

HJR

72

State of Alaska

House Majority Leader

COMMITTEES

HOUSE JUDICIARY

HOUSE RULES

HOUSE STATE AFFAIRS

SPECIAL COMMITTEE

MILITARY AND VET. AFFAIRS

LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.

District 11

Spenard, Upper Midtown Anchorage

P.O. Box V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

MEMORANDUM

TO: Members of House State Affairs Committee

FROM: Rep. Max Gruenberg

RE: Sponsor Statement HJR 72

DATE: February 25, 1992

I would very much appreciate your support of HJR 72 "Proposing an amendment to the Constitution of the State of Alaska relating to compensation of members of the legislature".

HJR 72 purposes a constitutional amendment, that would establish a Legislative Compensation Board. The board will submit it's recommendations to the first regular session of each legislature, and their recommendations will take effect on the convening of the of the legislature following the next general election unless two thirds of the membership of each house disapproves. If the recommendation of the board is rejected the existing compensation for members continues.

If you have any questions about this bill, please contact Stan Robbins in my office (4968) .

Thank you.

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 19, 1992

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 3/23/92

The STATE AFFAIRS Committee considered:

HJR 72

HOUSE JOINT RESOLUTION NO. 72

COMPENSATION FOR LEGISLATORS

Proposing an amendment to the Constitution of the State of Alaska relating to compensation of members of the legislature.

RECOMMENDATIONS: the same title
be replaced with _____ a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact Div of Elections

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Northrup</i>	-	<i>Tom Moe</i>		X	
		<i>Paul H. ...</i>		X	
		<i>...</i>			

Eugene H. Kubacki
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HJR 72

Revision Date: _____
Title: Amendment to the Constitution RE: Compensation of Members of the Legislature.
Sponsor: Representative Gruenberg
Requestor: House State Affairs

Department Affected: Office of the Governor-Elections
BRU: Division of Elections
Component: II-Primary and General Elections

COMPONENT SERIAL NO.

0	0	2	2
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.2*	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	2.2*	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	2.2*	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	2.2*	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.) * This figure covers cost of inclusion of information about this issue in the Official Elections Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Prepared by: Laura A. Blaiser, Projects Coordinator Phone: 465-4611
Division: Elections Date: 3/19/92

Approved by Commissioner: _____
Agency: Office of the Governor Date: _____

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

Rev 10/07/91
HJR72.FN2

Page 1 of 1

State of Alaska

House Majority Leader

COMMITTEES

HOUSE JUDICIARY

HOUSE RULES

HOUSE STATE AFFAIRS

SPECIAL COMMITTEE

MILITARY AND VET. AFFAIRS

LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

P.O. Box V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

MEMORANDUM

TO: Members of House State Affairs Committee

FROM: Rep. Max Gruenberg

RE: Sponsor Statement HJR 72

DATE: February 25, 1992

I would very much appreciate your support of HJR 72 "Proposing an amendment to the Constitution of the State of Alaska relating to compensation of members of the legislature".

HJR 72 purposes a constitutional amendment, that would establish a Legislative Compensation Board. The board will submit it's recommendations to the first regular session of each legislature, and their recommendations will take effect on the convening of the of the legislature following the next general election unless two thirds of the membership of each house disapproves. If the recommendation of the board is rejected the existing compensation for members continues.

If you have any questions about this bill, please contact Stan Robbins in my office (4968) .

Thank you.

State of Alaska

House Majority Leader

COMMITTEES

HOUSE JUDICIARY

HOUSE RULES

HOUSE STATE AFFAIRS

SPECIAL COMMITTEE

MILITARY AND VET. AFFAIRS

LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.
District II
Spennard, Upper Midtown Anchorage

P.O. BOX V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

MEMORANDUM

TO: Representative Gene I *Mat*
FROM: Rep. Max Gruenberg *Mat*
RE: Scheduling HJR 72
DATE: February 19, 1992

I would very much appreciate it if you would schedule HJR 72 " Proposing an amendment to the Constitution of the State of Alaska relating to compensation of members of the legislature", for a hearing as soon as possible..

