

1 SB243
2 126435-1
3 By Senator Holtzclaw (Constitutional Amendment)
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 08-FEB-12

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8 SYNOPSIS: Under existing law, the pay for members of
9 the Alabama Legislature is \$10 per day, which
10 cannot be raised during the term of office. In
11 addition, members of the Legislature receive a
12 travel allowance, expense allowance, and per diem.
13 The amounts of these payments may be raised during
14 the term that the legislators are currently
15 serving.

16 This proposed constitutional amendment would
17 provide that the pay, travel allowance, expense
18 allowance, and per diem, or other compensation paid
19 to the members of the Legislature could not be
20 increased during their current term of office;
21 would require recorded vote by members of both
22 houses of the Legislature on each proposed bill
23 that would increase the pay, travel allowance,
24 expense allowance, per diem, or other compensation
25 paid to the members of the Legislature; and the
26 enactment of any increase shall require a

1 two-thirds affirmative vote by each house of the
2 Alabama Legislature and approval by the Governor.

3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To propose a constitutional amendment to Section 68
9 of the Constitution of Alabama of 1901, also appearing as
10 Section 68 of the Official Recompilation of the Constitution
11 of Alabama of 1901, as amended, relating to compensation of
12 public officials; to provide that the pay, travel allowance,
13 expense allowance, per diem, or other compensation paid to the
14 members of the Legislature may not be increased during their
15 term of office; to require a recorded vote by members of both
16 houses of the Legislature on each proposed bill that would
17 increase the pay, travel allowance, expense allowance, per
18 diem, or other compensation paid to the members of the
19 Legislature; and the enactment of any increase shall require a
20 two-thirds affirmative vote by each house of the Alabama
21 Legislature and approval by the Governor.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. The following amendment to the
24 Constitution of Alabama of 1901, as amended, is proposed and
25 shall become valid as a part thereof when approved by a
26 majority of the qualified electors voting thereon and in

1 accordance with Sections 284, 285, and 287 of the Constitution
2 of Alabama of 1901, as amended:

3 PROPOSED AMENDMENT

4 Section 68 of the Constitution of Alabama of 1901,
5 is amended to read as follows:

6 "Section 68.

7 "(a) The legislature shall have no power to grant or
8 to authorize or require any county or municipal authority to
9 grant, nor shall any county or municipal authority have power
10 to grant any extra compensation, fee, or allowance to any
11 public officer, servant, or employe, agent or contractor,
12 after service shall have been rendered or contract made, nor
13 to increase or decrease the fees and compensation of such
14 officers during their terms of office; nor shall any officer
15 of the state bind the state to the payment of any sum of money
16 but by authority of law; provided this section shall not apply
17 to allowances made by commissioners' courts or boards of
18 revenue to county officers for ex officio services, nor
19 prevent the legislature from increasing or diminishing at any
20 time the allowance to sheriffs or other officers for feeding,
21 transferring, or guarding prisoners.

22 "(b) The pay, travel allowance, expense allowance,
23 per diem, or other compensation paid to the members of the
24 Legislature may not be increased during their term of office.

25 "(c) There shall be a recorded vote by the members
26 of both houses of the Legislature on each bill that would
27 propose to increase the pay, travel allowance, expense

1 allowance, per diem, or other compensation paid to the members
2 of the Legislature.

3 "(d) The enactment of any increase shall require a
4 two-thirds affirmative vote by each house of the Alabama
5 Legislature and approval by the Governor."

6 Section 2. An election upon the proposed amendment
7 shall be held in accordance with Sections 284 and 285 of the
8 Constitution of Alabama of 1901, now appearing as Sections 284
9 and 285 of the Official Recompilation of the Constitution of
10 Alabama of 1901, as amended, and the election laws of this
11 state.

12 Section 3. The appropriate election official shall
13 assign a ballot number for the proposed constitutional
14 amendment on the election ballot and shall set forth the
15 following description of the substance or subject matter of
16 the proposed constitutional amendment:

17 "Proposing an amendment to Section 68 of the
18 Constitution of Alabama of 1901, to provide that the pay,
19 travel allowance, expense allowance, per diem, or other
20 compensation paid to the members of the Legislature may not be
21 increased during their term of office, and to require a
22 two-thirds or greater recorded vote by members of both houses
23 of the Legislature on each proposed bill that would increase
24 the pay, travel allowance, expense allowance, per diem, or
25 other compensation paid to the members of the Legislature.

26 "Proposed by Act _____."

1 This description shall be followed by the following
2 language:
3 "Yes () No ()."