

SB

11

SENATE FINANCE COMMITTEE REPORT

DATE: 3/21/91

FURTHER:

Died in SFC

DATE TURNED INTO OFFICE: _____

The Finance Committee considered SENATE BILL NO. 123

"An Act establishing the Public Officers Compensation Commission; relating to the compensation of the governor, lieutenant governor, members of the legislature, heads of the principal departments of the executive branch of government, supreme court justices, judges of the court of appeals, judges of the superior court, and district court judges; and providing for an effective date."

and recommended:

- replace with _____ CS _____
 - or adopt _____ CS _____
 - attached amendment(s)
 - _____ letter of intent adopted
- same title
 - new title
 - technical title change (HB only)

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Dept./Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

SIGNING DO PASS:

APPROVES PREVIOUS:

Dept./Date:

fiscal note(s) _____

zero fiscal note(s) _____

OTHER RECOMMENDATIONS:

1. _____

2. _____

Co-Chairs: Signatures and Recommendations

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 2/11/91

FURTHER: Finance

Date of 5-Day Notice: 2-14-91
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-20-91

State Affairs Committee considered SB 113

Establishing the Public Officers Compensation Commission; compensation of the governor, Lt. Gov., members of the legislature, heads of principal departments of the executive branch, supreme court justices, judges of the court of appeals, superior and district courts; efd.

and recommended:

and a majority of the committee recommends it be replaced with

[x] replace with CS SB-113 (STA) [x] same title

[] attached amendment(s) and do pass [] new title

[] _____ letter of intent adopted

[] do pass

[] do not pass

[] no recommendation

[x] individual recommendations

[] further referral to _____

phi pi & FN

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

[x] fiscal note(s) _____
GON.

[x] zero fiscal note(s) _____
Admin 2-20-91

[] appropriation-no fiscal note

[] Governor's bill w/fiscal note

SIGNING DO PASS:

John Deacon
Keith Ueh

OTHER RECOMMENDATIONS:

Pat Sullivan no rec
Paul Frank no rec

Keith Exley do pass
Chair: Signature and Recommendation

FISCAL NOTE

Bill Version: SB 113

(S) Publish Date: 2/1/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Office of the Governor
 Title: "An Act establishing the Public Officers Compensation Commission;..." BRU: Commissions and Special Offices
 Sponsor: Senate Rules Committee Component: Public Officers Compensation Commission
 Requestor: Senate State Affairs COMPONENT SERIAL NO.

N	A		
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	24.8	-0-	7.4	-0-	7.4	-0-
CONTRACTUAL	36.1	7.2	33.9	7.2	33.9	7.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	60.9	7.2	41.3	7.2	41.3	7.2

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	60.9	7.2	41.3	7.2	41.3	7.2
FEDERAL FUNDS						
OTHER						
TOTAL	60.9	7.2	41.3	7.2	41.3	7.2

POSITIONS:

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

Estimate of current year impact: none

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis

Prepared By: Michael A. Nizich, Director Phone: 465-3616
 Division: Administrative Services Date: _____

Approved by Commissioner: D. Max Hodel, Chief of Staff
 Agency: Office of the Governor Date: _____

Distribution (by preparer): Legislative Changes in CSRB-113 (STA) have no fiscal impact. This fiscal note is appropriate. OMB, & Impacted Agency(ies).
 Rev 10/90

3-20-91 W.H.C.
 date Comte Aide (initial)

Proposed legislation replaces State Officers Compensation Commission. Fiscal note assumptions are based on the activity of the State Officers Compensation Commission which held four meetings in first fiscal year for organizational and first report purposes. Subsequent years reflect "every other year" meeting and report to the legislature.

PERSONAL SERVICES -0-

Fiscal note assumes staff and related expenses will be provided by the Department of Administration per Sec. 14 AS 39.23.230(a)

TRAVEL 24.8

Fiscal note assumes 4 meetings and two teleconferences for public comment prior to Commission report/order in the first fiscal year. Subsequent years reflect no travel activity during off-reporting years and one meeting with two public teleconferences each reporting year. Travel and per diem calculations figures average air fare and per diem expenses for the seven public members.

First Year

Public members:

Airfare	3856 x 4 =	15,424	
Per diem	1470 x 4 =	5,880	21,304

Administrative travel:

Airfare	479 x 3 =	1,437	
Per diem	210 x 3 =	630	2,067

Teleconference per diem for Commission members	1,400		1,400
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TOTAL TRAVEL: 24,771

"Every Other" year

Public members:

Airfare	3856 x 1 =	3,856	
Per diem (per diem based on 3 day meeting)	2100 x 1 =	2,100	5,956

Teleconference per diem for Commission members	1,400		1,400
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TOTAL TRAVEL: 7,356

CONTRACTUAL 36.1

Contractual calculations vary according to reporting/non-reporting years.

