

1 SB295
2 136135-4
3 By Senators Taylor, Williams, Marsh, Scofield, Reed, Bussman,
4 Ward, Glover, Waggoner, Brewbaker, Beason, Pittman and Allen
5 (Constitutional Amendment)
6 RFD: Constitution, Campaign Finance, Ethics, and Elections
7 First Read: 09-FEB-12

2
3
4
5
6
7
8 SYNOPSIS: Under the existing constitution, members of
9 the Legislature are paid \$10 per day for each day
10 the Legislature is in session and 10 cents a mile
11 for one round trip from his or her place of
12 residence to Montgomery per session. Members are
13 also reimbursed travel expenses in the same amounts
14 as other state officers and employees and receive a
15 monthly expense allowance established by the
16 Legislature.

17 The proposed constitutional amendment would
18 repeal those existing provisions and provide the
19 total compensation payable to members of the
20 Legislature would be an annual salary equal to the
21 median annual household income in Alabama and
22 reimbursement for travel expenses and other
23 expenses on the same basis as state employees.

24
25 A BILL
26 TO BE ENTITLED
27 AN ACT

1
2 Proposing an amendment to the Constitution of
3 Alabama of 1901; to repeal existing laws regarding the
4 compensation and expense reimbursement of the members of the
5 Legislature; to provide for the basic compensation of members
6 of the Legislature; and to provide for the reimbursement of
7 expenses for legislators on the submission of signed vouchers
8 in the same manner as state employees.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. The following amendment to the
11 Constitution of Alabama of 1901, as amended, is proposed and
12 shall become valid as a part thereof when approved by a
13 majority of the qualified electors voting thereon and in
14 accordance with Sections 284, 285, and 287 of the Constitution
15 of Alabama of 1901, as amended:

16 PROPOSED AMENDMENT

17 Section 1. (a) The Legislature recognizes that the
18 public trust in the legislative body is of paramount
19 importance. The Legislature further recognizes that government
20 transparency and the absence of any appearance of conflict of
21 interest are vital to the preservation of the public trust. It
22 is the purpose of this amendment to remove the power of
23 determining legislative compensation or expenses from the
24 hands of the Legislature itself, to validate the basis upon
25 which legislative compensation and expenses are established in
26 an objective manner based on measurable standards, and to
27 allow the citizens of Alabama to vote on this issue. It is the

1 will of the Legislature to resolve the issue of legislative
2 compensation and expenses once and for all by repealing all
3 existing provisions providing for compensation and expenses
4 for members of the Legislature and the President of the Senate
5 and by providing for compensation to be paid at the same rate
6 as the median household income in Alabama and expenses in the
7 same amounts and manner as expenses are allowed under law for
8 state employees generally.

9 (b) All laws or parts of laws in conflict with this
10 amendment are repealed, including, but not limited to: Those
11 portions of Amendments 39, 57, and 339 of the Constitution of
12 Alabama of 1901, relating to the compensation of members of
13 the Legislature; Act 1196 of the 1971 Regular Session, Act
14 87-209, Act 90-490, Act 91-95, Act 91-108, and Act 2007-75;
15 and Section 29-1-8, Code of Alabama 1975.

16 Section 2. The annual basic compensation for each
17 member of the Legislature and the President of the Senate
18 shall be the median annual household income in Alabama, as
19 ascertained and adjusted each year by the State Personnel
20 Board to take effect on the first day of December of each
21 year.

22 Section 3. (a) No member of the Legislature or the
23 President of the Senate may receive reimbursement for any
24 expenses except as provided in this section.

25 (b) Subject to approval by the President of the
26 Senate or by the Speaker of the House for the respective
27 members of their Houses, and except as otherwise provided in

1 subsection (d), a member of the Legislature may be reimbursed
2 for any of the following:

3 (1) Expenses incurred for travel to any place
4 outside his or her district on official business in the same
5 amounts as for state employees traveling in the service of the
6 state under existing state law, rules, and policies.

7 (2) Actual expenses other than travel expenses
8 incurred in the performance of official duties.

9 (c) Reimbursement for expenses may only be made
10 under subsection (b) after a determination of the presiding
11 officer of each House that the travel or expense is in the
12 service of the state and on submission of a signed voucher
13 submitted in the same manner as a request for reimbursement of
14 expenses by a state employee.

15 (d) No member of the Legislature who resides less
16 than 50 miles from the seat of government may be reimbursed
17 for any travel expenses for travel between his or her place of
18 residence and the seat of government.

19 (e) The presiding officer of either House may not
20 determine a particular expense incurred by any member of the
21 Legislature was not in the service of the state on any basis
22 that discriminates between members of the Legislature.

23 (f) The State Personnel Board may promulgate such
24 rules as it deems necessary to enforce its responsibilities
25 under this amendment and, in conjunction with the Comptroller,
26 shall provide an annual report on reimbursement of expenses to
27 members of the Legislature.

1 Section 4. (a) The compensation and reimbursement
2 for expenses provided in Sections 2 and 3 shall constitute the
3 total amounts payable to the presiding officers and members of
4 the Legislature, beginning with the terms commencing
5 immediately after the 2014 General Election.

6 (b) The Legislature may not increase, supplement, or
7 otherwise enlarge the compensation or reimbursement for
8 expenses payable to its members by this amendment.

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

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

20 "Proposing an amendment to the Constitution of
21 Alabama of 1901, to repeal the existing provisions for
22 legislative compensation and expenses and establish the basic
23 compensation of the Legislature at the median household income
24 in Alabama; to require legislators to submit signed vouchers
25 for reimbursement for expenses; and to prohibit the
26 Legislature from increasing the compensation or expenses.

27 "Proposed by Act _____."

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