HJR 72 purposes a constitutional amendment, that would establish a Legislative Compensation Board.

If you have any questions about this bill, please contact Stan Robbins in my office (4968) .

Thank you.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 19, 1989

SUBJECT: Legislative pay raises during the current session (Work Order No. 6-1501)

TO: Representative Max Gruenberg

FROM: Richard A. Bradley
Legislative Counsel *RB*

You have asked that we provide for you an analysis of the constitutions of the other states insofar as they limit the authority of the legislature to raise the compensation of its members during the current legislative session. The provision you describe is relatively common though it comes in various forms.

Certain points should be made about the following analysis. The material is quoted except for the material in brackets. Any provision regarding the time within which a salary change may take effect is stated unless the constitutional source is silent.

The analysis follows; copies of the entire sections from which the quote is taken are enclosed.

(1) Alabama: [Has a constitutional compensation limitation of] ten dollars per day and ten cents per mile [for travel costs]. Art. IV, sec. 49 as amended by Amendment 39 and 57.

(2) Arizona: The legislature shall never [increase or diminish] the compensation of any public officer . . . during his term of office. Art. IV, sec. 17. It is not clear that it applies to the legislature but no other provision found is on point.

(3) Arkansas: [Constitutionally set salary of \$7,500 per annum (President pro tem and Speaker: \$10,000). Per diem, expenses, mileage as set by law.] Art. V, sec. 16 as superseded by Amendment 37 and Amendment 56; only the latter is enclosed.

(4) California: Compensation . . . and reimbursement for travel and living expenses . . . shall be prescribed by statute [enacted by] two thirds of the membership of each house. [An] adjustment of the annual compensation . . . may not exceed an amount equal to 5 percent for each calendar year following the operative date of the last adjustment . . . Any adjustment in compensation may not apply until the commencement of the regular session commencing after the next general election following enactment of the statute. Art. IV, sec. 4.

(5) Colorado: [S]alary and expenses . . . are prescribed by law. No general assembly shall fix its own salary. Members . . . shall receive the same mileage rate permitted for travel as other state employees. Art. V, sec. 6.

(6) Connecticut: The salary . . . and the transportation expenses . . . shall be determined by law. Art. III, sec. 17.

(7) Delaware. [M]embers . . . shall receive an annual salary and an annual expense allowance for transportation and other necessary and proper purposes . . . as the General Assembly shall by law provide. Art. II, sec. 15.

(8) Florida: No provision on point was found.

(9) Georgia: The members . . . shall receive such salary as shall be provided by law, provided that no increase in salary shall become effective prior to the end of the term during which such change is made. Art. III, Sec. IV, Para. VI.

(10) Hawaii: [Legislative salary commission sets compensation.] A change in salary shall not apply to the legislature to which the recommendation . . . was submitted. Art. III, sec. 9.

(11) Idaho: [Compensation set by a citizens committee on legislative compensation. Legislature may reject a recommendation; if that occurs, prior rates remain in effect.] Art. III, sec. 23.

(12) Illinois: A member shall receive a salary and allowance as provided by law, but changes . . . shall not take effect during the term for which he has been elected. Art. IV, sec. 11.

(13) Indiana: [C]ompensation [shall] be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made. Art. 4, sec. 29.

(14) Iowa: [C]ompensation . . . shall be fixed by law [but doesn't take effect] prior to the convening of the next General Assembly Art. III, sec. 25.

(15) Kansas: [C]ompensation [shall be] provided by law or . . . determined according to law. Art. 2, sec. 3.

(16) Kentucky: [Apparently set by law:] "Provided, No change shall take effect during the session at which it is made; . . ." Sec. 42.

(17) Louisiana: No provision on point was found.

(18) Maine: [C]ompensation . . . shall be established by law; but no law increasing their compensation shall take effect during the existence of the Legislature, which enacted it. Art. IV, sec. 7.