First year:

Communication:

Teleconference charges -- 2 @ 4740	9,480	
Postage -- 300/mo x 12	3,600	13,080

Transportation:

Freight and express charges -- 150/mo x 12		1,800
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Advertising, Printing & Binding:

Subscriptions	250	
Advertising -- 6 meetings x 750	4,500	
Annual report	15,000	
Forms, misc.	1,500	21,250

TOTAL CONTRACTUAL: 36,130

Off-reporting year:

Communication:

Postage -- 300/mo x 12		3,600
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Transportation:

Freight and express charges -- 150/mo x 12		1,800
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Advertising, Printing & Binding:

Subscriptions	250	
Forms, misc.	1,500	

TOTAL CONTRACTUAL: 7,150

Public Officers Compensation Commission
Analysis:

Page 3

CONTRACTUAL (continued)

Reporting year:

Communication:

Teleconference charges -- 2 @ 4740	9,480	
Postage -- 300/mo x 12	3,600	13,080

Transportation:

Freight and express charges -- 150/mo x 12		1,800
--	--	-------

Advertising, Printing & Binding:

Subscriptions	250	
Advertising -- 3 meetings x 750	2,250	
Annual report	15,000	
Forms, misc.	1,500	19,000

TOTAL CONTRACTUAL:		33,880
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FISCAL NOTE

No. 2

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Bill Version: SB 113

(S) Publish Date: 3/1/91

Revision Date: _____

Title: Public Officers Compensation Commission

Department Affected: Administration

BRU: Personnel

Component: Personnel

Sponsor: Rules by Request (of Court System)

Requestor: _____

COMPONENT SERIAL NO.

		5	6
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	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	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	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.)

Experience with the two earlier compensation commissions indicate that the level of assistance requested is minor, and consists of readily available information. The added costs have been, and we expect them to continue to be, negligible.

Prepared by: David K. F. Otto *KFO*
Division: Personnel

Phone: 465-4430
Date: February 19, 1991

Approved by Commissioner: Millett Kelle *Millett Kelle*
Agency: Administration

Date: 2/19/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB & Impacted Agency(ies).

Changes in CSSB-113 (STA)
have no fiscal impact. This
fiscal note is appropriate.
3-20-91
date *Millett Kelle*
Comte Aide (initial)

CS FOR SENATE BILL NO. 113 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/21/91
 Referred: Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the Public Officers Compensation Commission; relating to the
 2 compensation of the governor, lieutenant governor, members of the legislature, heads of the
 3 principal departments of the executive branch of government, supreme court justices, judges
 4 of the court of appeals, judges of the superior court, and district court judges; and
 5 providing for an effective date."

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

7 * Section 1. AS 22.05.140(a) is repealed and reenacted to read:

8 (a) The compensation of a supreme court justice shall be established by order of the
 9 Public Officers Compensation Commission.

10 * Sec. 2. AS 22.07.090(a) is repealed and reenacted to read:

11 (a) The compensation of a judge of the court of appeals shall be established by order of
 12 the Public Officers Compensation Commission. The compensation of a judge may not be
 13 diminished during the term of office, unless by general law applying to all salaried officers of

1 the state.

2 * Sec. 3. AS 22.10.190(a) is repealed and reenacted to read:

3 (a) The compensation of a superior court judge shall be established by order of the Public
4 Officers Compensation Commission.

5 * Sec. 4. AS 22.15.220(a) is repealed and reenacted to read:

6 (a) The compensation of a district court judge shall be established by order of the Public
7 Officers Compensation Commission.

8 * Sec. 5. AS 22.15.230 is amended to read:

9 Sec. 22.15.230. ADDITIONAL COMPENSATION. Subject to rule of the supreme court,
10 a [DISTRICT JUDGE OR] magistrate shall receive a per diem allowance and a transportation
11 allowance commensurate with that authorized for other state employees.

12 * Sec. 6. AS 24.10.100 is repealed and reenacted to read:

13 Sec. 24.10.100 COMPENSATION OF LEGISLATORS. The salary for each member
14 of the legislature shall be established by order of the Public Officers Compensation Commission.
15 The commission may authorize per diem for legislators. The commission may also authorize
16 additional compensation for the president of the senate and the speaker of the house of
17 representatives.

