

1 SB156  
2 126435-1  
3 By Senators Holtzclaw, Orr, Marsh, Beason, Waggoner, Williams,  
4 Bussman, Taylor, Allen, Reed, Scofield, Glover, McGill,  
5 Whatley, Dial and Brewbaker (Constitutional Amendment)  
6 RFD: Rules  
7 First Read: 03-MAR-11

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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 ( )."