



LAWS OF ALASKA

1986

Source

SCS CSHB 454 (Fin)

Chapter No.

124

AN ACT

Relating to compensation of state officers; establishing a commission on compensation of state officers; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 8, 1986
Actual Effective Date: AS 39.23.250, as enacted by section 4, and sections 5 and 6 are conditional; AS 39.23.200 - 39.23.240 and 39.23.260 - 39.23.400, as enacted by section 4, and sections 7 and 8 take effect June 9, 1986; sections 1 - 3 take effect January 19, 1987

AN ACT

Relating to compensation of state officers; establishing a commission on compensation of state officers; and providing for an effective date.

* Section 1. AS 24.10.100 is amended to read:

Sec. 24.10.100. [ANNUAL] SALARY OF LEGISLATORS. The monthly [ANNUAL] salary for each member of the legislature is equal to Step A, Range 10 of the salary schedule in AS 39.27.011(a) for Juneau [\$46,800]. The president of the senate and the speaker of the house of representatives are each entitled to an additional \$500 a year during tenure of office.

* Sec. 2. AS 24.10 is amended by adding a new section to read:

Sec. 24.10.105. LEGISLATIVE PER DIEM. (a) A member of the legislature is entitled to receive per diem at the same rate allowed for a state employee under AS 39.20.110 and 39.20.160, including regional variations in the rate where applicable.

(b) A legislator is entitled to receive per diem at the short-term rate

(1) during a legislative session if the legislator is not living in the legislator's place of permanent residence during the session; and

(2) while on committee business or other legislative business in a place that is not the legislator's place of permanent residence.

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

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

(2) while engaged in committee business or other legislative business at the legislator's place of permanent residence.

(d) In this section

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

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

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

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

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

CHAPTER 23. STATE OFFICERS COMPENSATION COMMISSION.

Sec. 39.23.200. COMPENSATION COMMISSION ESTABLISHED. (a) The State Officers Compensation Commission is established. The commission 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

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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 during the first 10 days of a legislative
22 session.

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

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

28 Sec. 39.23.250. FILING WITH LIEUTENANT GOVERNOR AND CERTIFICA-
29 TION. The commission shall, upon transmitting its final

1 recommendations for the compensation of legislators to the legisla-
2 ture, file the recommendations in the office of the lieutenant gover-
3 nor. When the recommendations become effective, the commission shall
4 certify the copy of the recommendations on file in the office of the
5 lieutenant governor.

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

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

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

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

15 (d) The commission shall make a final report of its findings and
16 recommendations as to the rate and form of compensation, benefits, and
17 allowances for legislators during the first 10 days of a legislative
18 session. A recommendation has the force of law and becomes effective
19 on the first day of the next legislative session unless rejected by a
20 concurrent resolution adopted by two-thirds of the members in each
21 house of the legislature.

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

23 Sec. 24.10.101. COMPENSATION OF LEGISLATORS. The State Officers
24 Compensation Commission shall set the compensation of legislators
25 under AS 39.23.

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

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

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

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

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

12 * Sec. 12. AS 24.10.100 and 24.10.105 are repealed and sec. 6 of this
13 Act takes effect on the effective date of recommendations of the State
14 Officer's Compensation Commission under AS 39.23.240(d) as amended by sec.
15 5 of this Act, setting the compensation of legislators.