(19) Maryland: [The state uses a compensation commission.] The General Assembly may reduce or reject, but not increase [its recommendations]. The resolution . . . shall take effect . . . as of the beginning of the term of office of the next General Assembly Art. III, sec. 15.

(20) Massachusetts: [Does not appear to have law on the subject; art. LXV is not really on point.]

(21) Michigan: [The state uses a compensation commission. The recommendations may be rejected only by a 2/3rds vote. Time of taking effect not specified.] Art. IV, sec. 12.

(22) Minnesota: The compensation . . . shall be prescribed by law. No increase of compensation shall take effect during the period for which the members of the existing house of representatives have been elected. Art IV, sec. 9.

(23) Mississippi: [C]ompensation [shall] be prescribed by law . . . ; but no alteration of such compensation . . . shall take effect during the session at which it is made. Art. IV, sec. 46.

(24) Missouri: [Provided by law.] No law . . . shall become effective until the first day of the regular session . . . next following the session at which the law was enacted. [No appropriation is required; only certification by presiding officers, secretary and clerk. Constitutionally established travel expenses of \$1 for each ten miles travelled. Constitutionally established per diem of \$10, subject to variance by law, also without appropriation act.] Art. III, sec. 16.

(25) Montana: [Provided by law.] No legislature may fix its own compensation. Art. V, sec. 5.

(26) Nebraska: [Salary set by the constitution; actual travel expenses authorized.] Members . . . shall receive no pay or perquisites other than . . . salary and expenses . . . Art. III, sec. 7. [May not be] increased or decreased during his term of office [but takes effect at the beginning of the next term of any members elected, even as to members not then reelected.] Art. III, sec. 19.

(27) Nevada: [Compensation shall] be fixed by law . . . but no increase . . . shall take effect during the term for which the members of either house shall have been elected; . . . Art. 4, sec. 33.

(28) New Hampshire: [Compensation is set constitutionally.] Part II, art. 15.

(29) New Jersey: [Compensation shall] be fixed by law [and members may not receive any] other allowance or emolument, directly or indirectly, for any purpose whatever. Art. IV, Sec. IV, Para. 7. [No increase or decrease shall be effective until the legislative year following the general election . . . Art. IV, Sec. IV, Para. 8.

(30) New Mexico: [Constitutionally established] per diem [of] not more than \$75 for each day's attendance during each session, as provided by law, and \$.25 for each mile traveled in going to and returning from the seat of government once each session [plus] per diem expenses and mileage for . . . legislative committee [hearings]; and no other compensation, perquisite, or allowance. Art. IV, sec. 10.

(31) New York: Each member . . . shall receive . . . [an] annual salary, to be fixed by law [and] actual traveling expenses Neither the salary of any member nor any other allowance . . . may be increased or diminished during

. . . the term for which he shall have been elected, nor shall he be paid or receive any other extra compensation. Art. III, sec. 6.

(32) North Carolina: [Compensation and allowances shall be] prescribed by law. An increase in the compensation or allowances of members shall become effective at the beginning of the next regular session of the General Assembly following the session at which it was enacted. Art. II, sec. 16.

(33) North Dakota. No constitutional provision was found.

(34) Ohio: [Members shall receive a] fixed compensation, to be prescribed by law, and no other allowance or perquisites, either in the payment of postage or otherwise; and no change in their compensation shall take effect during their term of office. Art. II, sec. 31.

(35) Oklahoma: Members of the legislature receive such compensation as shall be fixed by the Board on Legislative Compensation. * * * No member of the legislature may serve on the Board. [A review of compensation occurs each two years and takes effect] on the 15th day following the succeeding general election. Art. V, sec. 21.

(36) Oregon: The members . . . shall receive for their services a salary to be established and paid in the same manner as the salaries of other elected state officers and employees. [The provision is silent on the effective date.] Art. IV, sec. 29.

(37) Pennsylvania: The members . . . shall receive such salary and mileage for . . . sessions as shall be fixed by law, and no other compensation whatever, whether for service on a committee or otherwise. No member of either House shall during the term for which he may have been elected, receive any increase or salary, or mileage, under any law passed during such term. Art. II, sec. 8.

