



# Commonwealth of Virginia

GENERAL ASSEMBLY  
RICHMOND

December 8, 1998

The Honorable Thomas W. Moss, Jr.  
Speaker of the House of Delegates  
and  
Members of the Joint Rules Committee  
Virginia General Assembly  
State Capitol  
Richmond, VA 23219

Dear Mr. Speaker and Members of the Joint Rules Committee:

Enclosed is the final Report of the Citizens' Advisory Committee on Legislative Compensation appointed by the Joint Rules Committee this fall to provide advice and recommendations regarding legislative compensation issues before the Rules Committee in HJR 60.

The Report makes five key recommendations:

- "Creditable compensation" for purposes of calculating benefits under the Virginia Retirement System should include only salary and should not include payments made as reimbursement for office or other expenses.

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## Members of the Citizens' Advisory Commission on Legislative Compensation

Gerald L. Bailes, former Governor of the Commonwealth, Co-Chair  
Raymond H. Boone, publisher of the Richmond Free Press  
Emmitt Carlton, President of the Virginia State Conference of the NAACP  
Clifford A. Cutchins, III, retired chairman of the Board, Sovran Financial Corporation  
Walter Craigie, First Union Capital Markets  
A. Linwood Holton, Jr., former Governor of the Commonwealth, Co-Chair  
Bobbie G. Kilberg, President of the Northern Virginia Technology Council  
Thomas R. Morris, President of Emory and Henry College  
John Munford, retired Vice-Chair of Union Camp  
Hugh Stallard, President and CEO Bell Atlantic-Virginia, Inc.  
Patricia M. Woolsey, Chair of the Board of the Fairfax Economic Development Authority  
William H. Wood, Executive Director of the Sorensen Institute for Political Leadership at the University of Virginia.

- Legislators should receive inflation adjustments to salaries, effective in January 2000, in recognition of the commendable job they do and to help ensure that the opportunity to serve as a citizen legislator remains open to persons from all walks of life.
- Legislators should receive reasonable reimbursement for the expenses of acquiring office equipment or operating a district office so that no person who serves is required to subsidize his or her legislative office personally or through financial supporters.
- There must be a system that assures public accountability for office expenditures supported with public dollars.
- Legislative compensation should be reviewed every four years by a citizens' committee under a formal process spelled out in the Code of Virginia.

The other citizens from around the Commonwealth who joined us as volunteers on this Committee should be commended for their commitment to public service and the seriousness with which they approached this important issue. We trust that the information we have gathered and the recommendations we have made will assist the members of the Joint Rules Committee and their colleagues in the General Assembly in evaluating the important questions posed in HJR 60 regarding the best way to preserve the important tradition of a part-time citizen legislature in an increasingly complex and challenging world.

Very truly yours,

  
Gerald L. Baliles

  
A. Linwood Holton

cc: Members of the Virginia General Assembly  
Enclosure

**REPORT OF THE CITIZENS' ADVISORY COMMITTEE ON  
LEGISLATIVE COMPENSATION  
TO  
THE JOINT RULES COMMITTEE  
GENERAL ASSEMBLY OF VIRGINIA**

December 1998

To: The Honorable Thomas W. Moss, Jr.  
and  
The Joint Rules Committee

**INTRODUCTION**

On September 11, 1998, the Joint Rules Committee met to discuss House Joint Resolution 60 agreed to by the House and the Senate in March of 1998 that directs the Joint Rules Committee to study the salary and allowances of members of the General Assembly and their legislative assistants and secretaries. At that time, the Joint Rules Committee agreed to authorize Speaker Thomas W. Moss, Jr. and Senator Richard Holland to appoint a citizens' committee to advise it regarding legislative compensation. On September 30, 1998, Speaker Moss and Senator Holland announced the appointment of former Governors Gerald L. Baliles and A. Linwood Holton, Jr. as co-chairs of the Citizens' Advisory Committee on Legislative Compensation. Appointed to serve with them on the Committee were ten business and academic leaders from around the state: Raymond H. Boone, publisher of the Richmond Free Press; Emmitt Carlton, President of the Virginia Chapter of the NAACP; Clifford A. Cutchins, III retired chairman of the Board of Sovran Financial Corporation; Walter Craigie, First Union Capital Markets; Bobbie G. Kilberg, President of the Northern Virginia Technology Council; Thomas R. Morris, President of Emory and Henry College; John Munford, retired Vice-chair of Union Camp; Hugh Stallard, President and CEO of Bell Atlantic-Virginia; Patricia M. Woolsey, Chair of the Board of the Fairfax Economic Development Authority and William H. Wood, Executive Director of the Sorenson Institute for Political Leadership.

The Citizens' Committee met twice on October 27, 1998, and December 2, 1998. (Minutes attached at Tabs 1 and 2.) In accordance with the direction in HJR 60, the Citizens' Committee examined the history of legislative compensation in Virginia; reviewed legislative compensation and benefit plans of other states; and assessed various state methodologies in determining reasonable legislative compensation, including the tying of salaries to certain indices or economic indicators. The Committee conducted a comprehensive survey of members of the General Assembly regarding time and money expended on legislative duties (See, Minutes of December 2, 1998 meeting at Tab 2) and reviewed two prior studies of legislative compensation conducted in

1974 and 1982. (See, Minutes of October 27, 1998 meeting at Tab 1). It also heard public testimony from an expert on state legislative compensation from the National Conference of State Legislatures; from legislative staff regarding the history of legislative compensation in Virginia and on the effect of tying legislative compensation to certain indices or economic indicators; from Professor Larry Sabato on Legislative Salaries: Pay, Process and Politics; from the Executive Director of Common Cause of Virginia; and from several members of the House and Senate. (See, Minutes of October 27, 1998, meeting at Tab 1.)

## **SUMMARY OF RECOMMENDATIONS**

The following recommendations were adopted unanimously by the Committee on December 2, 1998:

A. That the Code of Virginia be amended to define clearly the difference between salary and expense allowances paid to members of the General Assembly. Salary should be defined to include a regular annual salary and an additional daily salary for attending meetings between sessions of the legislature. Expense allowances should include reimbursement for travel and lodging, an equipment allowance and an allowance for the operating expenses of an office or offices in each member's district. The Committee believes that the current use of the term "per diem" to describe both the living expenses paid to members of the General Assembly during the regular session and the daily amounts paid to members of the General Assembly for attending meetings when the General Assembly is not in session creates unnecessary confusion and the term should be eliminated from legislation governing legislative compensation.

B. That the regular salary of members of the General Assembly be increased to \$26,000 per year, effective January 2000, to account for inflation since the last salary increase in 1988.

C. That the additional amount paid to members of the General Assembly attending meetings when the Assembly is not in session be increased to \$160 per day, effective January 2000, to account for inflation since the last increase in 1984.

D. That there be no change in the current system for providing living expenses during the General Assembly Session or reimbursing vouchered travel expenses for attending meetings when the legislature is not in session or for travel to meetings or conferences as an official representative of the General Assembly.

E. That the office expense allowance not be included in "creditable compensation" for purposes of calculating retirement benefits under the Virginia Retirement System. The definition of "creditable compensation" should

continue to include regular salary and additional salary as described in paragraphs B and C above.

F. That the office expense allowance include a fixed amount for equipment costs and a budgeted annual amount for the operational expenses of each member's District office. The amount for equipment expenses should be set at a ceiling of \$2,500.00 for a four year period. The allowance for operating expenses should be set at a ceiling of \$18,000 per year (averaging \$ 1,500.00 per month) for those members maintaining a separate legislative office outside the General Assembly Building, their home or business and \$ 12,000.00 per year (averaging \$ 1,000.00 per month) for those members who do not maintain a separate legislative office. Payments for equipment expenses should be made on receipt of a voucher with accompanying receipts. Payments for other office expenses should be made based on a declaration of need for reimbursement of office expenses and supplies filed in January with the respective Clerks of the House and Senate. This declaration should be in a form approved by the Rules Committee of each house and should be valid for one year. The declaration should provide a budget for the upcoming year, and (after the first year) an accounting of expenses for the year past. The declaration should require the member to swear or affirm that the information is true or correct.

G. That the Joint Rules Committee of the General Assembly be required to appoint a Citizens' Advisory Commission on Legislative Compensation every four years to review the compensation of members of the General Assembly. The first such Commission should be appointed effective July 1, 2002, with a required reporting date of December 1, 2002, and subsequent Commissions should be appointed effective July 1 every four years thereafter.

### **REASONS FOR THE COMMITTEE'S RECOMMENDATIONS**

A. The language of the current Code creates confusion regarding whether particular components of legislative compensation should be considered salary or allowances. This is significant because the Constitution of Virginia permits an increase in expense, travel or other "allowances" during a member's term but it prohibits an increase in "salary" during a member's term.

The Committee believes part of this ambiguity arises out of the use of the term "per diem" to describe both the living expenses paid to members of the General Assembly during the regular session and the daily amounts paid to members of the General Assembly for attending meetings when the General Assembly is not in session. The Committee recommends that the Code be amended to delete all references to "per diems" and that compensation paid to members of the General Assembly be clearly defined in the Code either as salary or expenses.

B. It has been almost ten years since the last increase in the annual salary of the members of the legislature. In the words of the Executive Director of

Common Cause of Virginia, "no employee should have to wait that long" for a salary increase. The increase to \$26,000.00 recommended by the Committee amounts to no real increase in purchasing power. It merely accounts for inflation since the last increase in 1988.

In addition, the information submitted to the Committee by members of the General Assembly shows that the time demands of legislative service and the complexity of the issues being addressed are continuing to increase. Fifteen of the sixteen Senators responding to the Committee's survey indicated that their in-district activities are increasing each year. Thirty seven of the fifty-three House members responding also reported similar increases in their in-district activities. Eighty-three percent of the House and Senate members indicated that their income was adversely affected by their service in the Assembly. The average reduction in income reported was 71% during the session and 31% in the interim. Nonetheless, some members of the House responding to the Committee's survey indicated that they did not believe a pay increase was necessary at this time. Among other factors cited for this view was a concern for preserving the part-time nature of our citizen legislature.

The Committee is mindful of the need to avoid increasing the salaries of members to the point where legislative service could be a full time job. At the same time, however, the Committee wants to be sure that the annual compensation is not set so low that average citizens cannot afford to serve in Virginia's legislature. The Committee believes that the modest adjustment for inflation that it is recommending will help encourage persons of average means to serve without converting our part-time citizen legislature into a full-time professional one.

C. The daily allowance currently paid to members of the General Assembly for attendance at meetings when the legislature is not in session has not been increased since 1984 when it was set at the current rate of \$100 per day. Figures presented to the Committee by legislative staff indicate that, if adjusted for inflation up to 1998, the daily rate would be \$159. If adjusted to the year 2000 based on tax department estimates the rate would be above \$160. As is the case with the increase in regular annual salary recommended above, an increase in the daily rate to \$160 would not represent a real increase in purchasing power. It would only account for inflation. Accordingly, the Committee recommends an increase to \$ 160 in the daily amount paid to members of the General Assembly for attendance at meetings when the legislature is not in session. The Committee believes that travel and other direct expenses of attending such meetings should continue to be reimbursed through travel vouchers as is the current practice.

D. The current system for paying living expenses during the session and travel expenses for meetings during the interim appears to be working well and no changes are recommended by the Committee.

E. The Committee believes that the office expense allowance, whether vouchered or unvouchered, represents a reimbursement for the cost of operating a district office and should not be considered "creditable compensation" for purposes of calculating retirement payments under the Virginia Retirement Session. The Committee heard testimony from Delegate Thomas, Common Cause and Professor Sabato all favoring legislation to delete office allowances from the definition of "creditable compensation" for VRS purposes. In addition, eleven members of the House and Senate volunteered comments supporting such legislation in responding to the Committee's survey. No person appeared before the Committee or provided written comments favoring continued inclusion of office allowances in pension calculations.

F. It is clear from the testimony before the Committee and the responses to the Committee's survey that changes in the amounts received by the members of the Assembly as reimbursement for office expenses and the procedures for payment of such office allowances are necessary. Currently, members of the House and Senate (except the leadership) receive \$750 per month in unvouchered payments in place of expense reimbursements. This amount is subject to income tax withholding when paid, and no voucher or accounting is required. This means that members may use the money for any purpose, and it is taxed as regular income. Members who keep track of expenses may deduct the amounts as unreimbursed employee business expenses but this deduction is limited to amounts above a certain percentage of gross income and does not represent a dollar for dollar deduction from income.

Significant numbers of members of the House and Senate expressed concern in their survey responses about the adequacy of the office expense allowance. First, they pointed out that \$750 a month is inadequate to rent and equip a free-standing legislative office in their district. In addition, even though the salary for staff authorized for each legislator is not included in the office allowance, in many cases the monthly sum also does not cover the real costs of postage and supplies required to provide adequate constituent service. Members reported paying as much as \$6,000 to \$14,000 out of pocket to maintain their legislative offices.

The Committee agrees that service in the General Assembly should be an honor and that a sacrifice in salary or earning power is to be expected, but it does not think that service should require substantial subsidizing of office expenses from personal funds or financial supporters. At the same time, however, the Committee does not believe that significant increases in expense reimbursements should be made unless there is a mechanism for accounting for such expenses. While the Committee is sympathetic to concerns about increased paperwork expressed by some legislators responding to the survey, it believes that the public is entitled to information about how these expense monies are spent.

To balance the need for accountability against the problem that increased paperwork will present for a part-time legislator with minimal staff, the Committee recommends that vouchers be required for equipment purchases and an annual report be required for other office expenses. The Committee believes that each member should be able to spend up to \$2,500.00 for office equipment during a four year period but that such payments should be made **only** when a voucher and proper receipts are submitted. The amount of \$2,500.00 represents a proposed ceiling or cap on such expenditures over four years. Operating expenses for district offices should be paid monthly up to a cap or ceiling of \$18,000.00 per year (about \$1,500.00 per month) for members maintaining separate legislative offices outside the General Assembly building or their home or business and \$12,000 per year (about \$1,000.00 per month) for those legislators not maintaining freestanding, separate offices. These allowances should be paid based on an annual declaration submitted by each member to their respective Clerks.

The office expense declarations should be filed annually with the Clerks and open for public inspection in the Clerks' offices. They should be submitted under oath. After the first year, the declaration should include a budget for the upcoming year and a summary of expenses for the preceding year. The information should be submitted on forms developed and approved by the respective Rules Committees of each house. This system of annual declarations should provide the accountability the public needs without imposing undue record-keeping burdens on the individual members of the legislature.

G. The Committee believes that review of legislative compensation should be done regularly and by a citizen commission. Ten years is too long to wait between salary adjustments and expense reviews. The salaries of Virginia's statewide officials (the Governor, Lieutenant Governor and Attorney General) are adjusted routinely every four years just before a new person takes office. To reduce the political nature of the salary review process for the legislature, the Committee believes that there should be a similar routine review of legislative salaries every four years just prior to the election when all House and Senate members are up for election. The Committee believes that the Joint Rules Committee should be required to appoint a citizens' committee to conduct this quadrennial review. The citizens' committee should not be a permanent committee but should be appointed effective July 1 and be required to report by the next December 1. The mandatory appointment of this committee would mean that no one person would have to take the lead and introduce a resolution asking for a pay study. The review would be automatic and would include citizen involvement. The regularity and openness of the process would avoid many of the questions about procedures raised this year regarding the salary and expense increases included in the appropriation bill.

The Committee did not endorse a proposal to codify a system of "automatic" adjustments based on the Social Security Administrations' formula for cost of



living increases that would, according to some, "take the politics" out of the legislative pay raise issue. The Committee believes that the process of bringing citizens together to review legislative compensation and make recommendations reinforces the value of "public service" and supports the goal of preserving Virginia's citizen legislature. The Committee thinks it is important that, under the Committee's recommended procedure, legislators would still have to vote on any compensation recommendations made by the citizens' committee.

## CONCLUSION

Like the two citizen bodies that examined legislative compensation in 1974 and 1982, the Citizens' Advisory Committee believes that there is a balance to be struck between preserving the part-time nature of our citizen legislature and requiring dedicated public servants to pay expenses out of their own pockets as a price for the privilege of serving. To achieve this balance, the Committee has recommended no real change in the salary paid to members of the legislature to compensate them for the substantial demands made on their time. At the same time, the Committee has recommended significant increases in the amounts available to members to reimburse the actual expenses of operating a district office. With these increases comes an increased need for public accountability and the Committee has addressed this issue in its recommendations as well.

The Committee recognizes the value of a good strong support system for our citizen legislators. Without adequate office equipment and supplies and appropriately trained professional staff, none of our legislators can perform responsibly the duties of the offices to which we have elected them nor provide the level and quality of constituent service that we have come to expect. The increased funds for equipment and supplies included in the Committee's recommendations will help ensure that our legislators can continue to be good and effective public servants without serious personal financial sacrifice. In light of the several comments included in responses to the Committee's survey regarding the adequacy of current staffing levels and salaries, the Joint Rules Committee may wish to consider whether some improvements should be made in this area as well.

The Committee also thinks that the time has come, finally, to codify the process for reviewing legislative compensation in the future. The need for a regular process of review was identified in the reports filed in 1974 and 1982 but the recommendations were never implemented. The Committee urges that the current system of sporadic and ad hoc review be replaced by a regular procedure set forth in the Code.

Respectfully submitted on behalf of the Citizens' Advisory Committee on  
Legislative Compensation,

  
Gerald L. Baliles, Co-Chair *ey*

  
A. Linwood Holton, Co-Chair *ey*

Members of the Committee

Gerald L. Baliles, co-chair  
A. Linwood Holton, co-chair  
Raymond H. Boone  
Emmitt Carlton  
Clifford A. Cutchins, III  
Walter Craigie  
Bobbie G. Kilberg  
Thomas R. Morris  
John Munford  
Hugh Stallard  
Patricia M. Woolsey  
William H. Wood

**MINUTES**  
**CITIZENS' ADVISORY COMMITTEE ON LEGISLATIVE COMPENSATION**  
**HJR 60 (1998)**  
**OCTOBER 27, 1998 -- 10 AM**

The first meeting of the Citizens' Advisory Committee on Legislative Compensation was called to order at 10 am on October 27, 1998 by the co-chairs of the Committee, former Governor A. Linwood Holton and former Governor Gerald L. Baliles.