18 * Sec. 7. AS 24.10.110 is repealed and reenacted to read:

19 Sec. 24.10.110. ADDITIONAL ALLOWANCES. The Public Officers Compensation
20 Commission may authorize an annual allowance for postage, stationary, stenographic services,
21 and other expenses for each member of the legislature.

22 * Sec. 8. AS 24.10.120 is amended to read:

23 Sec. 24.10.120. METHOD OF PAYMENT. Salaries, and, if authorized by the Public
24 Officers Compensation Commission, per diem [,] and additional allowances for members of the
25 legislature shall be paid by warrants drawn on vouchers approved by the legislative fiscal officer.
26 The legislative fiscal officer shall, by January 31 of each year, file with the legislature's fiscal
27 office a report of all vouchers approved for payment under this section during the preceding
28 calendar year. The report must include [SHALL PROVIDE], by legislator, the date of each
29 voucher, the amount paid, and the basis for approval for payment. The report is a public record.

30 * Sec. 9. AS 39.20.010 is repealed and reenacted to read:

31 Sec. 39.20.010. COMPENSATION OF GOVERNOR. The compensation of the governor

1 shall be established by order of the Public Officers Compensation Commission.

2 * **Sec. 10.** AS 39.20.030 is repealed and reenacted to read:

3 Sec. 39.20.030. COMPENSATION OF LIEUTENANT GOVERNOR. The compensation
4 of the lieutenant governor shall be established by order of the Public Officers Compensation
5 Commission.

6 * **Sec. 11.** AS 39.20.050 is amended to read:

7 Sec. 39.20.050. EXCLUSIVE COMPENSATION. The compensation established by
8 order of the Public Officers Compensation Commission and other benefits established
9 [FIXED] by law for the governor and lieutenant governor are compensation [IS] in full for all
10 services rendered by each of them in any official capacity or employment whatsoever during their
11 respective terms of office, and shall be paid throughout their respective terms of office unless the
12 office becomes vacant.

13 * **Sec. 12.** AS 39.20.080(a) is repealed and reenacted to read:

14 (a) The compensation of the head of each principal executive department shall be
15 established by order of the Public Officers Compensation Commission.

16 * **Sec. 13.** AS 39.23 is amended by adding a new section to read:

17 Sec. 39.23.201. COMPENSATION COMMISSION ESTABLISHED. (a) The Public
18 Officers Compensation Commission is established in the Office of the Governor. The
19 commission is composed of seven members appointed by the governor. Members serve staggered
20 terms of four years. Commission membership shall include at least one business executive, one
21 person with experience in public administration, one person with experience in personnel
22 management, one economist, one lawyer, and a former elected public officer of the state. A
23 vacancy shall be filled for the balance of the unexpired term. A commission member may serve
24 no more than two complete consecutive terms.

25 (b) The commission shall elect a member to chair its meetings. A majority of the
26 commission members constitutes a quorum to transact business. The affirmative vote of four
27 members is required to approve the commission's report or an order on compensation.

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

31 (d) The commission shall hold a public hearing to discuss its findings before submitting

1 its report or an order to the legislature.

2 * Sec. 14. AS 39.23.230(a) is amended to read:

3 (a) If requested by the commission, the Department of Administration [LEGISLATIVE
4 AFFAIRS AGENCY] shall provide staff for the commission.

5 * Sec. 15. AS 39.23 is amended by adding a new section to read:

6 Sec. 39.23.241. DUTIES OF THE COMMISSION. (a) The commission shall review
7 the compensation of the governor, lieutenant governor, members of the legislature, heads of the
8 principal departments of the executive branch of state government, supreme court justices, judges
9 of the court of appeals, judges of the superior court, and district court judges. The commission
10 shall submit a report on its findings every odd-numbered year, during the first 10 days of the
11 regular session of the legislature. A commission member who does not concur in the report may
12 file a minority report.

13 (b) The commission may submit an order with the report making changes to the
14 compensation of a public office. Before submitting a report or order on compensation, the
15 commission shall give reasonable public notice of its preliminary findings, solicit public
16 comments, and give due regard to the public comments.

17 (c) An order changing the compensation of a public officer does not take effect if a bill
18 disapproving the order in its entirety is enacted into law before the effective date of the change
19 to compensation. Unless disapproved, an order increasing the compensation of a public officer
20 is subject to funding through legislative appropriation and takes effect on the later of July 1 of
21 the next fiscal year and the effective date of the first appropriation to fund the increase. Unless
22 disapproved and except as provided in (d) of this section, an order decreasing the compensation
23 of a public officer takes effect July 1 of the next fiscal year.

