner of administration under AS 39.20.160;

12 (2) "short-term rate" means the short-term per diem rate
13 for a state employee established in regulations adopted by the commis-
14 sioner of administration under AS 39.20.160.

15 * Sec. 3. AS 24.10.120 is amended to read:

16 Sec. 24.10.120. METHOD OF PAYMENT. Salaries, per diem, and
17 additional allowances for members of the legislature shall be paid by
18 warrants drawn on vouchers approved by the legislative fiscal officer.
19 The legislative fiscal officer shall, by January 31 of each year,
20 file with the legislature's fiscal office a report of all vouchers
21 approved for payment under this section during the preceding calendar
22 year. The report shall provide, by legislator, the date of each
23 voucher, the amount paid, and the basis for approval for payment. The
24 report is a public record.

25 * Sec. 4. AS 39 is amended by adding a new chapter to read:

26 CHAPTER 23. STATE OFFICERS COMPENSATION COMMISSION.

27 Sec. 39.23.200. COMPENSATION COMMISSION ESTABLISHED. (a) The
28 State Officers Compensation Commission is established. The commission
29 is composed of seven members appointed by the governor subject to

1 confirmation by a majority of the legislature in joint session.
2 Members serve for staggered terms of four years. Commission member-
3 ship shall include at least one business executive, one representative
4 of a nonpartisan voters' organization, one person with experience in
5 public administration and one representative of a labor organization.
6 A vacancy shall be filled for the balance of the unexpired term. A
7 commission member may serve no more than two complete consecutive
8 terms.

9 (b) The commission shall elect a member to chair its meetings.
10 A majority of the commission members constitutes a quorum to transact
11 business. The affirmative vote of four members is required to approve
12 the commission's recommendations on compensation.

13 (c) The commission shall meet every other year at the call of
14 the chair. Notice of a meeting shall be mailed to each member at
15 least 15 days before the date scheduled for the meeting.

16 (d) The commission shall hold a public hearing to discuss its
17 findings and recommendations before submitting its final report to the
18 legislature.

19 (e) The commission shall be established in the Office of the
20 Governor.

21 Sec. 39.23.210. PROHIBITIONS AGAINST STATE OR MUNICIPAL SERVICE.
22 A member of the commission may not be employed by the state, including
23 the University of Alaska, serve as a member of another state board,
24 commission, or authority, or hold elective state or municipal office
25 during membership on the commission.

26 Sec. 39.23.220. COMPENSATION. Members of the commission serve
27 without compensation but are entitled to per diem and travel expenses
28 authorized for members of boards and commissions under AS 39.20.180.

29 Sec. 39.23.230. STAFF. (a) If requested by the commission, the

1 Legislative Affairs Agency shall provide staff for the commission.

2 (b) If requested by the commission, the director of personnel in
3 the Department of Administration shall serve as secretary to the
4 commission.

5 Sec. 39.23.240. DUTIES OF THE COMMISSION. (a) The commission
6 shall review the salaries, benefits, and allowances of members of the
7 legislature and submit a report on its findings at least once every
8 two years, but not more frequently than every year.

9 (b) The commission may review the compensation, benefits, and
10 allowances of the governor, lieutenant governor, justices and judges
11 of the court system, and the heads of the principal departments and
12 shall report its recommendations to the legislature.

13 (c) The commission shall submit its preliminary findings and
14 recommendations for the compensation of state officers by November 15.
15 The commission shall give reasonable public notice of its preliminary
16 findings and recommendations, solicit public comments, and give due
17 regard to the public comments, before submitting a final report under
18 (d) of this section.

19 (d) The commission shall make a final report of its findings and
20 recommendations as to the rate and form of compensation, benefits, and
21 allowances for legislators.

22 (e) The commission may submit to the legislature amendments to
23 the report submitted under (d) of this section.

24 (f) A commission member who does not concur in the proposed or
25 final recommendations may attach written objections to the commis-
26 sion's report of its findings and recommendations.

27 Sec. 39.23.250. FILING WITH LIEUTENANT GOVERNOR AND CERTIFICA-
28 TION. The commission shall, upon transmitting its final recommenda-
29 tions for the compensation of legislators to the legislature, file the

1 recommendations in the office of the lieutenant governor. When the
2 recommendations become effective, the commission shall certify the
3 copy of the recommendations on file in the office of the lieutenant
4 governor.

5 Sec. 39.23.260. POLICY OF THE LEGISLATURE. It is the policy of
6 the legislature that the commission determine an equitable rate and
7 form of compensation, benefits, and allowances for legislators.

8 Sec. 39.23.270. ADMINISTRATIVE PROCEDURE ACT. The regulation-
9 making provisions of the Administrative Procedure Act (AS 44.62) do
10 not apply to proceedings of the commission.

11 Sec. 39.23.400. DEFINITION. In this chapter "commission" means
12 the State Officers Compensation Commission.

13 * Sec. 5. AS 39.23.240(d) is amended to read:

14 (d) The commission shall make a final report of its findings and
15 recommendations as to the rate and form of compensation, benefits, and
16 allowances for legislators. A recommendation has the force of law and
17 becomes effective 30 days after the report is submitted to the legis-
18 lature.

19 * Sec. 6. AS 24.10 is amended by adding a new section to read:

20 Sec. 24.10.101. COMPENSATION OF LEGISLATORS. The State Officers
21 Compensation Commission shall set the compensation of legislators
22 under AS 39.23.

23 * Sec. 7. Notwithstanding AS 39.05.055(5) and AS 39.23.200, one of the
24 initial members appointed to the commission shall serve a one-year term,
25 two members shall serve two-year terms, two members shall serve three-year
26 terms, and two members shall serve four-year terms.

27 * Sec. 8. Notwithstanding the time limit imposed by AS 39.23.240,
28 enacted by sec. 4 and amended by sec. 5 of this Act, the commission shall
29 submit its first final report to the legislature by January 10, 1987.

1 * Sec. 9. AS 39.23.250, as enacted by sec. 4 of this Act, and sec. 5 of
2 this Act take effect on the effective date of an amendment to the Constitu-
3 tion of the State of Alaska creating a State Officers Compensation Commis-
4 sion.

5 * Sec. 10. AS 39.23.200 - 39.23.240 and 39.23.260 - 39.23.400, as
6 enacted by sec. 4 of this Act, and secs. 7 and 8 of this Act take effect
7 immediately in accordance with AS 01.10.070(c).

8 * Sec. 11. Sections 1 - 3 of this Act take effect January 19, 1987.

9 * Sec. 12. AS 24.10.100 and 24.10.105 are repealed and sec. 6 of this
10 Act takes effect on the effective date of recommendations of the State
11 Officer's Compensation Commission under AS 39.23.240(d) as amended by sec.
12 5 of this Act, setting the compensation of legislators.