Governor Holton made opening remarks in which he announced that the staff had been asked to prepare and distribute a survey to members of the General Assembly inquiring about the time investment and expenses of serving as a member of the House or Senate. He also asked whether the Committee should address questions related to retirement benefits accruing to General Assembly members who move to the Executive Branch.

Governor Baliles made opening remarks in which he asked the Committee to focus on the role it had been asked to play by the Joint Rules Committee. Governor Baliles explained that the members of the Committee were appointed as "citizens" whose role is to advise the Joint Rules Committee regarding legislative compensation. Governor Baliles described the issues to be addressed by the Committee as follows:

1) what adjustments, if any, should be made in the salaries of legislators and their staff?

2) what adjustments, if any, should be made in expense reimbursements for i) per diem during session; ii) per diem when the legislature is not in session; and iii) office expenses?

3) what adjustments, if any, should be made in the process by which expenses are reimbursed -- should expenses be vouchered or unvouchered?

4) what process should be followed in reviewing legislative compensation in the future -- should there be a citizens' commission or should legislative compensation be adjusted automatically using an index or escalator?

Following the opening statements of the co-chairs, each member of the Committee was given the opportunity to introduce himself or herself and to make any comments they wished to make. Then, the Committee reviewed and agreed to the two meeting work plan set forth by the co-chairs in their memorandum of October 15, 1998. (Exhibit 1)

Following some general discussion of the issues by members of the Committee, the Clerk of the House, Bruce F. Jamerson, made a presentation regarding the history of legislative compensation, including salary and allowances, from 1964 to the present. (Exhibit 2).

Next, John Garka, Finance and Government Manager of the Division of Legislative Services described the work of two previous citizen committees that addressed legislative compensation issues in 1974 and 1982. (Exhibit 3)

The third item on the agenda was a presentation by Tim Story, Program Principal of the National Conference of State Legislatures, on legislative compensation practices in the 50 states. Mr. Story summarized data collected routinely by NCSL regarding legislative pay, benefits and reimbursements. (Exhibit 4) He pointed out that, overall, state legislative compensation had decreased by 8% from 1974-1997 when adjusted for inflation. He indicated that reaction to federal pay increases in the early 90's had created an adverse political climate for state legislative pay increases.

Following Mr. Story's presentation, Ginny Edwards, Staff Attorney for the Division of Legislative Services, presented information regarding the effect of automatic indexing on legislators' salaries and per diems. (Exhibit 5) According to Ms. Edwards, if legislators' current salaries were adjusted for inflation since they were increased to \$18,000 in 1988, they would now be \$25,416 per year. The office expense allowance, adjusted by inflation would have increased 9% from \$750 to \$800 since 1994. Ms. Edwards said that Virginia has never done a study of the actual costs of serving in the legislature. Kentucky surveyed its legislators recently. Of the 20% of the members who returned the survey, 30 to 40% of the Kentucky legislators indicated that they did not receive sufficient funds to cover expenses.

The final presenter on the agenda, Professor Larry Sabato from the University of Virginia, gave prepared remarks (Exhibit 6) in which he made the following recommendations:

- 1) Legislative salaries should be increased to \$26,000 – an amount equal to the 1988 salary of \$18,000 adjusted by inflation.

- 2) The procedure for setting legislative pay should be changed “to take politics out of the process as much as possible.” This should be accomplished by enacting an automatic inflation adjustment for legislative salaries.

- 3) Appropriations for expenses should be used only for the legitimate costs of serving. An annual accounting of expenses should be filed each year with the Clerks of the respective house of the General Assembly.

Professor Sabato said: "Yes, we want a citizen legislature, but we should not and cannot expect good people of modest means to make extraordinary sacrifices year after year in order to serve in the legislature. At the same time, we do not want to set pay so high that it encourages candidacies by people who would run for legislative office simply for the salary." emphasized that he was troubled by "the fact that under present conditions we discourage people of average means from running."

Following Professor Sabato's presentation, the Committee held an open public hearing on the issues before the Committee.

The first speaker was Steve Calos, the Executive Director of Common Cause of Virginia. Mr. Calos congratulated the leaders of the General Assembly for establishing an open process for considering pay issues. He stated that he thought that a pay increase was justified because a decade is too long for any employee not to receive an increase. He suggested that the Committee look at the Florida law which ties legislative salary increases to state employee increases. He also said that Common Cause would look favorably on taking the office allowance out of creditable compensation for retirement purposes.

Delegates John J. Davies, III, Robert D. Hull, A. Victor Thomas and S. Vance Wilkins, Jr. and Senator E. Madison Mayre also appeared before the Committee during the public hearing to present their views regarding legislative compensation.

Delegate Hull argued against adoption of automatic, indexed pay increases saying that the process of adopting pay increases was inherently political and should remain so. He asked the Committee to recommend additional funding for legislative staff.

Delegate Davies provided information about the time spent on legislative activities and the expenses of operating a legislative office. According to Delegate Davies, it cost him \$31,000 to operate his district office in 1996 (\$6,000 out of pocket beyond the amounts received in salary and office expense allowance). In 1997, the cost was \$22,000 which was slightly lower because some expenses were absorbed by campaign funds. Delegate Davies indicated that his law firm records show that he spent about 42 hours a week on legislative activities during 1997. Delegate Davies expressed particular concern about the \$500 postage allowance given to House members during the session. Susan Schaar, Clerk of the Senate, pointed out that this was not a problem for the Senate because there is no cap on postage for Senate members. Delegate Davies encouraged the Committee to focus on reimbursing members for actual expenditures with appropriate measures to ensure accountability.

Delegate Thomas asked the Committee to support legislation that he has introduced to take office allowances out of the definition of "creditable compensation" for purposes of VRS.

Delegate Wilkins spoke in favor of an increase in expense reimbursement and against any increase in salary. He urged the Committee not to recommend a salary where a person could make a living serving as a member of the legislature. He suggested that expense reimbursements be capped and said that a voucher system would help avoid questions regarding accountability.

Senator Mayre indicated that each legislator's situation is unique. He indicated that his legislative work required him to purchase a second car that he would not need otherwise. He also said he the amounts he pays for office rent, 2 phone lines, 7 newspaper subscriptions, a computer, fax machine and printer exceed the current office allowance. He pointed out that his legislative responsibilities requires him to hire someone to watch over the 60 head of cattle he has on his farm during the session. He described the amount he has to pay for this extra help as "part of the joy of serving in the legislature." He advised against changing the current system saying that more help in the office is what he needs. He also pointed out that Senate districts are 2 and a half times bigger than House districts, and he asked the Committee to consider this difference in deciding issues related to staffing and expenses.

In addition to the legislators offering comments during the public hearing, Delegate Vincent F. Callahan, Jr. submitted a written statement for the record in which he detailed the substantial time and financial commitments attendant on his service as a legislator. (Exhibit 7).

After the public hearing, the Committee held a work session. During the work session, staff was asked to prepare material for the Committee describing the current retirement benefits for legislators and summarizing the history of treating office allowance as "creditable compensation" for retirement purposes. In addition, staff was asked to address the question whether a statute could be drafted to implement an "automatic" cost of living increase without violating the constitutional prohibition against raising legislative salaries during a current term of office.

Following discussion, the Committee tentatively reached consensus on the following recommendations:

- 1) The office allowance should be removed from the definition of "creditable compensation" for retirement purposes.
- 2) The Code should be revised to define clearly what is salary and what are expenses. Salary should have two components -- annual salary and a daily salary for meetings between sessions. Expenses should include travel and

lodging expenses and office expenses for district offices. There should be some system for assuring accountability for office expenses.

3) The Committee should recommend some adjustments in salary and expenses to be effective in January 2000 following the 1999 election. Future adjustments should be made either by an "automatic" cost of living or indexed system or on the recommendation of a statutory commission convened every four years prior to the election in which all House and Senate members are up for election.



# Commonwealth of Virginia

GENERAL ASSEMBLY  
RICHMOND

October 15, 1998

## Members of the Citizens Advisory Committee on Legislative Compensation

- |                                 |                           |
|---------------------------------|---------------------------|
| ✓ Mr. Raymond H. Boone          | ✓ Dr. Thomas R. Morris    |
| ✓ Mr. Emmitt Carlton            | ✓ Mr. John D. Munford     |
| ✓ Mr. Walter W. Craigie, Jr.    | ✓ Mr. Hugh R. Stallard    |
| ✓ Mr. Clifford A. Cutchins, III | ✓ Mr. William H. Wood     |
| ✓ Ms. Bobbie G. Kilberg         | ✓ Ms. Patricia M. Woolsey |

Ladies and Gentlemen:

Congratulations on your appointment to this Citizens' Advisory Committee on Legislative Compensation. We look forward to working with you in the coming months. To prepare you for the first meeting scheduled for October 27, we asked staff to prepare the enclosed briefing notebook. These materials were first distributed to the members of the Joint Rules Committee during their September 11 meeting and provide a good overview of the compensation policy in Virginia and in other states. We ask that you review the materials prior to the October 27 meeting and that you please bring the notebook with you to this meeting.

We anticipate that our work schedule will consist of two meetings that will focus on (i) determining an appropriate level of legislative compensation, and (ii) developing a process for adjusting legislative pay in the future. For the first meeting, we have invited a number of speakers, including nationally-renown political commentator, Dr. Larry Sabato of the University of Virginia, and Johanna Donlin, a state compensation expert with the National Conference on State Legislatures, who will discuss the criteria for and policy implications in determining legislative pay. We will also conduct a one-hour public hearing. At our second meeting, scheduled for December 2, we will make our recommendation for any present pay adjustments and possibly look at how recommendations for legislative pay should be made in the future.

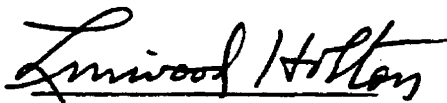


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October 15, 1998

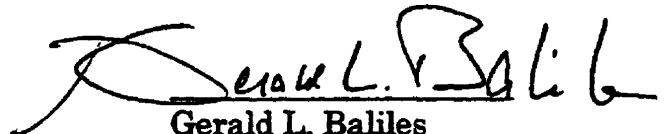
In the meantime, if you have any questions regarding the enclosed materials or any other matter, please feel free to contact Claire Guthrie Gastanaga, study coordinator. (See tab #2) You may also find the Table of Contents section helpful in identifying the staff most knowledgeable on a particular topic.

The October 27 meeting will begin at 10 o'clock a.m. to allow our out-of-town members an opportunity to arrive on the morning of the meeting should they decide not to stay overnight. Both meetings will be held in the 5<sup>th</sup> Floor West Conference Room of the General Assembly Building located directly behind the State Capitol.

Very Truly Yours,

✓ 

A. Linwood Holton, Jr.  
Co-Chair



Gerald L. Baliles  
Co-Chair

Enclosures

cc: Staff  
Dr. Larry Sabato

**Salary and Allowances of the Members of Virginia General Assembly  
1964 to present**

| Year  | Salary<br>§14.1-17 & 14.1-17.1  | Speaker's Salary<br>§14.1-17 & 14.1-17.1 | Session Per Diem<br>§14.1-18.1                              | Add'l. Comp.<br>§14.1-18                                   | Speaker's Travel<br>Expense | Office Exp.<br>§14.1-18.2  |
|-------|---|--|---|--|-----------------------------|--|
| 1964  | See attached  | See attached                             | See attached  | \$18.00 (Code)   |                             |  |
| 1965  | See attached 1964<br>legislation  | See attached 1964<br>legislation         | See attached 1964<br>legislation                            | \$18.00 (Code)   |                             |  |
| 1966  | See attached 1964<br>legislation  | See attached 1964<br>legislation         | See attached 1964<br>legislation                            | \$18.00 (Code)   |                             |  |
| 1967  | See attached 1964<br>legislation  | See attached 1964<br>legislation         | See attached 1964<br>legislation                            | \$18.00 (Code)   |                             |  |
| 1968  | See attached 1966<br>legislation  | See attached 1966<br>legislation         | See attached 1968<br>legislation                            | \$35.00 (Code per<br>1966 legislation)                     |                             |  |
| 1969  | See attached 1968<br>legislation  | See attached 1968<br>legislation         | See attached 1968<br>legislation                            | \$35.00 (Code)   |                             |  |
| 1970  | See attached  | See attached                             | See attached  | \$35.00 (Code)   |                             |  |
| 1971  | See attached 1970<br>legislation  | See attached 1970<br>legislation         | See attached 1970<br>legislation                            | \$35.00 (Code)   |                             |  |
| *1972 | \$5,475.00 annually (Code)<br>eff. 1/72 per 1971 Ex.<br>Sess., C.194. Changed for<br>new GA | \$10,525.00 annually (Code)<br>(1/72)    | \$31.25 (Jan) Code<br>\$36.00 eff. 7/72 per<br>1972, C. 510 | \$ 35.00 (Code)  |                             |  |
| 1973  | \$5,475.00 annually (Code)  | \$10,525.00 annually (Code)              | \$ 36.00 (Code)   | \$ 35.00 (Code)  |                             |  |
| 1974  | \$5,475.00 annually (Code)  | \$10,525.00 annually (Code)              | \$ 50.00 (Code)<br>eff. 1/74 per 1974,<br>C. 356            | \$ 50.00 (Code)<br>eff. 1/74 per 1974,<br>C. 356.          |                             |  |
| 1975  | \$5,475.00 annually (Code)  | \$10,525.00 annually (Code)              | \$ 50.00 (Code)   | \$ 50.00 (Code)  |                             |  |
| *1976 | \$5,475.00 annually (Code)  | \$10,525.00 annually (Code)              | \$ 50.00 (Code)   | \$ 50.00 (Code)  |                             | \$ 200.00/monthly except session   |
| 1977  | \$5,475.00 annually (Code)  | \$10,525.00 annually (Code)              | \$ 50.00 (Code)   | \$ 50.00 (Code)  | \$5,000.00 (AA)             | \$ 200.00/monthly except session   |
| 1978  | \$5,475.00 annually (Code)  | \$10,525.00 annually (Code)              | \$ 50.00 (Code)   | \$ 50.00 (Code)  | \$5,000.00 (AA)             | \$ 200.00/monthly except session   |
| 1979  | \$5,475.00 annually (Code)  | \$10,525.00 annually (Code)              | \$ 50.00 (Code)   | \$ 50.00 (Code)  | \$5,000.00 (AA)             | \$ 200.00/monthly except session   |
| *1980 | \$8,000.00 annually (Code)<br>eff. 1/80 per 1976, C.604.<br>Changed for new GA              | \$16,000.00 annually (Code)<br>(1/80)    | \$ 50.00 (Code)   | \$ 50.00 (Code)  | \$5,000.00 (AA)             | \$ 200.00/monthly except session   |
| 1981  | \$8,000.00 annually (Code)  | \$16,000.00 annually (Code)              | \$ 50.00 (Code)   | \$ 50.00 (Code)  | \$7,500.00 (AA) (7/81)      | \$ 200.00/monthly except session   |
| 1982  | \$8,000.00 annually (Code)  | \$20,000.00 annually (AA)<br>(1/82)      | \$ 50.00 (Code)<br>\$ 75.00 (AA) eff.<br>7/82 per 1982 AA   | \$ 50.00 (Code)<br>\$ 100.00 (AA) eff.<br>7/82 per 1982 AA | \$7,500.00 (AA)             | \$ 200.00/monthly except session<br>\$ 250.00/month (AA) eff. 7/82 per 1982 AA |
| 1983  | \$8,000.00 annually (Code)  | \$20,000.00 annually (AA)                | \$ 75.00 (AA/IRS)   | \$ 100.00 (AA)<br>\$ 75.00 (AA) eff.<br>7/83 per 1983 AA   | \$7,500.00 (AA)             | \$ 250.00/month (AA)   |
| *1984 | \$11,000.00 annually (AA)<br>eff. 1/84 per 1982 AA.<br>Changed for new GA                   | \$20,000.00 annually (AA)                | \$ 75.00 (AA/IRS)   | \$ 75.00 (AA)<br>\$ 100.00 (AA) eff.<br>7/84 per 1984 AA   | \$9,000.00 (AA) (7/84)      | \$ 250.00/month (AA)   |