24 (d) An order decreasing the compensation of persons currently holding office as the
25 governor, lieutenant governor, justices of the supreme court, or judges of the court of appeals,
26 superior court, or district court may not take effect until the later of July 1 of the next fiscal year
27 and the effective date of a general law applying to all salaried officers of the state that diminishes
28 compensation with which the order is consistent.

29 * Sec. 16. AS 39.23.250 is amended to read:

30 Sec. 39.23.250. FILING WITH LIEUTENANT GOVERNOR AND CERTIFICATION.

31 The commission shall, upon transmitting an order on [ITS FINAL RECOMMENDATIONS FOR

1 THE] compensation [OF LEGISLATORS] to the legislature, file the order
2 [RECOMMENDATIONS] in the office of the lieutenant governor. When the order becomes
3 [RECOMMENDATIONS BECOME] effective, the commission shall certify the copy of the
4 order [RECOMMENDATIONS] on file in the office of the lieutenant governor.

5 * Sec. 17. AS 39.23.260 is amended to read:

6 Sec. 39.23.260. POLICY OF THE LEGISLATURE. It is the policy of the legislature
7 that the commission determine an equitable rate and form of compensation [, BENEFITS, AND
8 ALLOWANCES] for the governor, lieutenant governor, members of the legislature, heads
9 of the principal departments of the executive branch, supreme court justices, judges of the
10 court of appeals, judges of the superior court, and district court judges. In determining the
11 compensation for each office, the commission shall consider the following factors:

12 (1) the skill required;

13 (2) the time required;

14 (3) the opportunity for other earned income;

15 (4) the value of public services as performed in other states and in the federal
16 government;

17 (5) the value of similar services when performed in the private sector of this
18 state and in other states based on the responsibility and discretion required in the office;

19 (6) the reasonable expenses incurred in performing the public service;

20 (7) the percentage change in the Consumer Price Index for Anchorage,
21 Alaska, as determined by the United States Department of Labor, Bureau of Labor
22 Statistics since the last compensation adjustment;

23 (8) the compensation presently received by the public officers and all other
24 benefits received;

25 (9) the interests and welfare of the public and the financial ability of the state
26 to meet the costs;

27 (10) the geographic cost-of-living based on a public officer's primary place
28 of assignment;

29 (11) the cost-of-living differential between Anchorage, Alaska, and other
30 locations in the United States; and

31 (12) other factors that are normally or traditionally considered in the

1 determination of compensation [LEGISLATORS].

2 * Sec. 18. AS 39.23 is amended by adding a new section to read:

3 Sec. 39.23.401. DEFINITIONS. In this chapter,

4 (1) "commission" means the Public Officers Compensation Commission;

5 (2) "compensation" means the salary, per diem, and allowances paid a public
6 officer.

7 * Sec. 19. AS 22.05.140(c); AS 22.10.190(c); and AS 22.15.220(d) are repealed.

8 * Sec. 20. AS 39.23.200, 39.23.240, and 39.23.400 are repealed.

9 * Sec. 21. AS 24.10.101 and 24.10.105 are repealed.

10 * Sec. 22. Notwithstanding AS 39.05.055(5) and the provisions of AS 39.23.201 enacted by sec. 13
11 of this Act, one of the initial members appointed to the Public Officers Compensation Commission shall
12 serve a one-year term, two members shall serve two-year terms, two members shall serve three-year
13 terms, and two members shall serve four-year terms.

14 * Sec. 23. When the Public Officers Compensation Commission files its first order changing the
15 compensation of justices of the supreme court or judges of the court of appeals, superior court, or district
16 court, it shall address the compensation of all of those public offices in the order. The commission shall
17 include both the governor and the lieutenant governor in the first order it issues addressing the
18 compensation of either of those public offices.

19 * Sec. 24. Sections 1 - 5 and 19 of this Act take effect on the date that the first order changing the
20 compensation of justices and judges issued by the Public Officers Compensation Commission takes
21 effect.

22 * Sec. 25. Sections 6 - 8 and 21 of this Act take effect on the date that the first order changing the
23 compensation of members of the legislature issued by the Public Officers Compensation Commission
24 takes effect.

25 * Sec. 26. Sections 9 - 11 of this Act take effect on the date that the first order changing the
26 compensation of the governor and the lieutenant governor issued by the Public Officers Compensation
27 Commission takes effect.