(38) Rhode Island: [Constitutionally established compensation \$5 per day (\$10 for presiding officers) and mileage of eight cents per mile, presumably each day.] Amendment Art. XI, sec. 1.

(39) South Carolina: [Apparently fixed by law as it provides that when meeting in special session, members receive]

the same compensation as is fixed for the regular session.
* * * [No] General Assembly shall have the power to increase
the per diem of its own members. Art. III, sec. 19.

(40) South Dakota: [Members receive for their services the
salary fixed by law . . . and five cents for every mile of
necessary travel . . . The legislature by a two-thirds vote
. . . may fix the salary of . . . members of the legislature
[and] determine the effective date thereof and may in its
discretion decrease or increase the salary of any officer
during his term. Art. III, sec. 6, para 1; art. XXXI, sec.
2.

(41) Tennessee: [Constitutionally established] annual sal-
ary of \$1,800 per year . . . and such other allowance for
expenses . . . as may be provided by law. [N]o increase or
decrease in the amount . . . shall take effect until the
next general election for Representatives to the General
Assembly . . . Art. II, sec. 23.

(42) Texas: [Constitutionally established] salary of \$600
per month [and] a per diem of \$30 for each day [and] mileage
as prescribed by law for employees of the state
Art. III, sec. 24.

(43) Utah: [The legislature shall by law accept, reject,
or lower the salary [recommended by a salary commission] but
may not, in any event, increase the recommendation. Art.
VI, sec. 9.

(44) Vermont: As every freeman, to preserve his indepen-
dence (if without a sufficient estate) ought to have some
profession, calling, trade, or farm, whereby he may honestly
subsist, there can be no necessity for, nor use in, estab-
lishing offices of profit, the usual effects of which are
dependence and servility, unbecoming freemen, in the pos-
sors or expectants, and faction, contention, and discord
among the people. But if any man is called into public ser-
vice to the prejudice of his private affairs, he has the
right to a reasonable compensation; and whenever an office
through increase of fees or otherwise, becomes so profitable
as to occasion many to apply for it, the profit ought to be
lessened by the Legislature. And if any officer shall wit-
tingly and willfully, take greater fees than the law allows
him, it shall forever after disqualify him from holding any
office in this State, until he be restored by act of legis-
lation. Sec. 61 [derived from the 1777 Constitution].

May 19, 1989

(45) Virginia: The members . . . shall receive such salary and allowance as may be prescribed by law, but no increase in salary shall take effect for a given member until after the term for which he was elected. Art. IV, sec. 5.

(46) Washington: Salaries for members of the legislature [and others] shall be fixed by an independent commission . . . Any change in salary . . . shall become law ninety days thereafter without action of the legislature or governor, but shall become subject to referendum petition filed within the ninety-day period. After the . . . adoption of the law creating the commission, no amendment [that] alters the composition of the commission is valid unless enacted by a . . . two-thirds [vote] of the members. Art. II, sec. 23, as amended by art. XXVIII. Note that it appears that a subsequent amendment has occurred: The compensation of all elective . . . state . . . officers who do not fix their own compensation, . . . may be increased during their terms of office to the end that such officers . . . shall each severally receive compensation for their services in accordance with the law in effect at the time the services are being rendered. Art. XXX.

(47) West Virginia: [Compensation . . . and . . . allowances shall be . . . established . . . by the [salary] commission . . . and thereafter enacted into general law by the Legislature at a regular session The Legislature may . . . reduce but not increase [the] compensation or expense allowance [recommended by the commission]. [The legislature provides for the effective date of the change.] Art. VI, sec. 33.

(48) Wisconsin: [C]ompensation of any public officer [may not] be increased or diminished during his term of office . . . Art. IV, sec. 26.

(49) Wyoming: The compensation of the members of the legislature shall be as provided by law; but no legislature shall fix its own compensation. Art. 3, sec. 6.

RB:kb
wkk5/054