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|       |  |                                     |                   |   |                         |   |
|-------|--|-------------------------------------|-------------------|---|-------------------------|---|
| 1985  | \$11,000.00 annually (AA)  | \$20,000.00 annually (AA)           | \$ 75.00 (AA/IRS) | \$ 100.00 (AA)  | \$9,000.00 (AA)         | \$ 250.00/month (AA)  |
| 1986  | \$11,000.00 annually (AA)  | \$28,000.00 annually (AA)<br>(1/86) | \$ 77.00 (AA/IRS) | \$ 100.00 (AA)  | \$9,000.00 (AA)         | \$ 250.00/month (AA)  |
| 1987  | \$11,000.00 annually (AA)  | \$28,000.00 annually (AA)           | \$ 77.00 (AA/IRS) | \$ 100.00 (AA)  | \$9,000.00 (AA)         | \$ 250.00/month (AA)  |
| *1988 | \$18,000.00 annually (AA)<br>eff. 1/88 per 1986 AA.<br>Changed for new GA        | \$28,000.00 annually (AA)           | \$ 77.00 (AA/IRS) | \$ 100.00 (AA)  | \$10,200.00 (AA) (7/88) | \$ 250.00/month (AA)<br>\$ 500.00/month - \$600.00 leadership (AA)<br>eff. 7/88 per 1988 AA.                          |
| 1989  | \$18,000.00 annually (AA)  | \$28,000.00 annually (AA)           | \$ 82.00 (AA/IRS) | \$ 100.00 (AA)  | \$10,200.00 (AA)        | \$ 500.00/month - \$600.00 leadership (AA)  |
| 1990  | \$18,000.00 annually (AA)  | \$29,550.00 annually (AA)<br>(1/90) | \$ 82.00 (AA/IRS) | \$ 100.00 (AA)  | \$10,200.00 (AA)        | \$ 500.00/month - \$600.00 leadership (AA)  |
| 1991  | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House (5/91) | \$28,970.00 annually (AA)<br>(5/91) | \$ 82.00 (AA/IRS) | \$ 100.00 (AA)  | \$10,200.00 (AA)        | \$ 500.00/month - \$600.00 leadership (AA)  |
| *1992 | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House        | \$28,970.00 annually (AA)           | \$ 82.00 (AA/IRS) | \$ 100.00 (AA)  | \$10,200.00 (AA)        | \$ 500.00/month - \$600.00 leadership (AA)  |
| 1993  | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House        | \$28,970.00 annually (AA)           | \$ 84.00 (AA/IRS) | \$ 100.00 (AA)  | \$10,200.00 (AA)        | \$ 500.00/month - \$600.00 leadership (AA)  |
| 1994  | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House        | \$32,000.00 annually (AA)<br>(1/94) | \$ 93.00 (AA/IRS) | \$ 100.00 (AA)  | \$10,200.00 (AA)        | \$ 500.00/month - \$600.00 leadership (AA)<br>\$ 750.00/month - \$1000.00 leadership (AA) eff.<br>7/94 per 1994 AA.   |
| 1995  | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House        | \$32,000.00 annually (AA)           | \$ 93.00 (AA/IRS) | \$ 100.00 (AA)  | \$13,200.00 (AA)        | \$ 750.00/month - \$1000.00 leadership (AA)   |
| *1996 | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House        | \$32,000.00 annually (AA)           | \$ 93.00 (AA/IRS) | \$ 100.00 (AA)  | \$13,200.00 (AA)        | \$ 750.00/month - \$1000.00 leadership (AA)   |
| 1997  | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House        | \$32,000.00 annually (AA)           | \$102.00 (AA/IRS) | \$ 100.00 (AA)  | \$13,200.00 (AA)        | \$ 750.00/month - \$1000.00 leadership (AA)   |
| 1998  | \$18,000.00 annually (AA)<br>Senate<br>\$17,640.00 annually (AA)<br>House        | \$36,321.00 annually (AA)<br>(1/98) | \$115.00 (AA/IRS) | \$ 100.00 (AA)<br>\$ 200.00 (AA) eff.<br>7/98 per 1998 AA | \$16,200.00 (AA) (7/98) | \$ 750.00/month - \$1000.00 leadership (AA)<br>\$1,250.00/month - \$1750.00 leadership (AA) eff.<br>7/98 per 1998 AA. |

\* New General Assembly

## ARTICLE 3.

*General Assembly.*

§ 14.1-17. **Salaries and expenses of members and presiding officers of General Assembly.**—The President of the Senate and the Speaker of the House of Delegates shall each receive the sum of one thousand and two hundred sixty dollars and the other members of the General Assembly shall each receive the sum of one thousand eighty dollars, for attendance and services at each regular session of the General Assembly; and at all extra sessions the President of the Senate and the Speaker of the House of Delegates shall each receive that portion of six hundred thirty dollars which the actual number of days in session is to thirty days, and the other members of the General Assembly shall each receive that proportion of five hundred and forty dollars which the actual number of days in session is to thirty days, for attendance upon the duties of their respective houses. Such salaries shall be paid in the following manner: To the President of the Senate and the Speaker of the House of Delegates, each

at the rate of one hundred and forty-seven dollars per week, and the other members of the General Assembly, each at the rate of one hundred and twenty-six dollars per week, until their respective salaries are exhausted, or until the General Assembly adjourns; at which time the whole amount of their salaries remaining unpaid, if any, shall then be paid. Any sick member, or one who shall have obtained leave of absence, shall receive such salary as is due him in the same manner as if he had been in his seat. If, during any session of the General Assembly, any member shall die, or otherwise vacate his seat, and his successor be elected, the personal representative of the deceased member shall receive the uncollected compensation up to the date of the death of such deceased member and the successor of the deceased member shall receive the per diem beginning from the date of his election.

Each member of the General Assembly shall receive in addition to the salary provided hereinabove seven hundred and twenty dollars for regular sessions and for extra sessions that proportion of three hundred and sixty dollars which the actual number of days in session is to thirty days, as an allowance for expenses incurred while in attendance upon the duties of their respective houses. (Code 1950, § 14-28.1; Code 1950 (Suppl.), § 14-28.2; 1958, c. 224; 1964, c. 386.)

**Cross reference.** — For constitutional provisions, see Va. Const., §§ 45, 46, 79.

§ 14.1-18. **Per diem of members of legislative committees.**—Members of legislative committees which may sit during any recess of the General Assembly may receive compensation at a rate not exceeding eighteen dollars per day for the time actually employed in the discharge of their duty. (Code 1950, § 14-29.1; 1964, c. 386.)

**An Act to amend and reenact §§ 14.1-17, 14.1-18 and 14.1-23 and to repeal §§ 14.1-24 through 14.1-28, relating to salaries and expenses of members, presiding officers and personnel of the General Assembly and per diem of members of legislative committees.**

Be it enacted by the General Assembly of Virginia:

1. That §§ 14.1-17, 14.1-18 and 14.1-23 of the Code of Virginia be amended and reenacted as follows and §§ 14.1-24 through 14.1-28 be repealed.

§ 14.1-17. \* *The President of the Senate and the Speaker of the House of Delegates shall each receive, together with the other members of the General Assembly, the sum of thirty-five dollars per day for expenses, attendance and services at each regular session of the General Assembly; and at all extra sessions the President of the Senate, the Speaker of the House of Delegates and the other members of the General Assembly shall each receive the sum of thirty-five dollars per day, for attendance upon the duties of their respective houses. Such salaries shall be paid in the following manner: To the President of the Senate and the Speaker of the House of Delegates, each at the rate of three hundred dollars per week, and the other members of the General Assembly, each at the rate of two hundred dollars per week, until their respective salaries are exhausted, or until the General Assembly adjourns; at which time the whole amount of their compensation remaining unpaid, if any, shall then be paid. Any sick member, or one who shall have obtained leave of absence, shall receive such salary as is due him in the same manner as if he had been in his seat. If, during his term of office, any member shall die, or resign his seat, and his successor be elected, the personal representative of the deceased member or the resigned member shall receive the uncollected compensation up to the date of the death of such deceased member or the date of resignation of a resigned member and the successor of the deceased member or resigned member shall receive the per diem beginning from the date of his election.*

*In addition to the foregoing the following expenses, payable semi-annually, shall be paid to the persons and in the amounts hereinafter set out each year:*

(a) *To the President of the Senate and the Speaker of the House of Delegates twelve hundred dollars each.*

(b) *To the members of the General Assembly, including the Speaker of the House of Delegates, six hundred dollars each.*

*The President of the Senate shall also be allowed such other compensation or expenses as may be provided in the Appropriation Act.*

§ 14.1-18. *Members of legislative committees which may sit during any recess of the General Assembly \*, shall receive compensation at a rate not exceeding \* thirty-five dollars per day for the time actually employed in the discharge of their duty.*

§ 14.1-23. \* *The Senate and the House of Delegates and the clerks thereof are authorized to employ such personnel as may be deemed necessary for the efficient operation of the General Assembly as prescribed by the rules or resolutions of the respective houses.*

*The Senate and House of Delegates shall by resolution or resolutions set the compensation of the personnel employed by each house, and the personnel shall be paid from the contingent fund of each house, respectively.*

2. §§ 14.1-24 through 14.1-28 of the Code of Virginia are repealed.

3. This act shall become effective on January 1, 1968.

## CHAPTER 618

*An Act to amend and reenact § 14.1-17, as amended, of the Code of Virginia, relating to salaries and expenses of General Assembly members and officers.*

[H 958]

Approved April 4, 1968

Be it enacted by the General Assembly of Virginia:

1. That § 14.1-17, as amended, of the Code of Virginia be amended and reenacted as follows:

§ 14.1-17. Salaries and expenses of members and presiding officers of General Assembly.—The President of the Senate and the Speaker of the House of Delegates shall each receive, together with the other members of the General Assembly, the sum of thirty-five dollars per day for expenses, attendance and services at each regular session of the General Assembly; and at all extra sessions the President of the Senate, the Speaker of the House of Delegates and the other members of the General Assembly shall each receive the sum of thirty-five dollars per day, for attendance upon the duties of their respective houses. Such salaries shall be paid in the following manner: To the President of the Senate and the Speaker of the House of Delegates, each at the rate of three hundred dollars per week, and the other members of the General Assembly, each at the rate of two hundred dollars per week, until their respective salaries are exhausted, or until the General Assembly adjourns; at which time the whole amount of their compensation remaining unpaid, if any, shall then be paid. Any sick member, or one who shall have obtained leave of absence, shall receive such salary as is due him in the same manner as if he had been in his seat. If, during his term of office, any member shall die, or resign his seat, and his successor be elected, the personal representative of the deceased member or the resigned member shall receive the uncollected compensation up to the date of the death of such deceased member or the date of resignation of a resigned member and the successor of the deceased member or resigned member shall receive the per diem beginning from the date of his election.

In addition to the foregoing the \* *expense allowances* shall be paid to the persons and in the amounts hereinafter set out each year:

(a) To the President of the Senate and the Speaker of the House of Delegates \* *three thousand* dollars each.

(b) To the members of the General Assembly, including the Speaker of the House of Delegates, \* *twelve* hundred dollars each.

*The expense allowances set forth in paragraphs (a) and (b) above shall be payable semiannually.*

The President of the Senate shall also be allowed such other compensation or expenses as may be provided in the appropriation act.

2. This act shall be in force and effect on and after July one, nineteen hundred sixty-eight.

MEMBERS OF THE COMMISSION

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EDWARD L. BREEDEN, JR., *Chairman*

LYLE C. BRYANT

JOHN H. CLEMENTS

WELDON COOPER

WARREN J. DAVIS

ROBERT E. GLENN

H. HITER HARRIS, JR., *Vice Chairman*

G. SCOTT SHACKELFORD, III

Ms. J. A. THROCKMORTON

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STAFF

GRAHAM GROVE

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Report of the Commission to Study  
Legislative Compensation and the Compensation of  
Certain State Employees

to

The Governor and the General Assembly of Virginia

Richmond, Virginia

January 4, 1974

TO: HONORABLE LINWOOD HOLTON, *Governor of Virginia*  
and  
THE GENERAL ASSEMBLY OF VIRGINIA

The General Assembly at its Regular Session of 1973 enacted House Joint Resolution No. 183 requesting the appointment by the Governor of this Commission to make its recommendations as to the compensation afforded the Members of the General Assembly and all persons who serve the General Assembly in any capacity.

Said Commission, having completed its work, respectfully submits this report:

A recurring problem for members of legislative bodies, whether at the national, state, or local level, is the amount of compensation paid to the members of those bodies. Traditionally, the concept of the American legislature is one composed of citizens serving part-time as legislators rather than the concept of a legislator occupying a full-time professional position, and this has been especially true on the State legislative level. Members of the Virginia General Assembly from 1619 to recent times have clearly been classified as citizen-legislators.

Pressures have arisen, however, which threaten the idea of the citizen-legislator, and those pressures arise for the most part out of the sharp increase in the amount of time that members of the General Assembly devote to their legislative duties. It was acknowledged that an unascertainable amount of a legislator's time involves so-called personal political activity. Prior to the adoption of the new 1971 Constitution, the General Assembly normally met for two out of each twenty-four months. At the conclusion of the two-month regular session held in even-numbered years, the business of the legislature was concluded, and the General Assembly went out of existence as an active legislative body until it reconvened in the next even-numbered year. The exception to this was when a special session was found necessary, which has tended to be the rule rather than the exception during the last decade. During the last two or three decades the amount of time required of a member of the General Assembly has increased because of the growth in population and expansion of governmental activity in both old and new fields. This has resulted in a staggering increase in the number of studies assigned by the Governor and the General Assembly to the commissions. This growth in the volume of business, however, was not of sufficient scope to change significantly the role of the legislator as a citizen devoting a relatively minor portion of his time to legislative duties and activities.

This condition has been steadily growing in recent years and further has been altered substantially with the adoption of the 1971 Constitution. The General Assembly now meets regularly each year, for sixty days in the



ed years and for thirty days in the intervening year. Legislative of both the House of Delegates and the Senate remain in existence the two-year life of the General Assembly, and some bills are r for the second session if not disposed of in the first session. This the Constitution has sharply increased the amount of time that s have had to devote to their duties and has raised the question as to ability of increasing the compensation of the members of the General y and the amount of money available for employing staff assistants.

recognition of this condition, the 1973 General Assembly, upon the mendation of Governor Linwood Holton, authorized by House Joint tion No. 183 the creation of a Commission to Study Legislative pensation and the Compensation of Certain State Employees to examine make recommendations relating to the compensation of the members of General Assembly and the salaries of legislative employees. The resolution ating the Commission reads as follows:

Whereas, every effort should be made to assure that undue financial burdens are not laid on the citizen legislators who serve the Commonwealth in order that qualified persons may continue to function in the legislative process; and

Whereas, if the proper assistance is to be available to the legislators a proper staff must be assembled to serve; and

Whereas, a competent disinterested panel of persons would be in the best position to determine the current adequacy of and future requirements for legislative compensation and the compensation of those who serve the General Assembly; now, therefore be it

Resolved by the House of Delegates, the Senate concurring, That the Governor is hereby requested to commission a panel of nine persons familiar with the needs of the Commonwealth and financial affairs to undertake a study of the compensation afforded the members of the General Assembly and all persons who serve it in any capacity; the findings and recommendations of such panel to be submitted to the Governor and the General Assembly on or before December one, nineteen hundred seventy-three. While members of the panel will serve without compensation, there is hereby appropriated from the contingent fund of the General Assembly the sum of five thousand dollars to be used to defray the necessary expenses of the study and the panel members.

As will be noted, the resolution specifically calls for the membership of the Commission to be composed of nonlegislators. In this way, the difficulties arising out of the legislature making recommendations as to its own salaries were avoided.

In accordance with the terms of the resolution, the Governor appointed the following members to serve on the commission:

- Edward L. Breeden, Jr. of Norfolk
- Lyle C. Bryant of Arlington
- John H. Clements of Carson
- Weldon Cooper of Charlottesville
- Warren J. Davis of Fairfax
- Robert E. Glenn of Roanoke
- H. Hiter Harris, Jr. of Richmond
- Scott Shackelford, III of Roanoke
- Mrs. J. A. Throckmorton of Richmond

meeting on July 19, 1973 the Commission elected man and Mr. Harris as Vice-Chairman.

nal source of assistance to the Commission, namely Legislative Services, was not available because of the unavailability of the members of that Division who were considered, the Commission, with the assistance of the staff of the Office of Administration, Research and a member of the staff of that Division. Research selected as Secretary of the Commission. Research collecting data on the compensation of legislators and employees in other states was provided by the Division of services.

the outset, the Commission was in unanimous accord that the General Assembly should continue to be composed of citizen legislators rather than full-time professional legislators. Adoption of this approach resulted in the Commission's recommendation that compensation be based on the fact that it would not be possible to compensate legislators for their services to the same extent that would be possible in the private sector. This approach was expected in similar work in the private sector. A number of problems with which the Commission grappled and which have been affected by its recommendations to the Governor and the General Assembly. In conducting its study, the Commission met five times, the final meeting being on January 4, 1974 when its report was unanimously approved, subject to the attached memorandum of Mr. C. Bryant and Mrs. J. A. Throckmorton.

The Commission has tried to hew closely to the authority set forth in the language of the resolution creating it. As a result, it has not gone into areas that might otherwise have been explored, which nevertheless should be mentioned in this report.

It was suggested to the Commission that limiting the total length of legislative service would help preserve the citizen-legislator concept. It put forward the idea that if the total permitted term to which a legislator could be elected, or reelected, were limited to ten or twelve years that a member could serve, he would acquire the relative experience and seniority to make his contribution to public affairs worthwhile and then be permitted to retire like Cincinnatus to his normal daily pursuits.

It was also observed that the transition from a citizen legislator to a professional one often occurs involuntarily over a great length of time as the member becomes involved in new and ever-expanding fields of legislative activity.

Some Commission members felt that an effort should be made to educate the public and advise it of the needs of legislators and hence justify an increase in their compensation.

It was the judgment of the Commission that the foregoing areas of investigation were beyond the limits of the enabling resolution and hence were not pursued. The Commission agreed that its duties did include the providing for and the payment of the necessary staff for legislators, thereby relieving them of many demands on their personal time, as well as their pocketbooks.

In its work the Commission has sought the advice of members of

the General Assembly and has conducted public hearings to permit any interested citizen to present his views. In addition, information was gathered concerning legislative compensation in other states, an examination in detail was made of the several methods of compensation and travel reimbursement for the members of the General Assembly, and a questionnaire was circulated to the members of the General Assembly concerning their workload and their opinions as to what might be an appropriate figure for compensating members of the General Assembly and legislative employees. In fairness to its members it should be reported that the majority of Virginia legislators who spoke to or wrote the Commission urged staff assistance and only small, if any, increase in their own pay.

The Commission is not unmindful of the fact that recent events in other states show that sharp salary increases for members of state legislative bodies are not popular at the present time. In general elections in November 1973, for example, voters in the states of Rhode Island, Texas, and Washington turned down salary increases proposed by their respective legislatures. In each instance, it should be pointed out, the proposed increases were rather drastic and undoubtedly this fact was of considerable importance in the outcome of voter disapproval. In our deliberations we have attempted to balance what we believe to be the need for increases in legislative compensation and staff assistance with the need for making those increases as reasonable as possible.

After careful study and consideration of all the information presented to the Commission, the following recommendations are made.

#### I. Summary of Recommendations

A. That the salaries of members of the General Assembly be increased from \$5,475 to \$6,000 per year and that the salaries of the President of the Senate and the Speaker of the House of Delegates be increased from \$10,525 to \$11,400 per year, to be paid in monthly amounts of \$500 and \$950, respectively.

B. That expense allowances for the members and presiding officers of the General Assembly during regular and special sessions, or any extensions thereof, be raised to the maximum non-vouchered rate now or hereafter permitted by the U. S. Internal Revenue Service, but not exceeding fifty dollars (\$50) per day with no change in the mileage allowance of 10c per mile, unless, due to the energy crisis, employees in the executive branch receive a mileage allowance increase. (The non-vouchered amount (\$36 at present) is that which the Internal Revenue Service will accept without the necessity for supporting documents; any amount above that would require a detailed supporting record for the entire payment).

