

1 HB76
2 164614-1
3 By Representatives Shedd and Henry
4 RFD: State Government
5 First Read: 03-MAR-15

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8 SYNOPSIS: This bill would create the Performance-Based
9 Pay Permanent Joint Committee for State Agencies
10 and Departments.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT

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16 To create the Performance-Based Pay Permanent Joint
17 Committee for State Agencies and Departments; to provide a
18 method of ensuring that persons serving in positions of
19 responsibility in state agencies and departments are
20 compensated based on the performance of the agency or
21 department; to provide for the membership of the committee; to
22 provide for the duties of the committee; to provide for the
23 annual report of the committee to the Legislature.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) To ensure that persons serving in
26 positions of responsibility in state agencies and departments
27 are compensated in an amount that is commensurate with their

1 performance when compared to their counterparts in other
2 states, there is created the Performance-Based Pay Permanent
3 Joint Committee for State Agencies and Departments.

4 (b) The membership of the committee shall be
5 appointed and reappointed at the beginning of each legislative
6 quadrennium and shall reflect the racial, gender, geographic,
7 urban/rural, and economic diversity of the state and shall
8 include all of the following:

9 (1) The Governor, or his or her designee.

10 (2) The Lieutenant Governor, or his or her designee.

11 (3) The President Pro Tempore of the Senate, or his
12 or her designee.

13 (4) The Speaker of the House of Representatives, or
14 his or her designee.

15 (5) A currently serving member of the Legislature,
16 appointed by the Governor.

17 (6) A currently serving member of the Senate,
18 appointed by the Lieutenant Governor.

19 (7) A currently serving member of the House of
20 Representatives, appointed by the Speaker of the House of
21 Representatives.

22 (8) A currently serving member of the Legislature,
23 selected by majority vote of the members of the committee.

24 (c) At the organizational meeting of the committee,
25 the membership of the committee shall select a chair and a
26 vice chair. The chair of the committee may create advisory
27 subcommittees and appoint members thereto, which may include

1 members of the committee, representatives from governmental
2 agencies, and members of the public with interest and
3 expertise in the objectives of the committee. The committee
4 shall create no more than two active advisory subcommittees at
5 any given time unless the committee votes unanimously for
6 additional subcommittees.

7 (d) The committee shall thereafter meet at the call
8 of the chair or any majority of the members thereof; provided,
9 that the committee shall meet at least once each four months.
10 The committee shall have a continuing existence and may meet,
11 act, and conduct its business at any place within this state
12 during the sessions of the Legislature or any recess thereof,
13 and in the interim period between sessions.

14 (e) (1) The committee shall establish parameters for
15 comparing the performance of similar state agencies and
16 departments throughout the United States. Based on those
17 parameters, the committee shall annually determine a
18 performance ranking for each state agency and department in
19 each state, including Alabama, with the highest performing
20 agency or department being ranked highest or first.

21 (2) The committee shall also compile a list that
22 ranks the compensation, consisting of salary and benefits,
23 received by persons in positions of responsibility in those
24 state agencies and departments throughout the United States.
25 The list of compensation shall likewise be ranked, with the
26 highest level of compensation being ranked highest or first.

1 (3) The committee shall then correlate, by equal
2 ranking, the level of performance and the level of
3 compensation, and shall take appropriate action to ensure that
4 the person serving in the applicable position of
5 responsibility in an agency or department of this state
6 receives the correlating compensation for the level of
7 performance of his or her agency or department for the
8 following fiscal year, or at the beginning of the next term of
9 office for the position, as appropriate.

10 (f) The committee, on or before the tenth
11 legislative day of each regular session, commencing with the
12 2016 Regular Session, shall submit a report to the Governor,
13 the Chair of the Senate Governmental Affairs Committee, and
14 the Chair of the House State Government Committee detailing
15 the progress and findings of the committee regarding
16 performance-based pay. In the initial report of the committee,
17 the committee shall recommend at least five state agencies or
18 departments to be reviewed by the committee; thereafter, the
19 committee shall recommend and add at least 10 state agencies
20 annually for review until all state agencies and departments
21 are subject to annual review. All compensation for all
22 positions of responsibility in state agencies and departments
23 shall operate pursuant to the performance-based pay program by
24 the year 2020.

25 (g) Each legislative member of the committee or any
26 subcommittee, if created, shall be entitled to the legislative

1 compensation, per diem, and travel as provided in Amendment
2 871 of the Constitution of Alabama of 1901.

3 Section 2. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.