28 * Sec. 27. Section 12 of this Act takes effect on the date that the first order changing the
29 compensation of the heads of the principal departments of the executive branch of state government
30 issued by the Public Officers Compensation Commission takes effect.

31 * Sec. 28. Sections 13 - 18, 20, 22 and 23 of this Act take effect immediately under AS 01.10.070(c).

SENATE BILL NO. 113

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST

Introduced: 2/11/91
Referred: State Affairs and Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the Public Officers Compensation Commission; relating to the
2 compensation of the governor, lieutenant governor, members of the legislature, heads of the
3 principal departments of the executive branch of government, supreme court justices, judges
4 of the court of appeals, judges of the superior court, and district court judges; and
5 providing for an effective date."

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

7 * Section 1. AS 22.05.140(a) is repealed and reenacted to read:

8 (a) The compensation of a supreme court justice shall be established by order of the
9 Public Officers Compensation Commission.

10 * Sec. 2. AS 22.07.090(a) is repealed and reenacted to read:

11 (a) The compensation of a judge of the court of appeals shall be established by order of
12 the Public Officers Compensation Commission. The compensation of a judge may not be
13 diminished during the term of office, unless by general law applying to all salaried officers of

1 the state.

2 * Sec. 3. AS 22.10.190(a) is repealed and reenacted to read:

3 (a) The compensation of a superior court judge shall be established by order of the Public
4 Officers Compensation Commission.

5 * Sec. 4. AS 22.15.220(a) is repealed and reenacted to read:

6 (a) The compensation of a district court judge shall be established by order of the Public
7 Officers Compensation Commission.

8 * Sec. 5. AS 22.15.230 is amended to read:

9 Sec. 22.15.230. ADDITIONAL COMPENSATION. Subject to rule of the supreme court,
10 a [DISTRICT JUDGE OR] magistrate shall receive a per diem allowance and a transportation
11 allowance commensurate with that authorized for other state employees.

12 * Sec. 6. AS 24.10.100 is repealed and reenacted to read:

13 Sec. 24.10.100 SALARY OF LEGISLATORS. The salary for each member of the
14 legislature shall be established by order of the Public Officers Compensation Commission. The
15 commission may authorize additional compensation for the president of the senate and the
16 speaker of the house of representatives.

17 * Sec. 7. AS 24.10.110 is repealed and reenacted to read:

18 Sec. 24.10.110. ADDITIONAL ALLOWANCES. The Public Officers Compensation
19 Commission may authorize an annual allowance for postage, stationary, stenographic services,
20 and other expenses for each member of the legislature.

21 * Sec. 8. AS 24.10.120 is amended to read:

22 Sec. 24.10.120. METHOD OF PAYMENT. Salaries, and, if authorized by the Public
23 Officers Compensation Commission, per diem [,] and additional allowances for members of the
24 legislature shall be paid by warrants drawn on vouchers approved by the legislative fiscal officer.
25 The legislative fiscal officer shall, by January 31 of each year, file with the legislature's fiscal
26 office a report of all vouchers approved for payment under this section during the preceding
27 calendar year. The report must include [SHALL PROVIDE], by legislator, the date of each
28 voucher, the amount paid, and the basis for approval for payment. The report is a public record.

29 * Sec. 9. AS 39.20.010 is repealed and reenacted to read:

30 Sec. 39.20.010. COMPENSATION OF GOVERNOR. The compensation of the governor
31 shall be established by order of the Public Officers Compensation Commission.

1 * Sec. 10. AS 39.20.030 is repealed and reenacted to read:

2 Sec. 39.20.030. COMPENSATION OF LIEUTENANT GOVERNOR. The compensation
3 of the lieutenant governor shall be established by order of the Public Officers Compensation
4 Commission.

5 * Sec. 11. AS 39.20.050 is amended to read:

6 Sec. 39.20.050. EXCLUSIVE COMPENSATION. The compensation established by
7 order of the Public Officers Compensation Commission and other benefits established
8 [FIXED] by law for the governor and lieutenant governor are compensation [IS] in full for all
9 services rendered by each of them in any official capacity or employment whatsoever during their
10 respective terms of office, and shall be paid throughout their respective terms of office unless the
11 office becomes vacant.

12 * Sec. 12. AS 39.20.080(a) is repealed and reenacted to read:

13 (a) The compensation of the head of each principal executive department shall be
14 established by order of the Public Officers Compensation Commission.