C. That the per diem compensation for legislators serving between sessions as members of committees, subcommittees, study or other formal legislative commissions be increased uniformly to fifty dollars (\$50) per day but not exceeding a total of \$2,500 in any calendar year.

D. That the allowance for the employment of staff for members of the General Assembly be raised from \$3,600 to \$4,800 per year.

E. That the annual allowances for staff serving the President of

the Senate and the Speaker of the House of Delegates be maintained at the present levels of \$7,500 for one or more secretaries and \$9,600 for one or more administrative assistants.

F. That no other change in the compensation structure for members of the General Assembly be made. (Under this proposal the individual credit card issued to each legislator to cover the costs of telephone calls would be continued, which presently totals \$2,500 in the aggregate per month).

G. That the compensation of legislative employees serving the General Assembly be as follows:

1. That the members of the staff of the Division of Legislative Services be covered by position classification and pay plans similar so far as possible to that provided for the executive branch and that salary increases for legislative employees be made at the same time as increases are approved for the executive branch. The General Assembly should retain under its control the final determination of the classification of such staff members.
2. That the salary of the Director of the Division of Legislative Services be in the same pay range as directors of division in the executive branch.
3. That the annual salaries of the Clerks of the House of Delegates and of the Senate, the Auditor of Public Accounts, and the Director of the Joint Legislative Audit and Review Commission are historically and properly under the control of those respective bodies, and it is believed appropriate that their compensation be fixed by legislative action rather than through a recommendation from this Commission.

## II. Reasons for Recommendations

A. The significant increase in the time required for members of the General Assembly to carry out their responsibilities, to our way of thinking, requires an increase in compensation and in per diem allowances. In addition to the ninety days required of a legislator for the two sessions of the General Assembly, the time a legislator has to devote to attending meetings of committees, subcommittees, and study commissions has increased sharply. Those members of the General Assembly who responded to our questionnaire indicated that they spent from between thirty and sixty days on legislative duties between the sessions of the General Assembly.

Moreover, a legislator is expected to keep in touch with his constituents and to answer inquiries from them. While the performance of this duty is time-consuming, nevertheless it is necessary for a legislator to keep in touch with the views of those he represents, and to maintain a relationship with them which will reveal their desires and concerns.

In response to our questionnaire, the figure proposed by members of the General Assembly for compensation varied widely; however, the per diem compensation for service on committees, subcommittees, and legislative study commissions was generally agreed upon at \$50 per day. Some legislators felt no change in their salaries was necessary while a few others believed a figure considerably in excess of \$10,000 was appropriate. We have set the figure for annual compensation at \$6,000 in the belief that the increase, while a relatively modest one of 9.58%, will be helpful in reducing any burden now borne by the individual members out of his or her own pocket.

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B. In recommending that travel expenses for members and the presiding officers of the General Assembly during sessions of the Assembly be changed to the maximum amount permitted by the Internal Revenue Service for non-vouchered expenses up to and including \$50 per day with no change in the mileage allowance, we have been aware of the fact that the Internal Revenue Service now permits a non-vouchered daily rate of \$36 per day. In proposing an increase of up to \$50 per day, we are providing for an increase in the non-vouchered amount to be made in the future in the event that the Internal Revenue Service raises the rate, without the necessity for the General Assembly to take future action to accommodate the change.

C. The proposed increase to \$50 per day in compensation for members serving on committees, subcommittees and legislative commissions or other formal legislative study groups meeting between sessions, is in accord with the previous recommendation for an increase in the annual compensation. This has the merit of varying compensation according to the amount of legislative work that different members do between sessions. Also, we have noted some differences in the per diem compensation between those serving on some committees and other assignments, and we believe the uniform rate for all such assignments should be \$50 per day.

D. The proposed increase from \$3,600 to \$4,800 per year in the allowance for members of the General Assembly to employ individuals to assist them in their legislative duties is a relatively modest one, and good arguments can be made that an additional increase is needed. We believe, however, that at the present time the proposed annual increase of \$1,200 in the allowance for staff will be sufficient for legislators to conduct their duties without an undue burden on their own pockets. Results from the questionnaire returns indicate a considerable variation in the staff requirements of individual members of the General Assembly, ranging from no staff at all to as many as four assistants. The most common size seems to be from one to two staff members. The questionnaire returns further indicated that 40 percent of those replying did not have to use personal funds to employ staff, while 60 percent stated that they spent their own personal funds for a portion of this cost. The most frequently cited amount of personal expenditure was in the range of \$1,000 to \$1,500 a year. In view of the proposed increase in the size of the staff of the Division of Legislative Services and the information obtained from the questionnaire, it seems to us that an increase in the allowance of staff services of \$1,200 will be adequate for the time being.

E. The allowances for staff for the Speaker of the House of Delegates and the President of the Senate for secretaries and for administrative assistants were recently substantially increased and seem to us to be sufficient for the immediate future.

F. If these recommendations are adopted, we believe there is no need for any other changes in the compensation structure of the members of the General Assembly.

G. Our recommendations in the areas of legislative employees and the Director of the Division of Legislative Services are based on the belief that those salaries should parallel the salary structure for employees in the executive branch. Fairness also requires that increases in legislative employees salaries be made at the same time and in the same proportion as salaries for employees in the executive branch. The salaries of the Clerks of the House of Delegates and of the

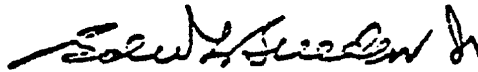
ate, the Auditor of Public Accounts and the Director of the Joint  
gislative Audit and Review Commission, we believe, should be left  
the determination of each of the bodies concerned.

### III. Conclusions

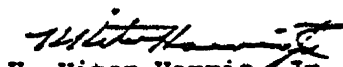
Virginia has been fortunate over the years in the caliber of the  
members of its General Assembly. Many observers viewing the  
General Assembly at work compare it most favorably with other  
American state legislatures. We believe this favorable ranking is due  
in large part to the concept of a citizen serving as a part-time  
legislator.

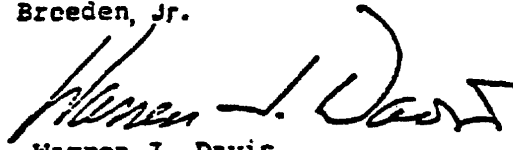
Obviously, some members of the General Assembly have not only  
devoted their services at small cost to the Commonwealth but have  
also paid out of their own pockets a portion of the cost of that service.  
We believe that the recommendations here proposed will reduce the  
amount of personal sacrifices that members of the General Assembly  
have to make and yet avoid the development of the position of a  
member of the General Assembly to the status of a full-time  
professional job. Nothing in our view could be more harmful to the  
work of the General Assembly than such an event. We therefore  
suggest that future commissions, probably constituted of nonlegislators  
such as this one, be convened at appropriate intervals to review  
the compensation structure of legislators and legislative em-  
ployees in order that the General Assembly may continue its high  
ranking among state legislatures.

Respectively submitted,



Edward L. Broeden, Jr.  
Chairman

  
H. Hiter Harris, Jr.  
Vice Chairman

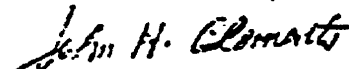


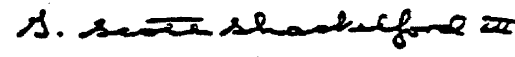
Warren J. Davis

  
Lyle C. Bryant

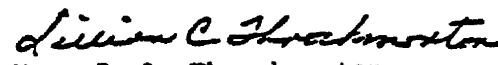


Robert E. Glenn

  
John H. Clements

  
G. Scott Shackelford, III

  
Weldon Cooper

  
Mrs. J. A. Throckmorton

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**REPORT OF THE  
COMMISSION STUDYING THE COMPENSATION  
OF THE MEMBERS OF THE  
VIRGINIA GENERAL ASSEMBLY  
TO  
THE GOVERNOR  
AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**SENATE DOCUMENT NO. 18**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1982**

**MEMBERS OF COMMISSION**

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Senator Edward E. Willey - Vice Chairman  
John S. Battle, Jr.  
Julian F. Carper  
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**STAFF**

**Legal and Research**

Virginia Division of Legislative Services  
John A. Banks, Jr., Director  
John A. Garka, Economist  
E. M. Miller, Jr., Senior Attorney



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E. M. Miller, Jr., Senior Attorney

**Report of the  
Commission Studying the Compensation  
of the Members of the  
Virginia General Assembly  
To  
The Governor and the General Assembly of Virginia  
Richmond, Virginia  
January, 1982**

To: Honorable Charles S. Robb, Governor of Virginia  
and  
The General Assembly of Virginia

**I. INTRODUCTION**

The study of the compensation of the members of the Virginia General Assembly was the result of the following resolution passed at the 1981 Session of the General Assembly:

**SENATE JOINT RESOLUTION NO. 158**

WHEREAS, members of the General Assembly have traditionally been compensated in accordance with specific statutory salaries as are set forth in § 14.1-17.1 of the Code of Virginia; and

WHEREAS, the provisions of § 14.1-17.1 of the Code of Virginia have not been reviewed or otherwise amended since the 1976 Session of the General Assembly; and

WHEREAS, the Constitution of Virginia provides that the compensation of an elected official may not be changed during the term for which he was elected; and

WHEREAS, to effect a change in the salaries set forth in § 14.1-17.1 to be applicable on and after January of 1984 for those members elected to office in November of 1983, a study of this subject matter must be undertaken during 1981; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring. That there is hereby created a commission to study the compensation of members of the General Assembly of Virginia. The Commission shall consist of the Chairman of the House Appropriations Committee, two citizens appointed by him, the Chairman of the Senate Finance Committee, two citizens appointed by him, and three citizens appointed by the Governor. The members of the Commission shall receive the compensation set forth in § 14.1-18 and their actual and reasonable expenses incurred in performance of duties as members. For such compensation, expenses, and such other expenditures as may be necessary, there is allocated from the general appropriation to the General Assembly the sum of \$3,000. The Commission shall report its recommendations to the Governor and the General Assembly no later than December 1, 1981.

Pursuant to this directive, the following were appointed to serve on this Commission. Senator Edward E. Willey appointed Mr. James W. McGlothlin of Bristol and Mr. Toy D. Savage, Jr. of Norfolk. Delegate Richard M. Bagley appointed Mr. Julian F. Carper and Mr. Walter W. Craigie, Jr., both of Richmond. The Governor appointed Mr. John S. Battle, Jr. and Mr. Fred G. Pollard both of Richmond and Mr. Russell L. Davis of Rocky Mount. Senator Willey and Delegate Bagley also served on the Commission with Delegate Bagley serving as Chairman and Senator Willey as Vice Chairman.

The Commission was assisted in its study by the Division of Legislative Services. Specific staff assigned were John A. Garka, Economist and E. M. Miller, Jr., Senior Attorney.

## II. EXECUTIVE SUMMARY

The Commission was established by Senate Joint Resolution No. 158 enacted by the 1981 Session of the Virginia General Assembly. The Commission has thoroughly studied the compensation provided to members of the Virginia General Assembly as well as the compensation of legislators in other states. The Commission also examined the costs associated with serving in the General Assembly.

The General Assembly has changed greatly over the past few decades and especially since the adoption of the 1971 Constitution of Virginia, however, the General Assembly continues to be composed of citizens serving as part-time legislators. The Commission believes that today's legislator spends an increasing amount of time dealing in legislative affairs. However, the Commission believes that Virginia General Assembly should continue its tradition of being a part-time citizen legislature. The Commission's basic purpose was to examine the annual salary and expense reimbursements provided to Virginia's legislators to ensure that they remain current and appropriate and roughly in line with those provided by other states. With this basic philosophy in mind the Commission makes the following recommendations.

The Commission recommends that the present \$8,000 annual salary be increased to \$11,000 effective January, 1984. This salary adjustment is based on the fact that legislators have been impacted by inflation just like all citizens of the Commonwealth. The Commission notes that the last salary increase Virginia legislators received was less than half of the rate of inflation during that time period. As a result, the salary of Virginia legislators has fallen to 29th among all the 50 states and 9th among the 15 states in the Southern region. Moreover, Virginia legislators received far less than their counterparts in many Southern states. This was of particular significance to the Commission since these states have legislatures with similar duties and philosophies.

The recommended salary adjustment would basically cover the rate of inflation since the previous increase, and still leaves Virginia comparable to other neighboring states and behind the Southern states of Maryland, Oklahoma, Louisiana and Florida. The increase would become effective for the 1984 General Assembly since the Constitution of Virginia provides that a General Assembly can only change salaries for a future General Assembly. The 1984 effective date would also continue the long tradition of adjusting salaries for both houses at the same time.

The Commission also recommends adjustments in expense allowances. At the present time, Virginia legislators receive \$50 per day (unvouchered) during the Session for meal and lodging expenses. The Commission has found that given today's prices it is costing some members money out of their pocket to stay in Richmond during the Session. The Commission firmly believes that legislators should be provided sufficient funds for expenses. The Commission notes that four Southern states provide more funds for living expenses than does Virginia.

The Commission studied various expense reimbursement options, however, the present system of unvouchered expenses is favored by most legislators since they do not need to bother keeping detailed receipts for hotels, meals and other expenses. In addition, the present \$50 provision represents the maximum amount the Internal Revenue Service will allow for unvouchered expenses. If additional unvouchered funds were provided the member would either have to claim the additional amount as income or if more than \$50 was spent keep detailed itemized records to prevent the additional amount from being counted as income.

Based on these factors, the Commission recommends that the present \$50 per day for meal and lodging expenses be paid on an unvouchered basis for those members who either may spend less than \$50 or who choose not to keep expense records and provide up to \$75 per day, on a vouchered basis, for those who spend more than \$50 and who wish to itemize those expenses.

Also, during the Session each legislator is allowed one round trip home each week at 20¢ per mile reimbursement which is the same reimbursement provided to state employees when they use their personal vehicle for official state business. The Commission has found Virginia's mileage reimbursement allowance in line with what other states provide state legislators. The Commission believes the mileage reimbursement appropriate and recommends no change at the present time.

The Commission also examined the funds provided Virginia legislators outside the Session.

Currently, members receive \$200 per month outside the Session for office expenses and supplies on an unvouchered basis. The Commission wishes to note that this amount has been unchanged since 1976 and ranks far below allowances provided legislators in other Southern states. The Commission recommends this allowance be increased by 25% to \$250 per month and recommends further that this allowance be paid every month. The Commission notes that these funds are used not only to pay for office expenses and supplies but also to pay for personnel costs associated with constituent work.

Another area of expenses examined by the Commission is the allowance provided to members who attend legislative committee meetings outside of the Session. Members receive \$50 per day for attending a meeting plus expenses, if any, and mileage. This amount has been unchanged since 1974. The Commission recommends the \$50 per day be increased to \$125 per day. The Commission notes that attending a meeting in many cases requires a member who lives further away from Richmond to lose two days from their regular jobs. The Commission also notes that this is considerably less than the per day compensation paid during the Session based on an \$8,000 annual salary. The Commission believes the recommendation would make the compensation for attending a meeting more appropriate as well as adjusting it for inflation.

Finally, the Commission examined the amount a legislator can spend for a secretary and/or an aide. The Commission believes this a budgetary matter and thus, leaves it to the wisdom of the House Appropriations and Senate Finance Committees.

In summary, the Commission believes that it is important that the compensation of General Assembly members be reviewed on a regular basis and adjustments be made to reflect cost increases. Due to the size of Virginia's budget and the services it provides the citizens of Virginia, the demands and workloads placed on our legislators have increased dramatically in recent years. Their compensation should reflect these changes as well as the burden of inflation which affects us all. The adjustments the Commission recommends attempt to balance the need to pay higher amounts to legislators to offset higher costs but not pay so much as to encourage legislators to become full time. The Commission urges the General Assembly to adopt its recommendations effective July 1, 1982 with the salary changes becoming effective January, 1984.

The Commission wishes to note that Delegate Bagley and Senator Willey made clear at the outset that their role would be to assist in the administrative workings of the Commission and to respond to questions about the General Assembly and its workload. They abstained from voting and expressing opinions on the compensation questions.

### III. FINDINGS AND CONCLUSIONS

#### Annual Salary

The annual salary of Virginia legislators is \$8,000 per year. (Please see Table 1 for a listing of annual salaries in other states. Table 2 shows that the last salary increase provided to Virginia legislators covered less than half the rate of inflation during that same period of time. Partly as a result of this Virginia ranks 29th in terms of the annual salary provided its legislators (Table 3). New York pays its legislators \$28,878 a year while the bottom state, New Hampshire, pays its legislators \$100. The Commission notes that some states have legislatures that are in effect full-time bodies, such as New York, California and Pennsylvania.

To gain a better perspective of states similar to Virginia the Commission has examined our annual salary ranking with neighboring and Southern states (Table 4). Virginia ranks 9th among these 15 states. The Commission found that Virginia ranks well below a surprising number of these states. Virginia legislators receive less than half of the salary paid to Maryland legislators and approximately half of what is paid to legislators in Oklahoma and Louisiana. Clearly, as other states increase their salaries Virginia will fall further and further behind unless some adjustment is made. Currently, the mean salary for these states (excluding Alabama) is approximately \$10,000. Alabama was excluded for this calculation because their annual salary is artificially low since it is established in the Constitution.

The Commission was interested in examining the workloads of various legislatures. Although workload is virtually impossible to measure it seems reasonable that it may be affected by the

number of people in a state as well as its level of economic activity. The Commission examined Virginia's ranking in personal income and population. The Commission found that Virginia ranks 11th in personal income (Table 5) behind both Texas and Florida in the Southern region. In terms of population, Virginia ranks 14th (Table 6), behind Texas, Florida and North Carolina. The Commission notes the disparity between Virginia's rank in annual salary (29th) and Virginia's rank in population and personal income.

Another measure of workload the Commission examined was the average size of constituency for legislators. The Commission believes that workload is at least partly correlated with the number of people that a legislator represents. Table 7 presents information on the average size of constituency for members of the Senate while Table 8 presents information for members of the House. As the tables show, Virginia ranks 14th in Senate constituency and 11th in size of House constituency. Again, the Commission found that this is in sharp contrast to Virginia's rank in annual salary.

As a result of these findings and considerations the Commission recommends that the present annual salary of \$8,000 be increased to \$11,000 effective January, 1984. This increase will keep legislative salaries in line with inflation but will not materially change Virginia's ranking compared to other states. The Commission wishes to emphasize that Virginia should continue its tradition of being a part-time legislature.

