

CS FOR HOUSE BILL NO. 140(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/14/23

Referred: Rules

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the State Officers Compensation Commission; and relating to**
2 **policies of the Alaska Legislative Council regarding allowances and reimbursement for**
3 **moving expenses."**

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

5 * **Section 1.** AS 24.10.110 is amended to read:

6 **Sec. 24.10.110. Additional allowances. The Alaska Legislative Council**
7 **shall adopt a policy entitling a** [IN ADDITION, EACH] member of the legislature
8 [IS ENTITLED] to an annual allowance [PRESCRIBED IN ACCORDANCE WITH
9 AS 39.23] for postage, stationery, stenographic services, and other expenses.

10 * **Sec. 2.** AS 24.10.130(c) is amended to read:

11 (c) The Alaska Legislative Council shall adopt a policy in accordance with (b)
12 of this section [AND AS 39.23.540(d)] regarding reimbursement for moving expenses
13 and payment of a per diem allowance. The policy must set conditions for the
14 reimbursement for moving expenses and payment of per diem and prescribe the

1 amounts of reimbursement adapted to the special needs of the legislative branch as
2 determined by the council.

3 * **Sec. 3.** AS 39.23.500(c) is amended to read:

4 (c) The commission shall meet at the call of the chair. Notice of a meeting
5 shall be mailed to each member at least 20 days before the date scheduled for the
6 meeting **and posted on the Alaska Online Public Notice System at least five days**
7 **before the date scheduled for the meeting.**

8 * **Sec. 4.** AS 39.23.500(d) is amended to read:

9 (d) The commission shall meet **at least twice** to discuss **the** [ITS] findings and
10 recommendations **contained in** [AT LEAST TWICE BEFORE SUBMITTING] its
11 final **reports or amended reports before submitting the reports** [REPORT] to the
12 presiding officers of each house of the legislature and the governor.

13 * **Sec. 5.** AS 39.23.500 is amended by adding a new subsection to read:

14 (f) An action taken contrary to the notice or meeting requirements of (c) and
15 (d) of this section is voidable under AS 44.62.310(f).

16 * **Sec. 6.** AS 39.23 is amended by adding a new section to read:

17 **Sec. 39.23.535. Policy and purpose.** The commission shall recommend an
18 equitable rate and form of compensation for members of the legislature, the governor,
19 the lieutenant governor, and each principal department head to attract and retain
20 talented, capable individuals to serve in the highest leadership roles of the state, roles
21 that guide the state's prosperity and welfare today and into the future.

22 * **Sec. 7.** AS 39.23.540(a) is amended to read:

23 (a) The commission shall review the salaries, benefits, and allowances of
24 members of the legislature, the governor, the lieutenant governor, and each principal
25 executive department head and prepare **reports** [A REPORT] on its findings [AT
26 LEAST] once every two years [, BUT NOT MORE FREQUENTLY THAN EVERY
27 YEAR]. The commission shall notify the legislature that the **reports are** [REPORT
28 IS] available.

29 * **Sec. 8.** AS 39.23.540(c) is amended to read:

30 (c) By November **1 of every odd-numbered year** [15], the commission shall
31 prepare its preliminary findings and recommendations for compensation of state

1 officers that is reasonable and equitable. The commission shall give reasonable public
 2 notice of its preliminary findings and recommendations, solicit public comments, and
 3 give due regard to the public comments [,] before submitting **the final reports** [A
 4 FINAL REPORT] under (d) of this section.

5 * **Sec. 9.** AS 39.23.540(d) is amended to read:

6 (d) The commission shall make available to the governor and presiding
 7 officers of each house of the legislature **two final reports** [A FINAL REPORT] of its
 8 findings and recommendations, **one report** as to the rate and form of compensation,
 9 benefits, and allowances for legislators, **and one report as to the rate and form of**
 10 **compensation, benefits, and allowances for** the governor, the lieutenant governor,
 11 and each principal executive department head, during the first **15** [10] days of a
 12 legislative session. Subject to AS 24.10.130(b) and (g) of this section, and unless a bill
 13 disapproving all the recommendations for all officers listed in **a report** [THIS
 14 SECTION] is enacted into law within **75** [60] days after the recommendations are
 15 submitted to the governor and presiding officers of each house of the legislature, a
 16 recommendation as to the compensation, benefits, and allowances for

17 (1) a legislator has the force of law and becomes effective on the first
 18 day of the next **legislature** [REGULAR LEGISLATIVE SESSION]; and

19 (2) the governor, the lieutenant governor, and each principal executive
 20 department head has the force of law and becomes effective on the first day of the
 21 fiscal year following the fiscal year in which the recommendation is submitted.

22 * **Sec. 10.** AS 39.23.540(e) is amended to read:

23 (e) The commission may **amend a** [PREPARE AMENDMENTS TO THE]
 24 report submitted under (d) of this section **on or before March 15** and **shall** notify the
 25 **governor and the presiding officer of each house of the** legislature that the
 26 **amended report is** [AMENDMENTS ARE] available. **An amended report under**
 27 **this subsection does not change the time for disapproval by the legislature under**
 28 **(d) of this section.**

29 * **Sec. 11.** AS 39.23.540(g) is amended to read:

30 (g) A recommendation **in a final report** under this section increasing the
 31 compensation, benefits, and allowances of a public officer is not effective unless all

1 recommended increases included in **that** [THE FINAL] report [UNDER (d) OF THIS
2 SECTION] are fully funded by appropriations.