

IN THE SENATE

SENATE BILL NO. 1041

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ACTING GOVERNOR AND LIEUTENANT GOVERNOR
 2 COMPENSATION; AMENDING SECTION 67-805, IDAHO CODE, TO PROVIDE
 3 THE SALARY TO BE PAID TO THE SENATE PRESIDENT PRO TEMPORE AND
 4 THE SPEAKER OF THE HOUSE WHEN SERVING AS ACTING GOVERNOR; AND
 5 AMENDING SECTION 67-809, IDAHO CODE, TO PROVIDE THE SALARY TO BE
 6 PAID TO THE SENATE PRESIDENT PRO TEMPORE WHEN SERVING AS ACTING
 7 LIEUTENANT GOVERNOR.
 8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 67-805, Idaho Code, be, and the same is hereby amended to
 11 read as follows:

12 67-805. ACTING GOVERNOR TO PERFORM SAME DUTIES – COMPENSATION
 13 OF PRESIDENT PRO TEMPORE OF THE SENATE OR SPEAKER OF THE HOUSE OF
 14 REPRESENTATIVES WHEN ACTING AS GOVERNOR. (1) Every provision in the laws of
 15 this state in relation to the powers and duties of the governor and in relation to acts and duties
 16 to be performed by others toward him, extends to the person performing for the time being the
 17 duties of acting governor.

18 (2) Notwithstanding any other provisions of law to the contrary, when performing the
 19 duties of acting governor, the president pro tempore of the senate or the speaker of the house
 20 of representatives will receive, in addition to his daily legislative compensation, an amount
 21 equal to the difference between that daily legislative compensation and the daily salary of the
 22 governor.

23 SECTION 2. That Section 67-809, Idaho Code, be, and the same is hereby amended to
 24 read as follows:

25 67-809. DUTIES OF LIEUTENANT GOVERNOR – ACTUAL AND NECESSARY
 26 EXPENSES – COMPENSATION OF SENATE PRESIDENT PRO TEMPORE WHEN
 27 ACTING AS LIEUTENANT GOVERNOR. (1) The lieutenant governor shall perform on a
 28 day to day basis such duties in and for the government of this state as the governor may
 29 from time to time direct. The lieutenant governor shall perform such additional duties as the
 30 governor may deem necessary and desirable to promote the improvement of state government
 31 and the development of the human, natural and industrial resources of this state. At the written
 32 direction of the governor, the lieutenant governor may represent the state in negotiations,
 33 compacts, hearings and other matters dealing with the states or the federal government. He
 34 shall cooperate with all state and local governmental agencies to promote and encourage the
 35 orderly development of the resources of Idaho.

1 The lieutenant governor shall also exercise the powers and privileges of the office of
2 governor and presidency of the senate as provided by sections 12 and 13, article IV of the
3 constitution of the state of Idaho.

4 (2) The lieutenant governor shall be entitled to receive the following expense allowances:

5 (a) As unvouchered expense allowances:

6 (i) While performing the duties of acting governor, the difference between the
7 daily salary of lieutenant governor and the daily salary of governor, which amount
8 shall be in addition to the salary as lieutenant governor. Such amount shall not be
9 paid for any day on which the lieutenant governor claims an unvouchered expense
10 allowance as president of the senate.

11 (ii) For each day spent serving as president of the senate during a legislative
12 session, the per diem authorized for a member of the legislature by the citizen's
13 committee on legislative compensation.

14 (iii) Actual mileage expense reimbursement for coming to and returning from any
15 regular, extraordinary or organizational session of the legislature at the same rate
16 as mileage expense reimbursement is made for other state officers and employees.

17 (iv) For each day actually spent in the office serving as lieutenant governor while
18 the legislature is not in session, the same daily amount of per diem enumerated in
19 subsection (2)(a)(ii) of this section.

20 (v) For each day actually spent in the office serving as lieutenant governor when
21 the legislature is not in session, the sum of twenty-five dollars (\$25.00) if the
22 lieutenant governor maintains his primary residence in Ada county.

23 (b) As vouchered expense allowances:

24 (i) Actual and necessary expenses incurred while serving as president of
25 the senate during a legislative session, subject to the same requirements and
26 limitations as if a member of the legislature.

27 (ii) Actual and necessary expenses incurred while serving as lieutenant governor
28 or as acting governor.

29 (3) Unvouchered expense allowances and vouchered expense reimbursement for duties
30 performed as president of the senate shall be paid from the legislative fund. All other
31 compensation and/or allowances for duties performed as the lieutenant governor shall be paid
32 from the appropriation made for the office of the lieutenant governor.

33 (4) The actual and necessary expenses of the lieutenant governor while performing his
34 official duties as lieutenant governor or as acting governor are hereby expressly exempted
35 from the provisions of sections 67-2007 and 67-2008, Idaho Code (Standard Travel Pay and
36 Allowance Act of 1949).

37 (5) Notwithstanding any other provisions of law to the contrary, when performing the
38 duties of acting lieutenant governor, the president pro tempore of the senate will receive, in
39 addition to his daily legislative compensation, an amount equal to the difference between that
40 daily legislative compensation and the daily salary of the lieutenant governor.