#### Expenses

The Commission has also examined other compensation provided to members of the Virginia General Assembly. The Commission has examined the area of living expenses provided during the Session, mileage allowances, funds provided for office expenses and supplies, and expenses and allowances provided for attending meetings outside the Session.

The first item examined by the Commission was the living expenses provided to Virginia legislators. During the Session members of the Virginia General Assembly receive \$50 per day for meal and lodging expenses. This is paid on an unvouchered basis. Fifty dollars is the maximum amount that IRS will allow for unvouchered expense reimbursement. If a greater amount were paid, the legislator would have to keep detailed expense records to document these expenses. The difference between the amount paid and actual expenses (but not less than \$50) would have to be reported as income. Table 9 presents background on the amounts paid for expenses during the Session over the last 10 years. Clearly, inflation has increased much more rapidly than the funds provided for expenses.

The Commission was concerned that the amount currently paid to legislators is not sufficient to pay for the meal and lodging expenses incurred by legislators. It has come to the attention of the Commission that some legislators must add their own funds to the expense allowance provided in order to stay in Richmond during the Session. The Commission does not believe that this situation should arise.

The Commission studied various expense reimbursement options, however, the present system of unvouchered expenses is favored by most legislators since they do not need to keep detailed expense records to substantiate their expenses. The Commission has examined the amounts and the basis of payments in other states (Table 10). The Commission found that the vast majority of states provide living expenses on an unvouchered basis. Moreover, the Commission found that a number of states provide more funds than does Virginia. This is particularly true among the Southern states where four states provide a larger allowance than Virginia.

After considering these facts, the Commission recommends that the present \$50 per day continue to be paid during each day of the Session. This provides the members the convenience of not keeping detailed records and not requiring the members to count this expense money as income. However, in order not to penalize those members who incur expenses greater than \$50 the Commission recommends that members who spend more than \$50 and who wish to keep detailed records of their expenses be allowed to receive up to \$75 per day on a vouchered basis. The Commission believes this recommendation would retain the simplicity of the present system while not penalizing those that must spend more than \$50 per day.

Currently, members are allowed one round trip home per week during the Session. The member is reimbursed at 20¢ per mile. The Commission finds that the one round trip reimbursement is

appropriate and is the same treatment provided by most other states. The 20¢ per mile reimbursement is the same paid to state employees who use their private vehicles on state business. In addition, this is the same reimbursement that is provided to federal employees as well as that provided by a large number of other states. The Commission recommends that no change be made in this area.

The Commission also examined the area of expenses and compensation provided outside the Session. At the present time, Virginia legislators receive \$200 per month for office expenses and supplies for months outside of the Session. This is paid on an unvouchered basis. The funds are used by some members to establish a district office while the majority of members use these funds to compensate personnel and pay for facilities used to handle constituent work and liaison with their particular local governments. The office expense reimbursement has been unchanged since 1976.

The Commission examined whether our neighboring and Southern states provide any office expenses. (Table 11) Of the 15 states, 12 provide funds for office expenses, the majority on an unvouchered basis. Of those states that provide funds on an unvouchered basis, Kentucky provides \$750 per month, the highest amount while Tennessee provides the lowest at \$166 per month. Although Florida, Maryland and Texas provide much higher amounts on a vouchered basis these states include salaries for aides.

Overall, the Commission found Virginia's office expense slightly low. Also, this has occurred at a time when the workload of legislators has increased as well as the workload related to constituent work.

The Commission recommends that the office expense allowance be increased to \$250 per month and that the allowance be paid every month. The Commission believes that the increase will help to cover a portion of inflation related cost increases. The Commission further believes that the funds should be paid monthly. It appears to the Commission that the cost of office space and the costs associated with constituent work actually increase during the Session and therefore that these funds should be paid during the Session as well.

The next area of examination was the area of expenses paid to attend a legislative committee meeting outside of the Session. Currently, if a member is on a standing committee and the committee meets outside the Session the member receives \$50 for the day of the meeting plus expenses, if any, and a mileage reimbursement. This is the same treatment afforded all members of commissions, boards, etc. The \$50 paid for attendance at a meeting has been unchanged since 1974. This amount has remained unchanged while the CPI has increased 85%.

The Commission was also concerned that some members who are required to attend a meeting lose not just one day but two days for traveling longer distances to Richmond.

With these considerations in mind, the Commission recommends that the amount paid to legislators for attending meetings should be increased to \$125 per day. However, the Commission recommends that the expense and mileage reimbursements remain unchanged.

The last item the Commission considered was the question of funds provided to legislators, on a vouchered basis, for secretarial assistance and an aide during the Session. Currently, each member is allowed up to \$6,760 per year for this purpose. The Commission concluded that this area is better left to the House Appropriations and Senate Finance Committees who are better able to gauge costs of such personnel as well as needs.

The Commission recommends these changes as a package to the General Assembly. The Commission has closely examined the salary, compensation and expense provisions relative to members of the Virginia General Assembly. The Commission has examined the compensation programs of other states, and particularly the Southern and neighboring states which have legislatures philosophically closer to Virginia's. The Commission believes that overall Virginia's salary and expense provisions are relatively low and need to be adjusted. The Commission's package of recommendations retains the part-time citizen legislature philosophy while attempting to adjust for inflation and to ensure that the legislator does not have to use his own funds for his expenses.

The Commission strongly urges the General Assembly to adopt this package of compensation proposals. The recommendations were unanimous with the exception of Delegate Bagley and Senator

Willey who abstained.

Respectfully submitted,

Delegate Richard M. Bagley  
Senator Edward E. Willey  
John S. Battle, Jr.  
Julian F. Carper  
Walter W. Craigie, Jr.  
Russell L. Davis  
James W. McGlothlin  
Fred G. Pollard  
Toy D. Savage, Jr.



TABLE 1

ANNUAL SALARY OF STATE LEGISLATORS  
IN ALL STATES, 1981.

| <u>STATE</u>  | <u>ANNUAL SALARY</u> | <u>STATE</u>   | <u>ANNUAL SALARY</u> |
|---------------|----------------------|----------------|----------------------|
| Alabama       | \$ 1,050             | Montana        | \$ 1,778             |
| Alaska        | 11,500               | Nebraska       | 4,800                |
| Arizona       | 15,000               | Nevada         | 2,400                |
| Arkansas      | 9,400*               | New Hampshire  | 100                  |
| California    | 28,110               | New Jersey     | 18,000               |
| Colorado      | 14,000               | New Mexico     | 1,800                |
| Connecticut   | 8,500                | New York       | 28,878               |
| Delaware      | 9,630                | North Carolina | 6,936                |
| Florida       | 12,000               | North Dakota   | 200                  |
| Georgia       | 7,200                | Ohio           | 22,500               |
| Hawaii        | 12,000               | Oklahoma       | 18,000*              |
| Idaho         | 4,200                | Oregon         | 7,848                |
| Illinois      | 28,000               | Pennsylvania   | 25,000               |
| Indiana       | 9,600*               | Rhode Island   | 300                  |
| Iowa          | 13,700*              | South Carolina | 10,000               |
| Kansas        | 2,700                | South Dakota   | 1,200                |
| Kentucky      | 5,000*               | Tennessee      | 8,308                |
| Louisiana     | 16,800*              | Texas          | 7,200                |
| Maine         | 2,250                | Utah           | 1,000                |
| Maryland      | 18,500*              | Vermont        | 2,750                |
| Massachusetts | 10,525               | VIRGINIA       | 8,000                |
| Michigan      | 28,000               | Washington     | 9,800                |
| Minnesota     | 19,500               | West Virginia  | 5,136                |
| Mississippi   | 8,100                | Wisconsin      | 22,638               |
| Missouri      | 15,000               | Wyoming        | 900                  |

TABLE 2

RECENT SALARY CHANGES AND INFLATION

| <u>Date of Increase</u> | <u>Annual Salary</u> | <u>Percentage Change in Salary From Previous Period</u> | <u>Percentage Change In CPI From Previous Period</u> |
|-------------------------|----------------------|---|--|
| 1972                    | \$5,475              |   |  |
| 1980                    | 8,000                | + 46%   | + 97%  |
| 1982 (est.)             |                      |   | + 17%  |

TABLE 3

RANKING OF STATES BY ANNUAL SALARY OF LEGISLATORS

| <u>RANK</u> | <u>STATE</u>   | <u>ANNUAL SALARY</u> |
|-------------|----------------|----------------------|
| 1           | New York       | \$28,878             |
| 2           | California     | 28,110               |
| 3           | Illinois       | 28,000               |
|             | Michigan       | 28,000               |
| 5           | Pennsylvania   | 25,000               |
| 6           | Wisconsin      | 22,638               |
| 7           | Ohio           | 22,500               |
| 8           | Minnesota      | 19,500               |
| 9           | Maryland       | 18,500               |
| 10          | New Jersey     | 18,000               |
|             | Oklahoma       | 18,000               |
| 12          | Louisiana      | 16,800               |
| 13          | Arizona        | 15,000               |
|             | Missouri       | 15,000               |
| 15          | Colorado       | 14,000               |
| 16          | Iowa           | 13,700               |
| 17          | Florida        | 12,000               |
|             | Hawaii         | 12,000               |
| 19          | Alaska         | 11,500               |
| 20          | Massachusetts  | 10,525               |
| 21          | South Carolina | 10,000               |
| 22          | Washington     | 9,800                |
| 23          | Delaware       | 9,630                |

Continued

| <u>RANK</u> | <u>STATE</u>   | <u>ANNUAL SALARY</u> |
|-------------|----------------|----------------------|
| 24          | Indiana        | \$ 9,600             |
| 25          | Arkansas       | 9,400                |
| 26          | Connecticut    | 8,500                |
| 27          | Tennessee      | 8,308                |
| 28          | Mississippi    | 8,100                |
| 29          | VIRGINIA       | 8,000                |
| 30          | Oregon         | 7,848                |
| 31          | Georgia        | 7,200                |
|             | Texas          | 7,200                |
| 33          | North Carolina | 6,936                |
| 34          | West Virginia  | 5,136                |
| 35          | Kentucky       | 5,000                |
| 36          | Nebraska       | 4,800                |
| 37          | Idaho          | 4,200                |
| 38          | Vermont        | 2,750                |
| 39          | Kansas         | 2,700                |
| 40          | Nevada         | 2,400                |
| 41          | Maine          | 2,250                |
| 42          | New Mexico     | 1,800                |
|             | South Dakota   | 1,800                |
| 44          | Montana        | 1,778                |
| 45          | Alabama        | 1,050                |
| 46          | Utah           | 1,000                |
| 47          | Wyoming        | 900                  |
| 48          | Rhode Island   | 300                  |
| 49          | North Dakota   | 200                  |
| 50          | New Hampshire  | 100                  |

TABLE 4

RANKING OF ANNUAL SALARY OF LEGISLATORS IN  
SOUTHERN AND NEIGHBORING STATES, 1981

| <u>RANK</u> | <u>STATE</u>   | <u>ANNUAL SALARY</u> |
|-------------|----------------|----------------------|
| 1           | Maryland       | \$18,500             |
| 2           | Oklahoma       | 18,000               |
| 3           | Louisiana      | 16,800               |
| 4           | Florida        | 12,000               |
| 5           | South Carolina | 10,000               |
| 6           | Arkansas       | 9,400                |
| 7           | Tennessee      | 8,308                |
| 8           | Mississippi    | 8,100                |
| 9           | Virginia       | 8,000                |
| 10          | Texas          | 7,200                |
|             | Georgia        | 7,200                |
| 12          | North Carolina | 6,936                |
| 13          | West Virginia  | 5,136                |
| 14          | Kentucky       | 5,000                |
| 15          | Alabama        | 1,050                |

TABLE 5

TOP 20 STATES RANKED BY PERSONAL INCOME

| <u>Annual<br/>Salary Rank</u> | <u>Personal<br/>Income Rank</u> | <u>State</u>   | <u>Personal Income<br/>(Millions of \$)</u> | <u>Personal Income<br/>(Millions of \$)</u> |
|-------------------------------|---------------------------------|----------------|---|---|
| 2                             | 1                               | California     | \$255,647                                   | 255,647                                     |
| 1                             | 1                               | New York       | 177,658                                     | 177,658                                     |
| 27                            | 3                               | Texas          | 134,846                                     | 134,846                                     |
| 3                             | 4                               | Illinois       | 121,039                                     | 121,039                                     |
| 5                             | 5                               | Pennsylvania   | 109,942                                     | 109,942                                     |
| 7                             | 6                               | Ohio           | 101,237                                     | 101,237                                     |
| 3                             | 7                               | Michigan       | 90,976                                      | 90,976                                      |
| 13                            | 8                               | Florida        | 86,944                                      | 86,944                                      |
| 9                             | 9                               | New Jersey     | 79,051                                      | 79,051                                      |
| 16                            | 10                              | Massachusetts  | 57,243                                      | 57,243                                      |
| 25                            | 11                              | VIRGINIA       | 50,229                                      | 50,229                                      |
| 31                            | 12                              | Indiana        | 49,030                                      | 49,030                                      |
| 29                            | 13                              | North Carolina | 45,919                                      | 45,919                                      |
| 6                             | 14                              | Wisconsin      | 43,444                                      | 43,444                                      |
| 10                            | 15                              | Missouri       | 43,402                                      | 43,402                                      |
| 21                            | 16                              | Maryland       | 43,338                                      | 43,338                                      |
| 27                            | 17                              | Georgia        | 43,241                                      | 43,241                                      |
| 18                            | 18                              | Washington     | 42,641                                      | 42,641                                      |
| 8                             | 19                              | Minnesota      | 38,738                                      | 38,738                                      |
| 22                            | 20                              | Tennessee      | 35,395                                      | 35,395                                      |

TABLE 6

TOP 20 STATES RANKED BY POPULATION

| <u>Annual<br/>Salary Rank</u> | <u>Population<br/>Rank</u> | <u>State</u>   | <u>1980 Population<br/>(000's)</u> |
|-------------------------------|----------------------------|----------------|------------------------------------|
| 2                             | 1                          | California     | 23,669                             |
| 1                             | 2                          | New York       | 17,557                             |
| 27                            | 3                          | Texas          | 14,228                             |
| 5                             | 4                          | Pennsylvania   | 11,867                             |
| 3                             | 5                          | Illinois       | 11,418                             |
| 7                             | 6                          | Ohio           | 10,797                             |
| 13                            | 7                          | Florida        | 9,740                              |
| 3                             | 8                          | Michigan       | 9,258                              |
| 9                             | 9                          | New Jersey     | 7,364                              |
| 29                            | 10                         | North Carolina | 5,874                              |
| 16                            | 11                         | Massachusetts  | 5,737                              |
| 31                            | 12                         | Indiana        | 5,490                              |
| 27                            | 13                         | Georgia        | 5,464                              |
| 25                            | 14                         | VIRGINIA       | 5,346                              |
| 10                            | 15                         | Missouri       | 4,917                              |
| 6                             | 16                         | Wisconsin      | 4,705                              |
| 22                            | 17                         | Tennessee      | 4,591                              |
| 21                            | 18                         | Maryland       | 4,216                              |
| 36                            | 19                         | Louisiana      | 4,204                              |
| 18                            | 20                         | Washington     | 4,130                              |

TABLE 7

RANKING OF STATES BY SIZE OF  
AVERAGE SENATE CONSTITUENCY, 1980 POPULATION

| <u>Size Of<br/>Constituency<br/>Rank</u> | <u>State</u>   | <u>Size of<br/>Constituency</u> | <u>Annual<br/>Salary<br/>Rank</u> |
|--|----------------|---------------------------------|-----------------------------------|
| 1  | California     | 591,714                         | 2                                 |
| 2  | Texas          | 458,980                         | 27                                |
| 3  | Ohio           | 327,195                         | 7                                 |
| 4  | New York       | 292,621                         | 1                                 |
| 5  | Michigan       | 243,641                         | 3                                 |
| 6  | Florida        | 243,500                         | 13                                |
| 7  | Pennsylvania   | 237,335                         | 5                                 |
| 8  | Illinois       | 193,533                         | 3                                 |
| 9  | New Jersey     | 184,101                         | 9                                 |
| 10                                       | Missouri       | 144,631                         | 10                                |
| 11                                       | Massachusetts  | 143,426                         | 16                                |
| 12                                       | Wisconsin      | 142,586                         | 6                                 |
| 13                                       | Tennessee      | 139,114                         | 22                                |
| 14                                       | VIRGINIA       | 133,657                         | 25                                |
| 15                                       | North Carolina | 117,489                         | 29                                |
| 16                                       | Alabama        | 111,145                         | 45                                |
| 17                                       | Indiana        | 109,804                         | 31                                |
| 18                                       | Louisiana      | 107,794                         | 36                                |
| 19                                       | Georgia        | 97,576                          | 27                                |
| 20                                       | Kentucky       | 96,353                          | 44                                |
| 21                                       | Arizona        | 90,596                          | 10                                |
| 22                                       | Maryland       | 89,712                          | 21                                |
| 23                                       | Oregon         | 87,755                          | 26                                |
| 24                                       | Connecticut    | 86,322                          | 32                                |
| 25                                       | Washington     | 84,289                          | 18                                |



(continued)

| <u>Size of<br/>Constituency<br/>Rank</u> | <u>State</u>   | <u>Size of<br/>Constituency</u> | <u>Annual<br/>Salary<br/>Rank</u> |
|--|----------------|---------------------------------|-----------------------------------|
| 26                                       | Colorado       | 82,538                          | 12                                |
| 27                                       | South Carolina | 77,980                          | 17                                |
| 28                                       | Arkansas       | 65,300                          | 23                                |
| 29                                       | Oklahoma       | 63,026                          | 20                                |
| 30                                       | Minnesota      | 60,853                          | 8                                 |
| 31                                       | Kansas         | 59,080                          | 38                                |
| 32                                       | Iowa           | 58,268                          | 30                                |
| 33                                       | West Virginia  | 57,342                          | 33                                |
| 34                                       | Utah           | 50,381                          | 46                                |
| 35                                       | Mississippi    | 48,474                          | 24                                |
| 36                                       | Nevada         | 39,959                          | 39                                |
| 37                                       | Hawaii         | 38,600                          | 13                                |
| 38                                       | New Hampshire  | 38,359                          | 50                                |
| 39                                       | Maine          | 34,081                          | 40                                |
| 40                                       | Nebraska       | 32,041                          | 34                                |
| 41                                       | New Mexico     | 30,952                          | 41                                |
| 42                                       | Delaware       | 28,344                          | 19                                |
| 43                                       | Idaho          | 26,970                          | 35                                |
| 44                                       | Alaska         | 20,024                          | 15                                |
| 45                                       | South Dakota   | 19,719                          | 41                                |
| 46                                       | Rhode Island   | 18,943                          | 48                                |
| 47                                       | Vermont        | 17,049                          | 37                                |
| 48                                       | Montana        | 15,734                          | 43                                |
| 49                                       | Wyoming        | 15,094                          | 47                                |
| 50                                       | North Dakota   | 13,054                          | 49                                |