15 * Sec. 13. AS 39.23 is amended by adding a new section to read:

16 Sec. 39.23.201. COMPENSATION COMMISSION ESTABLISHED. (a) The Public
17 Officers Compensation Commission is established in the Office of the Governor. The
18 commission is composed of seven members appointed by the governor. Members serve staggered
19 terms of four years. Commission membership shall include at least one business executive, one
20 person with experience in public administration, one person with experience in personnel
21 management, one economist, and one lawyer. A vacancy shall be filled for the balance of the
22 unexpired term. A commission member may serve no more than two complete consecutive
23 terms.

24 (b) The commission shall elect a member to chair its meetings. A majority of the
25 commission members constitutes a quorum to transact business. The affirmative vote of four
26 members is required to approve the commission's report or an order on compensation.

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

30 (d) The commission shall hold a public hearing to discuss its findings before submitting
31 its report or an order to the legislature.

1 * Sec. 14. AS 39.23.230(a) is amended to read:

2 (a) If requested by the commission, the Department of Administration [LEGISLATIVE
3 AFFAIRS AGENCY] shall provide staff for the commission.

4 * Sec. 15. AS 39.23 is amended by adding a new section to read:

5 Sec. 39.23.241. DUTIES OF THE COMMISSION. (a) The commission shall review
6 the compensation of the governor, lieutenant governor, members of the legislature, heads of the
7 principal departments of the executive branch of state government, supreme court justices, judges
8 of the court of appeals, judges of the superior court, and district court judges. The commission
9 shall submit a report on its findings every odd-numbered year, during the first 10 days of the
10 regular session of the legislature. A commission member who does not concur in the report may
11 file a minority report.

12 (b) The commission may submit an order with the report making changes to the
13 compensation of a public office. Before submitting a report or order on compensation, the
14 commission shall give reasonable public notice of its preliminary findings, solicit public
15 comments, and give due regard to the public comments.

16 (c) An order making changes to the compensation of a public officer shall become
17 effective 60 days after submission or at the end of the legislative session during which it was
18 submitted to the legislature, whichever is earlier, unless a bill disapproving the order in its
19 entirety is enacted into law during that period.

20 * Sec. 16. AS 39.23.250 is amended to read:

21 Sec. 39.23.250. FILING WITH LIEUTENANT GOVERNOR AND CERTIFICATION.
22 The commission shall, upon transmitting an order on [ITS FINAL RECOMMENDATIONS FOR
23 THE] compensation [OF LEGISLATORS] to the legislature, file the order
24 [RECOMMENDATIONS] in the office of the lieutenant governor. When the order becomes
25 [RECOMMENDATIONS BECOME] effective, the commission shall certify the copy of the
26 order [RECOMMENDATIONS] on file in the office of the lieutenant governor.

27 * Sec. 17. AS 39.23.260 is amended to read:

28 Sec. 39.23.260. POLICY OF THE LEGISLATURE. It is the policy of the legislature
29 that the commission determine an equitable rate and form of compensation [, BENEFITS, AND
30 ALLOWANCES] for the governor, lieutenant governor, members of the legislature, heads
31 of the principal departments of the executive branch, supreme court justices, judges of the

1 court of appeals, judges of the superior court, and district court judges. In determining the
2 compensation for each office, the commission shall consider the following factors:

3 (1) the skill required;

4 (2) the time required;

5 (3) the opportunity for other earned income;

6 (4) the value of public services as performed in other states and in the federal
7 government;

8 (5) the value of similar services when performed in the private sector of this
9 state and in other states based on the responsibility and discretion required in the office;

10 (6) the reasonable expenses incurred in performing the public service;

11 (7) the percentage change in the Consumer Price Index for Anchorage,
12 Alaska, as determined by the United States Department of Labor, Bureau of Labor
13 Statistics since the last compensation adjustment;

14 (8) the compensation presently received by the public officers and all other
15 benefits received;

16 (9) the interests and welfare of the public and the financial ability of the state
17 to meet the costs;

18 (10) the geographic cost-of-living based on a public officer's primary place
19 of assignment;

20 (11) the cost-of-living differential between Anchorage, Alaska, and other
21 locations in the United States; and

22 (12) other factors that are normally or traditionally considered in the
23 determination of compensation [LEGISLATORS].

24 * Sec. 18. AS 39.23 is amended by adding a new section to read:

25 Sec. 39.23.401. DEFINITIONS. In this chapter,

26 (1) "commission" means the Public Officers Compensation Commission;

27 (2) "compensation" means the salary, per diem, and allowances paid a public
28 officer.

