

1 HB276  
2 136135-3  
3 By Representative Ball (Constitutional Amendment)  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 09-FEB-12

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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 family income in Alabama and reimbursement  
22 for travel expenses and other expenses on the same  
23 basis as state employees.

24  
25 A BILL  
26 TO BE ENTITLED  
27 AN ACT

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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 ( )."