(continued)

| <u>Size of<br/>Constituency<br/>Rank</u> | <u>State</u>   | <u>Size of<br/>Constituency</u> | <u>Annual<br/>Salary<br/>Rank</u> |
|--|----------------|---------------------------------|-----------------------------------|
| 26                                       | Oklahoma       | 29,953                          | 20                                |
| 27                                       | Maryland       | 29,904                          | 21                                |
| 28                                       | Iowa           | 29,134                          | 30                                |
| 29                                       | South Carolina | 25,155                          | 17                                |
| 30                                       | Arkansas       | 22,855                          | 23                                |
| 31                                       | Mississippi    | 20,661                          | 24                                |
| 32                                       | Connecticut    | 20,580                          | 32                                |
| 33                                       | Nevada         | 19,980                          | 39                                |
| 34                                       | West Virginia  | 19,496                          | 33                                |
| 35                                       | Utah           | 19,480                          | 46                                |
| 36                                       | Hawaii         | 18,922                          | 13                                |
| 37                                       | New Mexico     | 18,571                          | 41                                |
| 38                                       | Kansas         | 18,506                          | 38                                |
| 39                                       | Delaware       | 14,518                          | 19                                |
| 40                                       | Idaho          | 13,485                          | 35                                |
| 41                                       | Alaska         | 10,012                          | 15                                |
| 42                                       | South Dakota   | 9,860                           | 41                                |
| 43                                       | Rhode Island   | 9,471                           | 48                                |
| 44                                       | Montana        | 7,887                           | 43                                |
| 45                                       | Wyoming        | 7,594                           | 47                                |
| 46                                       | Maine          | 7,448                           | 40                                |
| 47                                       | North Dakota   | 6,527                           | 49                                |
| 48                                       | Vermont        | 3,410                           | 37                                |
| 49                                       | New Hampshire  | 2,302                           | 50                                |

TABLE 9

RANKING OF STATES BY SIZE OF AVERAGE  
HOUSE CONSTITUENCY, 1980 POPULATION

HOUSE

| <u>Size of<br/>Constituency<br/>Rank</u> | <u>State</u>   | <u>Size of<br/>Constituency</u> | <u>Annual<br/>Salary<br/>Rank</u> |
|--|----------------|---------------------------------|-----------------------------------|
| 1  | California     | 295,857                         | 2                                 |
| 2  | New York       | 117,049                         | 1                                 |
| 3  | Ohio           | 109,065                         | 7                                 |
| 4  | Texas          | 94,856                          | 27                                |
| 5  | New Jersey     | 92,052                          | 9                                 |
| 6  | Michigan       | 84,167                          | 3                                 |
| 7  | Florida        | 81,167                          | 13                                |
| 8  | Illinois       | 64,511                          | 3                                 |
| 9  | Pennsylvania   | 58,457                          | 5                                 |
| 10                                       | Indiana        | 54,901                          | 31                                |
| 11                                       | VIRGINIA       | 53,464                          | 25                                |
| 12                                       | North Carolina | 48,954                          | 29                                |
| 13                                       | Wisconsin      | 47,529                          | 6                                 |
| 14                                       | Tennessee      | 46,371                          | 22                                |
| 15                                       | Arizona        | 45,298                          | 10                                |
| 16                                       | Colorado       | 44,444                          | 12                                |
| 17                                       | Oregon         | 43,878                          | 26                                |
| 18                                       | Washington     | 42,144                          | 18                                |
| 19                                       | Louisiana      | 40,038                          | 36                                |
| 20                                       | Alabama        | 37,048                          | 45                                |
| 21                                       | Kentucky       | 36,614                          | 44                                |
| 22                                       | Massachusetts  | 35,856                          | 16                                |
| 23                                       | Minnesota      | 30,426                          | 8                                 |
| 24                                       | Georgia        | 30,357                          | 27                                |
| 25                                       | Missouri       | 30,168                          | 10                                |

TABLE 9

BACKGROUND ON EXPENSES PAID DURING SESSION

|                         | <u>Amount</u> | <u>Percentage Increase</u> | <u>CPI Change</u> |
|-------------------------|---------------|----------------------------|-------------------|
| Jan. 1981 - Present     | \$50          | +13.6%                     | +69.6%            |
| July, 1974 - Jan, 1981  | \$44          | +22.2%                     | +17.9%            |
| July, 1972 - July, 1974 | \$36          |                            |                   |

TABLE 10

LIVING EXPENSES FOR LEGISLATORS  
DURING SESSION, ALL STATES

| <u>STATE</u>  | <u>AMOUNT</u> |                       |
|---------------|---------------|-----------------------|
| Alabama       | \$65          | unvouchered           |
| Alaska        | 60            | unvouchered           |
| Arizona       | 40 (\$20)     | unvouchered           |
| Arkansas      | 44            | vouchered             |
| California    | 46            | unvouchered           |
| Colorado      | 40 (\$20)     | unvouchered           |
| Connecticut   | --            | unvouchered - \$2,000 |
| Delaware      | 0             |                       |
| Florida       | 50            | unvouchered           |
| Georgia       | 44            | unvouchered           |
| Hawaii        | 20 (\$10)     | unvouchered           |
| Idaho         | 44            | unvouchered           |
| Illinois      | 36            | unvouchered           |
| Indiana       | 50            | unvouchered           |
| Iowa          | 30 (\$15)     | unvouchered           |
| Kansas        | 50            | unvouchered           |
| Kentucky      | 75            | unvouchered           |
| Louisiana     | 75            | unvouchered           |
| Maine         | 35            | vouchered             |
| Maryland      | 50            | vouchered             |
| Massachusetts | Mileage daily |                       |
| Michigan      | Actual        | to \$5,200 vouchered  |
| Minnesota     | 27 (\$17)     | unvouchered           |
| Mississippi   | 44 (\$0)      | unvouchered           |
| Missouri      | 35            | unvouchered           |

Continued

| <u>STATE</u>   | <u>AMOUNT</u>   |             |
|----------------|-----------------|-------------|
| Montana        | \$40            | unvouchered |
| Nebraska       | 0               |             |
| Nevada         | 44              | unvouchered |
| New Hampshire  | Mileage daily   |             |
| New Jersey     | 0               |             |
| New Mexico     | 40              | vouchered   |
| New York       | 55              | vouchered   |
| North Carolina | 50              | unvouchered |
| North Dakota   | 70              | unvouchered |
| Ohio           | 0               |             |
| Oklahoma       | 35              | vouchered   |
| Oregon         | 44              | unvouchered |
| Pennsylvania   | 58              | unvouchered |
| Rhode Island   | Mileage daily   |             |
| South Carolina | 50              | vouchered   |
| South Dakota   | 50              | unvouchered |
| Tennessee      | 66              | unvouchered |
| Texas          | 30              | vouchered   |
| Utah           | 15              | unvouchered |
| Vermont        | 37.50 (\$17.50) | unvouchered |
| Virginia       | 50              | unvouchered |
| Washington     | 44              | unvouchered |
| West Virginia  | 50              | unvouchered |
| Wisconsin      | 30 (\$15)       | unvouchered |
| Wyoming        | 44              | unvouchered |

TABLE 11

COMPARISON OF ANNUAL SALARY, FUNDS FOR OFFICE EXPENSES,  
AND LIVING EXPENSES DURING SESSION, SOUTHERN STATES

| <u>STATE</u>   | <u>ANNUAL<br/>SALARY</u> | <u>FUNDS FOR<br/>OFFICE EXPENSES</u>                                | <u>LIVING EXPENSES<br/>DURING SESSION</u> |
|----------------|--------------------------|---|---|
| Alabama        | \$ 1,050                 | \$ 400/month  | \$65                                      |
| Arkansas       | 9,400                    | 385/month (outside session)   | \$44 (vouchered)                          |
| Florida        | 12,000                   | 1,000/month (vouchered)   | \$50                                      |
| Georgia        | 7,200                    | 400/month (vouchered)<br>(outside session)                          | \$44                                      |
| Kentucky       | 5,000                    | 750/month (outside session)   | \$75                                      |
| Louisiana      | 16,800                   | 325/month (vouchered)<br>(outside session)                          | \$75                                      |
| Maryland       | 18,500                   | House \$525/month (vouchered)<br>Senate \$805/month (vouchered)     | \$50 (vouchered)                          |
| Mississippi    | 8,100                    | 210/month (outside session)   | \$44                                      |
| North Carolina | 6,936                    | 172/month   | \$50                                      |
| Oklahoma       | 18,000                   | -0-   | \$35                                      |
| South Carolina | 10,000                   | -0-   | \$50 (vouchered)                          |
| Tennessee      | 8,308                    | 166/month   | \$66                                      |
| Texas          | 7,200                    | House \$4,500/month (vouchered)<br>Senate \$9,000/month (vouchered) | \$30 (vouchered)                          |
| VIRGINIA       | 8,000                    | 200/month (outside session)   | \$50                                      |
| West Virginia  | 5,136                    | -0-   | \$50 (vouchered)                          |

# LEGISLATORS' COMPENSATION AND BENEFITS

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Virginia Joint Rules Committee  
September 11, 1998

## Goals of this Presentation

- a. Provide a national context on the issue of legislators' compensation
- b. Place Virginia in that context
- c. Discuss different methods of setting legislators' compensation
- d. Discuss variables used to calculate total taxable income

## II. Legislators' Salaries

- a. Difficult to rank and average nationally
- b. Highs and Lows
  1. California \$78,624/year, increased to \$99,000/year for 1999
  2. New Hampshire \$100/year

## III. Basis for Salary

- a. 40 states pay an annual salary
- b. 8 states pay a daily salary (AL, KS, KY, MT, NV, ND, UT, WY)
- c. Vermont legislators receive a weekly salary
- d. New Mexico legislators do not receive a salary

## IV. Per Diem Rates

- a. 44 states provide per diem payments
- b. Most set a daily rate
  1. Highs and lows
    - a. Alaska \$161/day
    - b. Arizona and Utah \$35/day
- c. Several states tie per diem rates to federal per diem rates
  1. IL, KS, KY, NV, PA, TN
  2. Provides automatic increases and decreases

## V. Other Compensation

- a. Leadership Supplements
- b. Travel Allowances
- c. District Office and Staffing Allowances
- d. Health Benefits
- e. Disability and Life Insurance
- f. Retirement Benefits





- VI. **Total Compensation**
  - a. Salaries, plus unvouchered per diem and expense payments
  - b. Range
    - 1. California \$93,200/yr
    - 2. New Hampshire \$100/yr
  
- VII. **Estimated Overall Compensation in Selected States (Chart 1 yellow)**
  - a. Breakdown of different compensation components in 10 states comparable to Virginia
  - b. Final column provides estimated total compensation for selected states
  - c. Virginia ranks 3<sup>rd</sup> among comparable states in total compensation
  - d. Chart also shows diversity in compensation components
  
- VIII. **Methods of Setting Legislators' Compensation**
  - a. In three states, compensation is set in the State Constitution (NH, RI, TX)
  - b. 23 states use a compensation commission
  - c. Remaining states use legislative process to adjust pay
  
- IX. **Compensation Commissions**
  - a. Vary in composition
    - 1. Appointments by governor
    - 2. Mix of citizens, legislators and executive branch appointments
  - b. Level of authority
    - 1. Some commissions have full authority to change compensation (CA, OK, WA)
    - 2. Commission recommendation can be rejected or lowered, but not increased
    - 3. Commission serves an advisory role
    - 4. Arizona's Compensation Commission recommendation is put on the ballot
  
- X. **Compensation Linked to Other Indexes**
  - a. Florida provides the same percentage increase as state employees
  - b. Illinois applies an employment cost index for state and local government workers' wages and salaries
  - c. Kansas applies the civil service employee pay plan to legislators' compensation
  - d. Montana ties legislators' pay to the executive branch pay matrix
  - e. Wisconsin ties legislators' pay to state employee compensation plan
  
- XI. **Taxable Income Variables in Selected States (Chart 2 green)**
  - a. All states include salary as taxable income
  - b. Generally, per diem is also included
    - 1. Exception - Kentucky does not include it and Missouri provides a report.
  - c. Office allowances are included if they are unvouchered and the legislator receives a check for a lump sum
  - d. Other states that change allowance
    - 1. Alaska legislators can choose allowance to be "accountable or non-accountable"
    - 2. Delaware can change salary during current term
    - 3. Kansas can change salary and \$270/month allowance during current term
    - 4. Washington provides an advisement memo for per diem, places expense allowance on 1099. Both per diem and expense allowance are set by an executive rules committee



**COMPENSATION COMPONENTS IN SELECTED STATES**  
(Chart 1)

| State          | Annual Salary                                | Per Diem During Session                               | Per Diem During Interim                    | Office Allowance  | Total Compensation |
|----------------|--|---|--|---|--------------------|
| Georgia        | \$11,347.80/year                             | \$75/day (U) + \$2200 differential account            | \$75/day (U)+ \$2200 differential account  | \$4,800/year reimbursable expense account                                   | \$15,000           |
| Indiana        | \$11,600/year                                | \$117/day (U) by statute. Paid seven days a week.     | \$117/day (V)                              | \$25/day during interim only  | \$28,500           |
| Kentucky       | \$105.58/day (C)                             | \$88/day (U)  | \$1002.97/month interim expenses (U)       | None.   | \$21,000           |
| Louisiana      | \$16,800/year                                | \$101/day (U)   | \$101/day (V)                              | \$500/month allowance<br>\$625/month for reimburseable expenses             | \$29,000           |
| Maryland       | \$29,700/year                                | \$96/day lodging (V)<br>\$30/day meals (V)            | \$96/day lodging (V)<br>\$30/day meals (V) | Senators \$18,265/year,<br>Delegates \$17,707/year<br>Reimbursable expenses | \$33,000           |
| Missouri       | \$2,298.35/month                             | \$65.60/day (U)                                       | No per diem is paid.                       | \$600/month reimbursed expenses   | \$31,000           |
| North Carolina | \$13,951/year                                | \$104/day (U)   | \$104/day (U)                              | Non-leaders receive \$6,708/year.   | \$37,000           |
| South Carolina | \$10,400/year                                | \$85/day (U)+\$1000/month + \$35/day non-session days | \$85/day subsistence and \$35/day per diem | \$2,400/year for reimburseable expenses                                     | \$22,400           |
| Tennessee      | \$16,500/year                                | \$129/day (U)   | \$129                                      | \$525/month   | \$30,000           |
| Virginia       | \$18,000/ year Senate<br>\$17,640/year House | \$102/day (U)   | \$100/day (U)                              | \$9,000/year  | \$32,000           |

**Key:**  
(C) Calendar day  
(V) Vouchered  
(U) Unvouchered



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September 8, 1998

**TAXABLE INCOME VARIABLES IN SELECTED STATES**  
(Chart 2)

| State          | Salary | Session Per-Diem | Interim Per Diem | Office Allowance | Comments*  |
|----------------|--------|------------------|------------------|------------------|--|
| Georgia        | ✓      | ✓                | ✓                |                  | \$4800/year is a reimbursable expense account. It can be changed and implemented during the current term.                  |
| Indiana        | ✓      | ✓                | ✓                | ✓                |  |
| Kentucky       | ✓      |                  |                  | ✓                | Per diem tied to federal rate.   |
| Louisiana      | ✓      | ✓                | ✓                | ✓                | \$500/month allowance is counted as taxable income. This allowance can be changed and implemented during the current term. |
| Maryland       | ✓      | ✓                | ✓                |                  | Allowances function as reimbursable expense accounts.  |
| Missouri       | ✓      |                  | No Per Diem      |                  | Legislature issues report for session per diem and mileage. \$600/month is a reimbursable expense account.                 |
| North Carolina | ✓      | ✓                | ✓                | ✓                | \$6,708/year allowance is set by constitution.   |
| South Carolina | ✓      | ✓                | ✓                | ✓                | \$1,000/month is taxable income. \$2,400 functions as a reimbursable expense account.                                      |
| Tennessee      | ✓      | ✓                | ✓                | ✓                | Per diem tied to federal rate.   |
| Virginia       | ✓      | ✓                | ✓                | ✓                |  |

\*Reimbursable expense accounts require legislators to submit a receipt for reimbursement of office expenses.