29 * Sec. 19. AS 22.05.140(c); AS 22.10.190(c); and AS 22.15.220(d) are repealed.

30 * Sec. 20. AS 39.23.200, 39.23.240, and 39.23.400 are repealed.

31 * Sec. 21. AS 24.10.101 is repealed.

1 * Sec. 22. Notwithstanding AS 39.05.055(5) and the provisions of AS 39.23.201 enacted by sec. 13
2 of this Act, one of the initial members appointed by the Public Officers Compensation Commission shall
3 serve a one-year term, two members shall serve two-year terms, two members shall serve three-year
4 terms, and two members shall serve four-year terms.

5 * Sec. 23. When the Public Officers Compensation Commission files its first order changing the
6 compensation of justices of the supreme court or judges of the court of appeals, superior court, or district
7 court, it shall address the compensation of all of those public offices in the order. The commission shall
8 include both the governor and the lieutenant governor in the first order it issues addressing the
9 compensation of either of those public offices.

10 * Sec. 24. Sections 1 - 5 and 19 of this Act take effect on the date that the first order changing the
11 compensation of justices and judges issued by the Public Officers Compensation Commission takes
12 effect.

13 * Sec. 25. Sections 6 - 8 and 21 of this Act take effect on the date that the first order changing the
14 compensation of members of the legislature issued by the Public Officers Compensation Commission
15 takes effect.

16 * Sec. 26. Sections 9 - 11 of this Act take effect on the date that the first order changing the
17 compensation of the governor and the lieutenant governor issued by the Public Officers Compensation
18 Commission takes effect.

19 * Sec. 27. Section 12 of this Act takes effect on the date that the first order changing the
20 compensation of the heads of the principal departments of the executive branch of state government
21 issued by the Public Officers Compensation Commission takes effect.

22 * Sec. 28. Sections 13 - 18, 20, 22 and 23 of this Act take effect immediately under AS 01.10.070(c).

ALASKA STATE LEGISLATURE
SENATE BILL NO. 113

HISTORY IN THE SENATE

1991
2/11
3/31

Read first time and referred to:
SA & Finance

81A RPT() CS 3 DP 2 NR ___ DNP ___ AM
 New Title Same Title Previous FN
 FN OFN To Finance

___ RPT(___) CS ___ DP ___ NR ___ DNP ___ AM
 New Title ___ Same Title Previous FN
 FN ___ OFN To ___

___ RPT(___) CS ___ DP ___ NR ___ DNP ___ AM
 New Title ___ Same Title Previous FN
 FN ___ OFN To ___

___ Rules Calendar(___) CS ___ AM ___ Other
 New Title ___ Same Title Previous FN
 FN ___ OFN

Read second time

___ CS Adopted (___) ___ New Title
 ___ Amended ___ Advanced

Read third time

___ Letter of Intent adopted
 ___ Return to second for specific amendment

PASSED EFD Same ___ or
 Yeas Yeas
 Nays Nays
 Excused Excused
 Absent Absent

Reconsideration
 Reconsideration not taken up

PASSED EFD Same ___ or
 Yeas Yeas
 Nays Nays
 Excused Excused
 Absent Absent

Reported correctly engrossed
 Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

___ RPT CS(___) ___ New Title
 ___ DP ___ DNP ___ NR ___ AM
 ___ FN ___ OFN ___ Previous FN

___ RPT CS(___) ___ New Title
 ___ DP ___ DNP ___ NR ___ AM
 ___ FN ___ OFN ___ Previous FN

___ RPT CS(___) ___ New Title
 ___ DP ___ DNP ___ NR ___ AM
 ___ FN ___ OFN ___ Previous FN

Read second time
 CS(___) Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same ___ or
 Yeas Yeas
 Nays Nays
 Excused Excused
 Absent Absent

___ Intent adopted

Reconsideration
 Reconsideration not taken up

PASSED ON RECON. EFD Same ___ or
 Yeas Yeas
 Nays Nays
 Excused Excused
 Absent Absent

___ Intent adopted

Reported correctly engrossed, signed by the Speaker
 and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19

