

SENATE BILL No. 170

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-1.5.

Synopsis: Legislative compensation. Establishes the legislative compensation and benefits advisory commission. Requires the commission to: (1) review the current compensation and benefits provided to members of the general assembly; and (2) make recommendations concerning the compensation and benefits for members of the general assembly that the commission considers appropriate. Requires an advisory public question to be put on the November 2008 general election ballot asking the voters whether members of the general assembly should receive compensation and benefits that are provided under current law or as recommended by the commission. Repeals the statute that establishes the public officers compensation advisory commission.

Effective: July 1, 2007.

Delph

January 8, 2007, read first time and referred to Committee on Rules and Legislative Procedure.

C
O
P
Y



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

C
o
p
y

SENATE BILL No. 170



A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning the general assembly and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 2-5-1.5 IS REPEALED [EFFECTIVE JULY 1,
- 2 2007].
- 3 SECTION 2. [EFFECTIVE JULY 1, 2007] (a) As used in this
- 4 SECTION, "commission" refers to the legislative compensation
- 5 and benefits advisory commission established by subsection (c).
- 6 (b) As used in this SECTION, "public employee" refers to any
- 7 of the following:
- 8 (1) An employee of the state.
- 9 (2) An employee of a political subdivision (as defined in
- 10 IC 36-1-2-13).
- 11 (3) An employee of any other entity whose salary is paid in
- 12 any part from funds derived from taxes imposed by the state
- 13 or a political subdivision.
- 14 (c) The legislative compensation and benefits advisory
- 15 commission is established.
- 16 (d) The commission consists of the following members:
- 17 (1) Four (4) members appointed by the president pro tempore



- 1 of the senate.
- 2 (2) Four (4) members appointed by the minority leader of the
- 3 senate.
- 4 (3) Four (4) members appointed by the speaker of the house
- 5 of representatives.
- 6 (4) Four (4) members appointed by the minority leader of the
- 7 house of representatives.
- 8 (e) The following may not be a commission member:
- 9 (1) A public officer.
- 10 (2) A public employee.
- 11 (3) An individual registered as a lobbyist under IC 2-7.
- 12 (4) An individual who has a pecuniary interest in the salary of
- 13 a member of the general assembly. For purposes of this
- 14 subdivision, an individual has a pecuniary interest in the
- 15 salary of a member of the general assembly if an increase in
- 16 the salary of a member of the general assembly will result in
- 17 an ascertainable increase in the income or net worth of the
- 18 individual.
- 19 (f) Not more than two (2) commission members may be
- 20 residents of the same Indiana congressional district.
- 21 (g) The appointing authorities shall appoint members so that the
- 22 commission members reflect the socioeconomic diversity of
- 23 Indiana.
- 24 (h) If there is a vacancy on the commission, the member of the
- 25 general assembly who holds the leadership position that appointed
- 26 the member whose position is vacant shall appoint an individual to
- 27 fill the vacancy.
- 28 (i) The commission members shall elect the commission's chair
- 29 from among the commission's members.
- 30 (j) Nine (9) commission members constitute a quorum. The
- 31 affirmative votes of at least nine (9) commission members are
- 32 necessary for the commission to take official action other than to
- 33 adjourn or to meet to hear reports or testimony.
- 34 (k) The commission shall meet at the call of the chair and at
- 35 other times as the commission considers necessary.
- 36 (l) Each member of the commission is entitled to the following:
- 37 (1) The salary per diem provided under IC 4-10-11-2.1(b).
- 38 (2) Reimbursement for traveling expenses as provided under
- 39 IC 4-13-1-4.
- 40 (3) Other expenses actually incurred in connection with the
- 41 member's duties as provided in the state policies and
- 42 procedures established by the Indiana department of

COPY



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

administration and approved by the budget agency.

(m) The legislative services agency shall provide administrative support for the commission.

(n) The legislative services agency may contract with consultants on behalf of the commission as the commission considers necessary to implement this SECTION.

(o) Except as otherwise provided by this SECTION, the commission is subject to the rules of the legislative council.

(p) The commission shall make reports to the general assembly as required by this SECTION or by the legislative council. A report to the legislative council must be in an electronic format under IC 5-14-6.

(q) Before July 1, 2008, the commission shall meet and do the following:

- (1) Review the current compensation and benefits provided to members of the general assembly.
- (2) Make recommendations concerning the compensation and benefits that the commission considers appropriate.

(r) The commission shall file a report of its recommendations with the legislative council not later than August 1, 2008.

(s) A commission recommendation does not take effect unless enacted by the general assembly.

(t) There is annually appropriated to the legislative services agency from the state general fund money necessary for the operation of the commission.

(u) This SECTION expires July 1, 2009.

SECTION 3. [EFFECTIVE JULY 1, 2007] (a) As used in this SECTION, "commission" refers to the legislative compensation and benefits advisory commission established by this act.

(b) As used in this SECTION, "recommendations" refers to the recommendations concerning compensation and benefits made by the commission under this act.

(c) The county election board of each county shall place the following public question on the ballot at the November 2008 general election:

"Vote for only one (1) of the following statements:
 Members of the Indiana General Assembly should receive compensation and benefits that are provided under current law.
 Members of the Indiana General Assembly should receive compensation and benefits as recommended by the Legislative Compensation and Benefits Advisory Commission."

(d) The county election board shall print the following

C
O
P
Y



- 1 **immediately below the public question stated in subsection (c):**
- 2 **"The vote on these statements is advisory only. The result of the**
- 3 **vote on these statements is not binding on the General Assembly.".**
- 4 **(e) The county election board shall format the public question**
- 5 **stated in subsection (c) so that a voter can indicate a choice for**
- 6 **either statement.**
- 7 **(f) If a voter indicates a choice for both statements, the county**
- 8 **election board shall not count the vote for either statement.**
- 9 **(g) Each county election board shall tabulate the votes cast on**
- 10 **the public question described in this SECTION and certify the**
- 11 **results under IC 3-12-4-9.**
- 12 **(h) IC 3 applies to the public question required by this**
- 13 **SECTION except where IC 3 conflicts with this SECTION.**
- 14 **(i) The secretary of state shall certify the results of the vote on**
- 15 **the public question required by this SECTION to the legislative**
- 16 **council.**
- 17 **(j) This SECTION expires July 1, 2009.**

**C
O
P
Y**