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September 8, 1998

**1997-98  
COMPENSATION  
AND BENEFITS  
FOR STATE  
LEGISLATORS**



**NATIONAL CONFERENCE OF STATE LEGISLATURES  
LEGISLATIVE MANAGEMENT PROGRAM**

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**Table 1: 1998 State Legislator Compensation and Living Expense Allowances During Session**

| <i>State</i>         | <i>Salary</i>   | <i>Per Diem (Allowance for Daily Expenses)</i>  |
|----------------------|---|---|
| Alabama              | \$10/day (C)  | \$2,280/month plus \$50 three times per week for cmte. meetings attended (U). One round trip per session at state employee mileage rate. Out-of-state travel actual expenses.   |
| Alaska               | \$24,012/year   | \$161/day (U).  |
| Arizona              | \$15,000/year   | \$35/day for the 1st 120 days of regular session and for special session and \$10/day thereafter. Members residing outside Maricopa County receive an additional \$25/day for the 1st 120 days of reg. session and an additional \$10/day thereafter (V). |
| Arkansas             | \$12,500/year   | \$91/day for members residing more than 50 miles from the capitol (V).  |
| California           | \$78,624/year   | \$119/day Sunday through Saturday.  |
| Colorado             | \$17,500/year   | \$45/day for members living in the Denver metro area; \$99/day for members living outside metro area (V).   |
| Connecticut          | \$16,760/year   | No per diem is paid.  |
| Delaware             | \$28,325/year   | No per diem is paid.  |
| Florida              | \$25,668/year   | \$100/day; not to exceed \$3,088.50 for the house; not to exceed \$4,035.45 for the senate for regular session (V).   |
| Georgia <sup>1</sup> | \$11,347.80/year  | \$75/day (U). \$2,200 per diem differential account with max of 50 days.  |
| Hawaii               | \$32,000/year   | \$80/day for members living outside Oahu; \$10/day for members living on Oahu (V).  |
| Idaho                | \$12,360/year   | \$75/day for members establishing second residence in Boise; \$40/day if no second residence is established (U).  |
| Illinois             | \$48,403/year   | \$85/day (U).   |
| Indiana              | \$11,600/year   | \$117/day (U) by statute. Paid seven days a week from January to end of session.  |
| Iowa                 | \$20,120/year   | \$86/day (U). \$65/day for Polk County legislators (U).   |
| Kansas               | \$69.29/day (C)   | \$80/day (U).   |
| Kentucky             | \$105.58/day (C)  | \$88/day (U).   |
| Louisiana            | \$16,800/year   | \$101/day (U).  |
| Maine <sup>2</sup>   | \$10,500/year for first regular session; \$7,500/year for second regular session. | \$38/day housing for session days and other "authorized" meeting days. \$32/day meals (V).  |
| Maryland             | \$29,700/year   | Lodging \$96/day; meals \$30/day (V).   |
| Massachusetts        | \$46,410/year   | From \$5/day-\$50/day, depending on distance from State House (V).  |
| Michigan             | \$53,192/year   | \$8,925 yearly expense allowance for session and interim (U).   |
| Minnesota            | \$29,657/year   | \$56/day (U).   |
| Mississippi          | \$10,000/year   | \$99/day (U).   |
| Missouri             | \$2,298.35/month  | \$65.60/day (U).  |
| Montana              | \$58,496/day (L)  | \$70/day (U).   |
| Nebraska             | \$12,000/year   | \$83/day outside 50-mile radius from Capitol; \$30/day if member resides within 50 miles of Capitol (V).  |
| Nevada               | \$130/day maximum of 60 days of session   | Federal rate for Capitol area (V).  |
| New Hampshire        | \$200/two-year term   | No per diem is paid.  |

<sup>1</sup> GA \$2,200 per diem differential account. A maximum of fifty (50) days can be claimed. Georgia state law states the maximum per diem plus per diem differential is \$119/day. The per diem differential account is made up of the difference between the maximum allowance less the actual per diem paid x 50 days.

<sup>2</sup> ME Legislators who "commute" daily are eligible to be reimbursed for their mileage at the standard state rate of 23¢/mile up to \$38/day. This is termed "mileage in lieu of lodging."

**Table 1: 1998 State Legislator Compensation and Living Expense Allowances During Session**

| <i>State</i>         | <i>Salary</i>   | <i>Per Diem (Allowance for Daily Expenses)</i>  |
|----------------------|---|---|
| New Jersey           | \$35,000/year   | No per diem is paid.  |
| New Mexico           | None  | \$125/day (U).  |
| New York             | \$57,500/year   | \$89/day; \$130/day in New York City metro area (V).  |
| North Carolina       | \$13,951/year   | \$104/day (U).  |
| North Dakota         | \$111/day (C)   | \$650/month housing; one round trip per week at state employee mileage rate (V). \$250/month additional compensation.   |
| Ohio                 | \$42,426.90/year  | No per diem is paid.  |
| Oklahoma             | \$32,000/year   | \$95/day (U).   |
| Oregon               | \$14,496/year   | \$87/day (U).   |
| Pennsylvania         | \$58,341/year   | \$80/day (V) tied to federal rate.  |
| Rhode Island         | \$10,588/year   | No per diem is paid.  |
| South Carolina       | \$10,400/year   | \$85/day for meals and housing, for each statewide session day and cmte meeting. No voucher required for statewide session but members denote their attendance. Voucher required for non statewide session days. For a non session day a member also receives \$35/day. Members receive \$1,000/mo, it is treated as income not an approved expense plan. |
| South Dakota         | \$8,000/two-yr term (\$4,267 in odd yr; \$3,733 in even yr) | \$75/legislative day (U).   |
| Tennessee            | \$16,500/year   | \$129/day (U). Floor session roll call is submitted by the chief clerk and committee roll call is submitted by the chair.   |
| Texas                | \$7,200/year  | \$95/day (U).   |
| Utah                 | \$100/day (C)   | \$35/day (U), and transportation costs between home and capitol or lodging allowance.   |
| Vermont              | \$510/week during session                                   | \$50/day for lodging and \$37/day for meals for non-commuters; commuters receive \$32/day for meals (U).  |
| Virginia             | \$18,000/year Senate<br>\$17,640/year House                 | \$102/day (U).  |
| Washington           | \$28,300/year   | \$80/day (U).   |
| West Virginia        | \$15,000/year   | \$85/day, except \$45/day for commuters (U).  |
| Wisconsin            | \$39,211/year   | \$75/day maximum (U)  |
| Wyoming              | \$125/day (C)   | \$80/day (U).   |
| District of Columbia | \$80,605/year   | No per diem is paid.  |
| Guam                 | \$55,307.20   | No per diem is paid.  |
| Puerto Rico          | \$40,000  | \$93/day with 50 km of capitol; \$103/day if outside the 50 km (U).   |
| Virgin Islands       | \$65,000  | \$35/day (U).   |

L = Legislative day  
 C = Calendar day  
 (V) Vouchered  
 (U) Unvouchered

**Table 2: 1998 State Legislator Living Expense Allowance During Interim**

| <i>State</i>         | <i>Interim Per Diem (Living Expense Allowance)</i>   |
|----------------------|--|
| Alabama              | \$2280/month plus \$50/day per diem.   |
| Alaska               | \$65/day (V). Must work at least 4 hours or attend public meeting.   |
| Arizona              | \$35/day with prior approval of presiding officer (V).   |
| Arkansas             | \$91/day for House and Senate members residing more than 50 miles from the capitol (V), members are required to sign a "Per Diem Sheet" at each interim meeting/function.                    |
| California           | \$119/day; expenses over \$119/day with receipt.   |
| Colorado             | \$99/day if leadership or member of an interim committee for actual attendance at cmte mtg plus all actual and necessary travel and subsistence expenses (V).                                |
| Connecticut          | No per diem is paid.   |
| Delaware             | No per diem is paid.   |
| Florida              | \$50/day per diem or actual hotel plus \$3 breakfast, \$6 lunch, \$12 dinner for authorized travel during Committee weeks (V).   |
| Georgia <sup>1</sup> | \$75/day and 25¢/mi. for committee service (V). A committee roster is submitted with the members who attended the meeting. Those that did not attend do not get paid.                        |
| Hawaii               | \$10/day for official business on island of legal residence; \$80/day for business on another island (V).  |
| Idaho                | Each member of the Legislature shall be paid a salary of \$50/day for each day engaged in officially authorized legislative business.  |
| Illinois             | No per diem paid during recess of session.   |
| Indiana              | \$117/day (V).   |
| Iowa                 | \$86/day (U). Senate receives \$24/day in state and \$30/day out-of-state. House receives \$24/day in state and \$40/day out-of-state. Lodging is state rate and receipts are required. (V). |
| Kansas               | \$80/day expenses for members attending interim committee as a member of that committee (V). Also \$270 for 20 pay periods (\$5,400) considered taxable income. \$69.29/day salary.          |
| Kentucky             | \$1,002.97/month interim monthly expenses (U). Actual expenses up to a maximum for meals. Actual state government rate for lodging (V).  |
| Louisiana            | \$101/day (V). Member must sign per diem form cosigned by committee chair for in-state interim committee work.   |
| Maine                | Up to \$32/day for meals. Lodging requires receipts. (V).  |
| Maryland             | \$96/day lodging; \$30/day meals (V).  |
| Massachusetts        | \$5-\$50 for expenses depending on distance from capitol (V).  |
| Michigan             | No per diem is paid.   |
| Minnesota            | \$56/day per approval of committee chair or leadership (U).  |
| Mississippi          | \$1,500/during interim (U).  |
| Missouri             | No per diem is paid.   |
| Montana              | In state rates \$23/day for meals, receipt not required. \$36.40 lodging, receipt required (V). Claim form required.   |
| Nebraska             | No per diem is paid. Actual expenses are reimbursed.   |
| Nevada               | \$69/day for meeting attendance in-state (V).  |
| New Hampshire        | No per diem is paid.   |
| New Jersey           | No per diem is paid.   |
| New Mexico           | \$125/day November 1-April 30; \$164/day May 1-October 31 (V).   |
| New York             | \$89/day; \$130/day New York City metro area and out-of-state travel (V). Paid for official duties performed outside their elected district.   |
| North Carolina       | \$104/day (U). Committee meeting attendance, receipts are not required but must submit signed reimbursement form.  |

<sup>1</sup> GA \$2,200 per diem differential account. A maximum of fifty (50) days can be claimed. Georgia state law states the maximum per diem plus per diem differential is \$119/day. The per diem differential account is made up of the difference between the maximum allowance less the actual per diem paid x 50 days.



**Table 2: 1998 State Legislator Living Expense Allowance During Interim**

| <i>State</i>         | <i>Interim Per Diem (Living Expense Allowance)</i>  |
|----------------------|---|
| North Dakota         | During interim committee meetings members receive \$62.50/day, \$20/day meals (U); \$39 plus tax/day lodging (V) plus round trip mileage reimbursement at state employee mileage rate. All members receive a \$250/month allowance for expenses.  |
| Ohio                 | No per diem is paid.  |
| Oklahoma             | \$25/day (U).   |
| Oregon               | \$87/day committee and task force meetings (U).   |
| Pennsylvania         | Per diem is \$80 (V) tied to federal rate.  |
| Rhode Island         | No per diem is paid.  |
| South Carolina       | Member attending official meetings in- or out-of-state is eligible for \$85/day subsistence and \$35/day per diem (V).  |
| South Dakota         | \$75 per diem for each day of a committee meeting. Travel expenses are paid at state rate.  |
| Tennessee            | \$129/day (U).  |
| Texas                | Senators receive \$95/day for legislative business in Travis County, not to exceed 10 days per month (U). Representatives receive \$95/day for legislative business, not to exceed 12 days per month. House Committee chairs are allowed 4 additional days per month to attend to committee business. |
| Utah                 | \$35/day (V), and transportation costs to and from the authorized legislative committee meeting. If certain conditions are met, lodging expenses may also be paid.  |
| Vermont              | Meals paid are at actual cost (V).  |
| Virginia             | \$100/day for committee meetings.   |
| Washington           | \$80/day (V); if traveling in a "high cost" region, receipts are required.  |
| West Virginia        | \$85/day, except \$45/day for commuters (U).  |
| Wisconsin            | Senate Out of session allowance: legislature meets 3 days or less \$75/month for district allowance (U).  |
| Wyoming              | \$80/day by statute, less under some circumstances in accordance with policy legislators voluntarily follow (e.g. \$20 if a meeting is in hometown) (V).  |
| District of Columbia | No per diem is paid.  |
| Guam                 | No per diem is paid.  |
| Puerto Rico          | \$93/day within 50 km of the capitol; \$103/day beyond the 50 km limit (U).   |
| Virgin Islands       | No per diem is paid.  |

(V) Vouchered  
(U) Unvouchered

**Note:**

Although the definition of "per diem" is daily expense allowance, it also is used in some states to refer to an interim salary that is taxed and reported as income separate from the annual salary.

**Table 3A: Additional Compensation for House/Assembly Leaders**

| State | Presiding Officer  | Majority Leader                | Minority Leader                | Other Leaders   |
|-------|--|--------------------------------|--------------------------------|---|
| AL    | \$2/day (limit 60 days)  | None                           | None                           | None  |
| AK    | \$500  | None                           | None                           | None  |
| AZ    | Only additional compensation for leaders is a per diem for every day of work during interim; other members get one day of per diem per week during interim |                                |                                |   |
| AR    | \$14,000/year  | None                           | None                           | \$1,800 Spkr. designate   |
| CA    | \$90,720 base salary   | \$83,160 base salary           | \$83,160 base salary           | None  |
| CO    | All leaders receive \$99/day salary during interim when in attendance at committee or leadership matters.  |                                |                                |   |
| CT    | \$6,400  | \$5,290                        | \$5,290                        | Dep. spkr., dep. maj. and min. ldrs., \$3,860/yr.; asst. maj. and min. ldrs. and cmte. chairs, \$2,540  |
| DE    | \$11,254   | \$8,765                        | \$8,765                        | Maj. and min. whips, \$5,519  |
| FL    | \$9,672  | None                           | None                           | None  |
| GA    | \$56,260.80*   | \$2,400                        | \$2,400                        | Admin fir. ldr., \$2,400; asst. admin. fir. ldr., \$1,200; spkr. pro tem, \$4,800   |
| HI    | \$5,000  | None                           | None                           | None  |
| ID    | \$3,000  | None                           | None                           | None  |
| IL    | \$19,093   | \$16,109                       | \$19,093                       | Dpty. maj. and min., \$13,723; Asst. maj. and asst. min., \$12,529; maj and min. conference chair, \$12,529   |
| IN    | \$6,500  | \$5,000                        | \$5,500                        | Maj. caucus chair, \$5,000; min. caucus chair, \$4,500; Asst. min. fir. ldr., \$4,500; maj. fir. Ldr, \$1,000; maj. whip, \$1,500; min. whip, \$1,500 |
| IA    | \$10,910   | \$10,910                       | \$10,910                       | Speaker pro tem, \$1,170  |
| KS    | \$407.67/bi-weekly   | \$367.78/bi-weekly             | \$367.78/bi-weekly             | Asst maj. and min. ldrs., spkr. pro tem, \$208.08/biweekly  |
| KY    | \$25.68/day  | \$20.54/day                    | \$20.54/day                    | Speaker pro tem, maj. and min. caucus chairs & whips, \$15.41/day   |
| LA    | \$32,000*  | None                           | None                           | None  |
| ME    | 50% above base salary  | 25% above base salary          | 25% above base salary          | Asst. maj. ldr. and asst. min. ldr., 12.5% above base salary  |
| MD    | \$10,000   | None                           | None                           | None  |
| MA    | \$81,410*  | \$68,910*                      | \$68,910*                      | \$61,410*   |
| MI    | \$23,000   | None                           | \$17,000                       | Spkr. Pro tem, \$5,000; min. fir. ldr., \$8,000; maj. fir. ldr., \$10,000   |
| MN    | \$988.59/month   | \$988.59/month                 | \$988.59/month                 | None  |
| MS    | None   | None                           | None                           | None  |
| MO    | \$2,500  | \$1,500                        | \$1,500                        | Speaker pro tem, \$1,500  |
| MT    | \$5/day during session   | None                           | None                           | None  |
| NE    | None   | None                           | None                           | None  |
| NV    | \$900 for each regular session plus \$2/day  | \$900 for each regular session | \$900 for each regular session | Spkr. pro tem, \$900 for each regular session   |
| NH    | \$50/two-year term plus \$200  | None                           | None                           | None  |

\* Total annual salary for this leadership position

**Table 3A: Additional Compensation for House/Assembly Leaders**

| State | Presiding Officer  | Majority Leader         | Minority Leader         | Other Leaders  |
|-------|--|-------------------------|-------------------------|--|
| NJ    | 1/3 above annual salary  | None                    | None                    | None   |
| NM    | None   | None                    | None                    | None   |
| NY    | \$30,000   | \$25,000                | \$25,000                | 31 leaders with compensation ranging from \$6,500 to \$18,000  |
| NC    | \$38,151*  | \$17,048*               | \$17,048*               | Speaker pro tem. \$21,739*   |
| ND    | \$10/day   | \$10/day                | \$10/day                | Asst. ldrs., \$15/day  |
| OH    | \$66,133 base salary   | \$56,838 base salary    | \$60,340 base salary    | Spkr pro tem, \$60,340; asst. maj. ldr., \$53,340; asst. min. ldr., \$55,090; maj. whip, \$49,842; min. whip, \$49,842   |
| OK    | \$14,944   | \$10,304                | \$10,304                | Speaker pro tem. \$10,304  |
| OR    | \$1,092/month  | None                    | None                    | None   |
| PA    | \$32,186.62  | \$25,750.52             | \$25,750.52             | Maj. and min. whips, \$19,542; maj. and min. caucus chairs, \$12,185; maj. and min. caucus secretaries \$8,047; maj. and min. policy chairs, \$8,047; maj. and min. caucus admin., \$8,047 |
| RI    | None   | None                    | None                    | None   |
| SC    | \$11,000/year  | None                    | None                    | Speaker pro tem. \$3,600/year  |
| SD    | None   | None                    | None                    | None   |
| TN    | 3 times the member base salary   | None                    | None                    | None   |
| TX    | None   | None                    | None                    | None   |
| UT    | \$1,000  | \$500                   | \$500                   | None   |
| VT    | \$565/week during session plus an additional \$8,735 in salary             | None                    | None                    | None   |
| VA    | \$14,360   | None                    | None                    | None   |
| WA    | \$36,300*  | \$28,300*               | \$32,300*               | None   |
| WV    | \$50/day during session; \$100/day during interim for a maximum of 80 days | \$25/day during session | \$25/day during session | Up to four add'l people named by presiding officer receive \$100 for a maximum of 30 days.   |
| WI    | \$25/month   | None                    | None                    | None   |
| WY    | \$3/day  | None                    | None                    | None   |
| DC    | \$10,000 (chair of council)  | Not applicable          | Not applicable          | Not applicable   |