Received from the House

Version: _____

Concur in House amendment

Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

Failed to concur in House amendment, ask House recede

Y ___ N ___ E ___ A ___

House failed to / receded from amendment

Y ___ N ___ E ___ A ___

CC appointed by Senate _____ Chair

CC appointed by House _____ Chair

(S) Granted Limited Powers of Free Conference

(H) Granted Limited Powers of Free Conference

19

(S) Adopted CC Rpt _____

Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

(H) Adopted CC Rpt _____

Y ___ N ___ E ___ A ___
 ___ Efd same or Y ___ N ___ E ___ A ___

To enrolling

Received from enrolling

Sent to Governor

_____ By Governor

Chapter Number _____

Filed with Lieutenant Governor



APR - 5 1991

Alaska Court System

State of Alaska

303 "K" STREET
ANCHORAGE, ALASKA
99501

ARTHUR H. SNOWDEN II
ADMINISTRATIVE DIRECTOR

(907) 264-0547
FAX (907) 276-5808

April 2, 1991

The Honorable Pat Pourchot
Co-Chairman, Senate Finance Committee
P.O. Box V
Juneau, Alaska 99811

Dear Senator Pourchot:

I am writing to request that the Finance Committee schedule a hearing on Senate Bill 113, establishing a Public Officers' Compensation Commission, at its earliest convenience. This bill was introduced at the request of the Alaska Supreme Court.

CSSB 113 (STA) creates a new Public Officers' Compensation Commission to take the place of the existing State Officers' Compensation Commission. As you know, the existing commission recommends compensation levels for certain state officers to the legislature; its proposals frequently go unheeded for reasons unrelated to their merits.

In contrast, the commission created by CSSB 113 (STA) would have the authority to actually establish compensation levels for the governor, lieutenant governor, members of the legislature, heads of the principal departments, supreme court justices, judges of the court of appeals, judges of the superior court and district court judges. This commission, appointed by the governor, could submit proposed salary, per diem and allowances for those officers to the legislature every two years. These compensation levels would take effect on July 1 following submission, unless disapproved by a bill that was enacted into law by that date.

Approximately 26 states, as well as the federal government, currently operate compensation commissions. In nine of those jurisdictions, the commission has the authority to establish compensation amounts. The purpose behind the existence of these

The Honorable Pat Pourchot
April 2, 1991
Page 2

commissions is simple: to see that fair decisions are made regarding the compensation of certain government officials, and to reduce the political battles that inevitably surround such salary decisions.

An essential goal of the Alaska Court System is to attract and retain highly qualified jurists. Achieving this goal requires salaries that are commensurate with the qualifications and responsibilities of the office, which has proven problematic. Last session, the legislature approved the first pay increase for judges since 1985. During the 18 month period preceding that pay raise, the judiciary lost 20 percent of its members.

It is equally important to attract and retain highly qualified legislators and executive branch officials. An independent commission will be able to set fair and reasonable salaries for these officers without fear of voter backlash or charges of conflict of interest.

I hope that you will agree with the supreme court on the need for CSSB 113 (STA). Please feel free to contact my office if you require any additional information on this piece of legislation.

Very truly yours,

A handwritten signature in dark ink, appearing to read "A. H. Snowden, II". To the right of the signature, the letters "FOR" are written in a smaller, less distinct hand.

Arthur H. Snowden, II
Administrative Director

AHS:bh

O: H1212

AMENDMENT

#1

OFFERED IN THE HOUSE
TO: CSHB 129(JUDICIARY)

By Hanley
Martin

Page 4, line 6:

Delete "odd-numbered"
Insert "even-numbered"

Page 4, line 16, after "and":

Insert ", for public officers other than legislators, takes effect on the later of the first day of the next fiscal year and the effective date of the first appropriation to fund the increase. For legislators, an order increasing compensation"

Page 4, line 17:

Delete "January 1 of the next calendar year"
Insert "the first day of the next regular legislative session"

Page 4, line 19:

Delete "takes effect January 1 of the next calendar year"
Insert "other than a legislator takes effect on the first day of the next fiscal year and an order decreasing the compensation of a legislator takes effect on the first day of the next regular legislative session"

Page 4, lines 22 - 23:

Delete "January 1 of the next calendar"
Insert "July 1 of the next fiscal"

Page 6, line 12:

Delete "odd-numbered"
Insert "even-numbered"

Page 6, line 15:

Delete "even-numbered"
Insert "odd-numbered"

Page 6, line 16:

Delete "odd-numbered"
Insert "even-numbered"

THE FOLLOWING DOCUMENT HAS NOT
BEEN FILMED BUT IS AVAILABLE IN THE
ORIGINAL FILE.

PLEASE MICROFILM TOP PAGE ONLY

734

~~SECRET~~
SB 113

1989 REPORT

OF

THE STATE OFFICERS'
COMPENSATION COMMISSION
STATE OF ALASKA

A Report on Compensation and Benefits
for the
State of Alaska
Executive, Judicial and Legislative Branches

February 21, 1989