\* Total annual salary for this leadership position

Table 3B: Additional Compensation for Senate Leaders

| State | Presiding Officer   | Majority Leader                | Minority Leader                | Other Leaders   |
|-------|---|--------------------------------|--------------------------------|---|
| L     | None  | None                           | None                           | None  |
| K     | \$500   | None                           | None                           | None  |
| Z     | Only additional compensation for leaders is four days of per diem in a two-week period during interim; other members get two days in a two-week period during interim |                                |                                |   |
| AR    | None  | None                           | None                           | President pro tem, \$14,000   |
| CA    | \$90,720 base salary  | \$83,160 base salary           | None                           | None  |
| CO    | All leaders receive \$99/day salary during interim when in attendance at committee or leadership meetings.  |                                |                                |   |
| CT    | \$6,400   | \$5,290                        | \$5,290                        | Deputy min. and maj. ldrs., \$3,860/year; asst. maj. and min. ldrs. and cmte. chairs \$2,540/year.  |
| DE    | \$11,254  | \$8,765                        | \$8,765                        | Maj. and min. whips \$5,519   |
| FL    | \$9,672   | None                           | None                           | None  |
| GA    | \$70,011.48 salary  | \$2,400                        | \$2,400                        | President pro tem, \$4,800; admin. flr. ldr., \$2,400; asst. admin. flr. ldr., \$1,200  |
| HI    | \$37,000  | \$32,000                       | \$32,000                       | None  |
| ID    | \$3,000   | None                           | None                           | None  |
| IL    | \$19,093  | None                           | \$19,093                       | Asst. maj. and min. ldr., \$14,319; maj and min. caucus chair, \$14,319   |
| IN    | \$6,500   | \$5,000                        | \$5,500                        | Asst. pres. pro tem \$2,500; asst. maj. flr. ldr., \$1,000; maj. caucus chair, \$5,000; min. asst. flr. ldr. and min. caucus chair, \$4,500; maj and min whips, \$1,500 |
| IA    | \$10,910  | \$10,910                       | \$10,910                       | Pres Pro Tem \$1,290  |
| KS    | \$407.67/bi-weekly  | \$367.78/bi-weekly             | \$367.78/bi-weekly             | Asst. maj., min. ldrs., vice pres., \$208.08/bi-weekly.   |
| KY    | \$25.68/day   | \$20.54/day                    | \$20.54/day                    | Pres. pro tem, maj., min. caucus chairs and whips, \$15.41/day  |
| LA    | \$32,000  | None                           | None                           | None  |
| ME    | Base salary plus 50%  | Base salary plus 25%           | Base salary plus 2.5%          | Asst. maj. and min. ldrs., base salary plus 12.5%   |
| MD    | \$10,000  | None                           | None                           | None  |
| MA    | \$81,410  | \$68,910                       | \$68,910                       | Asst. flr. ldrs., \$61,410  |
| MI    | Lt. gov. holds this position  | \$21,000                       | \$17,000                       | Pres. pro tem, \$5,000; maj. flr. ldr., \$10,000; min. flr. ldr., \$8,000   |
| MN    | \$11,878.80/year  | \$11,878.80/year               | \$11,878.80/year               | None  |
| MS    | None  | None                           | None                           | Pro tem resolution, \$5,000/year  |
| MO    | \$2,500   | \$1,500                        | \$1,500                        | Pro tem, \$1,500  |
| MT    | \$5/day during session  | None                           | None                           | None  |
| NE    | None  | None                           | None                           | None  |
| NV    | \$900 for each regular session plus \$2/day per diem  | \$900 for each regular session | \$900 for each regular session | Pres. pro tem, \$900 for each regular session   |
| NH    | \$200 plus an add'l \$50/two-year term  | None                           | None                           | None  |

Source: National Conference of State Legislatures, May 7, 1997

**Table 3B: Additional Compensation for Senate Leaders**

| State | Presiding Officer   | Majority Leader            | Minority Leader         | Other Leaders   |
|-------|---|----------------------------|-------------------------|---|
| NJ    | 1/3 above annual salary   | None                       | None                    | None  |
| NM    | None  | None                       | None                    | None  |
| NY    | None  | \$30,000                   | \$25,000                | 22 other leaders with compensation ranging from \$9,500 to \$24,500   |
| NC    | \$38,151 annual salary  | \$17,048 annual salary     | \$17,048 annual salary  | Deputy pro tem, \$21,739  |
| ND    | None  | \$10/day                   | \$10/day                | Asst. ldrs., \$5/day  |
| OH    | \$66,133 base salary  | President pro tem \$60,340 | \$60,340 salary         | Asst. pres. pro tem, \$56,838; maj. whip, \$53,340; asst. min. ldr., \$55,090; min. whip, \$49,842; asst. min. whip, \$44,385   |
| OK    | \$14,944  | \$10,304                   | \$10,304                | Asst. maj. ldr., \$10,304   |
| OR    | \$1,092/month   | None                       | None                    | None  |
| PA    | \$32,186.92   | \$25,750.52                | \$25,750.52             | Maj. and min. whip, \$19,542; maj. and min. caucus chair, \$12,185; maj. and min. caucus secretaries, maj. and min. policy chairs, maj. and min. caucus admin., \$8,047 |
| RI    | None  | None                       | None                    | None  |
| SC    | Lt. gov. holds this position  | None                       | None                    | President pro tem, \$11,000   |
| SD    | None  | None                       | None                    | None  |
| TN    | three times member base salary                                      | None                       | None                    | None  |
| TX    | None  | None                       | None                    | None  |
| UT    | \$1,000   | \$500                      | \$500                   | Maj. whip, asst. maj whip, min. whip and asst. min. whip, \$500   |
| VT    | \$565/week during session. No add'l salary                          | None                       | None                    | None  |
| VA    | None  | None                       | None                    | None  |
| WA    | Lt. gov. holds this position  | \$32,300                   | \$32,300                | None  |
| WV    | \$50/day during session; \$100/day interim for a maximum of 80 days | \$25/day during session    | \$25/day during session | Up to four add'l people to be named by presiding officer shall receive \$100 for a maximum of 30 days   |
| WI    | None  | None                       | None                    | None  |
| WY    | \$3/day   | None                       | None                    | None  |
| DC    | \$10,000 (council chair)  | Not applicable             | Not applicable          | Not applicable  |

n/r = no response

**Table 4: Additional Compensation for Committee Chairs**

| State                | Additional Compensation for Committee Chairs   |
|----------------------|--|
| Alabama              | \$150/mo. each for House Ways and Means and Senate Finance and Taxation Chairs.                    |
| Alaska               | None   |
| Arizona              | None   |
| Arkansas             | \$2,400/year for office expenses; \$1,200/yr sub committee chairs.                                 |
| California           | None   |
| Colorado             | None   |
| Connecticut          | \$2,540 for all committee chairs except Legislative Management Committee                           |
| Delaware             | \$16,818 for Joint Finance Committee   |
| Florida              | None   |
| Georgia              | None   |
| Hawaii               | Depends on Senate president's determination  |
| Idaho                | None   |
| Illinois             | \$7,161 for all committee chairs and minority spokespersons  |
| Indiana              | None   |
| Iowa                 | None   |
| Kansas               | \$327.85/bi-weekly for Senate Ways and Means and House Appropriations                              |
| Kentucky             | \$10.27/regularly scheduled meeting for all standing committee chairs                              |
| Louisiana            | \$28,000/year for chairman of Joint Budget Committee   |
| Maine                | None   |
| Maryland             | None   |
| Massachusetts        | \$7,500-\$25,000/year for committee chairs   |
| Michigan             | \$5,000 for Appropriation Committee chairs   |
| Minnesota            | \$5,939.40 for Senate Tax Committee Chair  |
| Mississippi          | None   |
| Missouri             | None   |
| Montana              | None   |
| Nebraska             | None   |
| Nevada               | \$900/flat amount for all standing committee chairs  |
| New Hampshire        | None   |
| New Jersey           | None   |
| New Mexico           | None   |
| New York             | \$9,000 to \$24,500 for each committee chair set by statute (see NY Legislative Law §5-a)          |
| North Carolina       | None   |
| North Dakota         | \$5/day for all standing committee chairs  |
| Ohio                 | \$5,000 for all committee chairs except Finance chair, who receives \$7,000                        |
| Oklahoma             | None   |
| Oregon               | None   |
| Pennsylvania         | \$19,543 to majority and minority chairs of the Appropriations Committee of both Senate and House. |
| Rhode Island         | None   |
| South Carolina       | \$400/interim expense allowance for committee chairs of the House                                  |
| South Dakota         | None   |
| Tennessee            | None   |
| Texas                | None   |
| Utah                 | None   |
| Vermont              | None   |
| Virginia             | None   |
| Washington           | None   |
| West Virginia        | \$100/day (max. 30 days) for Finance and Judiciary committees                                      |
| Wisconsin            | None   |
| Wyoming              | None   |
| District of Columbia | None   |

**Table 5: Setting State Legislators' Compensation**

| State                      | Constitution       | Statutes                                      | Compensation Commission                   |
|----------------------------|--------------------|---|---|
| Alabama                    | Art. IV, §49       |   | Ala. Code §29-1-40 thru §29-1-44          |
| Alaska                     |                    | Alaska Stat. §24.10.100                       | §24.10.101; §39.23.200 thru 39.23.260     |
| Arizona <sup>1</sup>       |                    |   | Art. V, §12; A.R.S. §41-1901 thru 41-1904 |
| Arkansas                   | Amendment 70       | Ark. Stat. Ann. §10-2-212 et seq.             |   |
| California                 | Art. IV, §4        | Proposition 112; Cal. Gov. Code §8901 et seq. |   |
| Colorado                   |                    |   | Col. Rev. Stat. §2-3-801 thru §2-3-806    |
| Connecticut <sup>2</sup>   |                    |   | Conn. Gen. Stat. Ann. §2-9a               |
| Delaware                   |                    | Del. Code Ann. Tit. 29, §710 et seq.;         | §§3301-3304                               |
| Florida <sup>3</sup>       |                    | Fla. Stat. Ann. §11-13(1)(b)                  |   |
| Georgia                    |                    | Ga. Code Ann. §45-7-4 and §28-1-8             |   |
| Hawaii <sup>4</sup>        |                    |   | Art. III, §9                              |
| Idaho                      |                    |   | Idaho Code 67-406a and 406b               |
| Illinois <sup>5</sup>      |                    | 25 ILCS 115                                   | 25 ILCS 120                               |
| Indiana                    |                    | Ind. Code Ann. §2-3-1-1                       |   |
| Iowa                       | Art. 3, §25        | Iowa Code Ann. §2.10                          | Iowa Code Ann. §2A.1 thru 2A.5            |
| Kansas <sup>6</sup>        |                    | Kan. Stat. Ann. §46-137a et seq.; §75-3212    |   |
| Kentucky                   |                    |   | Ky. Rev. Stat. Ann. §6.226-229            |
| Louisiana                  |                    | La. Rev. Stat. Ann. 24:31 thru 36             |   |
| Maine <sup>7</sup>         | Art. IV, pt. 3, §7 | Me. Rev. Stat. Ann. tit. 3, §§2,              | 2-A                                       |
| Maryland <sup>8</sup>      |                    |   | Art. III, §15                             |
| Massachusetts <sup>9</sup> |                    | Mass. Gen. Laws Ann. ch. 3, §§9,10            | ch. 6, §162                               |
| Michigan <sup>10</sup>     |                    |   | Art. IV §12                               |
| Minnesota                  |                    | Minn. Stat. Ann §3.099 et seq.                | §15A.082                                  |
| Mississippi                |                    | Miss. Code Ann. 5-1-41                        |   |
| Missouri <sup>11</sup>     | Art. III, §§16, 34 | Mo. Ann. Stat. §21.140                        |   |

<sup>1</sup> AZ Commission recommendations are put on the ballot for a vote of the people.

<sup>2</sup> CT The General Assembly takes independent action pursuant to recommendations of a Compensation Commission.

<sup>3</sup> FL Statute provides members same percentage increase as state employees.

<sup>4</sup> HI Commission recommendations take effect unless rejected by concurrent resolution or the governor. Any change in salary that becomes effective does not apply to the legislature to which the recommendation was submitted.

<sup>5</sup> IL Employment cost index, wages and salaries for state and local government workers.

<sup>6</sup> KS Pay plan for civil service employee is passed by legislature.

<sup>7</sup> ME The statutory Compensation Commission was repealed in 1990. Currently, there is no statutory provision for changing legislators' salaries.

<sup>8</sup> MD Commission meets before each four-year term of office and presents recommendations to the General Assembly for action. Recommendations may be reduced or rejected, not increased.

<sup>9</sup> MA A special report is filed with the Legislature, with accompanying recommendations, and referred to a committee thereof. The committee would be authorized to report a bill based on the recommendations of the Compensation Commission.

<sup>10</sup> MI If resolution is offered, it is put to legislative vote; if legislature does not vote recommendations down, the new salaries take effect 1/1 of the new year.

<sup>11</sup> MO Recommendations are accepted unless Senate and House pass legislation by the first day of February not to accept it. Commission meets every two years.

Source: National Conference of State Legislatures, May 7, 1997

**Table 5: Setting State Legislators' Compensation**

| State                       | Constitution                  | Statutes  | Compensation Commission                               |
|-----------------------------|-------------------------------|---|---|
| Montana <sup>12</sup>       |                               | Mont. Laws 5-2-301                                  |   |
| Nebraska                    | Art. II, §7                   | Neb. Rev. Stat. 50-123.01                           |   |
| Nevada                      |                               | §218.210-§218.225                                   | Nev. Rev. Stat. §218.201-§218.206; §218.157-§218.1575 |
| New Hampshire               | Art. XV, part second          |   |   |
| New Jersey                  | Act IV, Sec IV 7 & 8          | N.J. Stat. Ann. 52:10A-1                            |   |
| New Mexico                  | Art. IV, §9                   |   | §10; N.M. Stat. Ann. §2-1-11                          |
| New York                    | Art. 3, §6                    | Consolidated Laws of NY Ann. 32-2-5a                |   |
| North Carolina              |                               | N.C. Gen. Stat. §120-3; per diem set in §120-3.1    |   |
| North Dakota                |                               | N. D. Cent. Code §54-03-10, 11;                     | §§54-03-19.1 et seq.                                  |
| Ohio                        | Art. II, §31                  | Ohio Rev. Code Ann. tit. 1 ch. 101.27 thru 101.272  |   |
| Oklahoma <sup>13</sup>      |                               | Okla. Stat. Ann. tit. 74, §291 et seq.;             | Art V, §21; Tit. 74, §291.2 et seq.                   |
| Oregon                      |                               | Or. Rev. Stat. §171.072                             |   |
| Pennsylvania <sup>14</sup>  |                               | Pa. Cons. Stat. Ann. 46 PS §5; 65 PS §366.1 et seq. |   |
| Rhode Island                | Art. VI, §3                   |   |   |
| South Carolina              |                               | S.C. Code Ann. 2-11-40; 2-3-20                      |   |
| South Dakota                | Art. III, §6 and Art. XXI, §2 | S.D. Codified Laws Ann. §20402 et seq.              |   |
| Tennessee <sup>15</sup>     | Art. II, §23                  | Tenn. Code Ann. §3-1-106 et seq                     |   |
| Texas <sup>16</sup>         | Art. III, §24                 |   |   |
| Utah                        |                               |   | Art. VI, §9; Utah Code Ann. §36-2-2, et seq.          |
| Vermont                     |                               | Vt. Stat. Ann. tit 32, §1052                        |   |
| Virginia                    | Art. IV, §5                   | Va. Code Ann. §14.1-17.1 thru §14.1-21              |   |
| Washington                  | Art. II, §23                  | §43.03.060  | Wash. Rev. Code Ann. §43.03.028                       |
| West Virginia <sup>17</sup> |                               |   | Art. 6, §33; W. Va. Code §4-2A-1 et seq.              |
| Wisconsin <sup>18</sup>     |                               | Wis. Stat. Ann. §13.121; §13.123; §20.923           |   |
| Wyoming                     |                               | Wyo. Stat. §28-5-101 thru §28-5-105                 |   |
| District of Columbia        |                               | D.C. Code Ann. 1-226 (Charter Provision)            |   |

<sup>12</sup> MT Tied to executive branch pay matrix.

<sup>13</sup> OK Compensation Commission mandatory starting with next legislature.

<sup>14</sup> PA Beginning Dec. 1, 1996, both chambers receive a cost of living increase that is tied to the Consumer Price Index.

<sup>15</sup> TN Current bill introduced to create compensation commission.

<sup>16</sup> TX In 1991 a constitutional amendment was approved by voters to allow Ethics Commission to recommend the salaries of members. Any recommendations must be approved by voters to be effective. The provision has yet to be used.

<sup>17</sup> WV Submits by resolution and must be concurred by at least four members of the commission. The Legislature must enact the resolution into law and may reduce, but shall not increase, any item established in such resolution.

<sup>18</sup> WI Commission plan approved by Joint Committee on Employment Relations and governor. It's tied to state employer compensation plan.

Source: National Conference of State Legislatures, May 7, 1997



**Table 6: State Legislators' Travel Allowances**

| State | Mileage  | Access to State Autos   | Credit Card   | Phone Card/Phone Allowance   |
|-------|--|---|---|--|
| AL    | Same as state employees during interim   | Not provided  | No  | Yes - official state business only   |
| AK    | Federal mileage rate; determined on case-by-case basis.  | No  | No  | Yes - limits set by presiding officers   |
| AZ    | 30¢/mile on actual miles   | No  | No  | No   |
| AR    | 31¢/mile; one round trip per week during session and during interim meetings held on consecutive days.   | Speaker is provided a state auto                              | No  | No   |
| CA    | 24¢/mile if using own vehicle  | Legislators have access to state-owned or rental vehicles     | Gas with no limit   | Yes - no limit   |
| CO    | No   | No  | No  | Yes - official state business only   |
| CT    | 30¢/mile; submitted on monthly mileage card  | Upon request, vehicles are available for legislative business | No  | Official business only; charges for personal calls are reimbursed by legislator          |
| DE    | 20¢/mile; for official business only; determined by resolution   | No  | State contract for travel cards                               | Yes - official business only   |
| FL    | Varies; funds come from office expense allowance   | Senate pays for rental cars                                   | No  | Paid from monthly and annual office allowance  |
| GA    | 25¢/mile; amount set by law  | Yes - speaker and lt. governor are provided with cars         | No  | No   |
| HI    | House - no; Senate - non-Oahu legislators receive additional \$80/day during session   | No  | No  | Members receive \$5,000 annual allowance   |
| ID    | 26¢/mile during interim if required to travel to meetings, etc.; 26¢/mile during session if do not take a 2 <sup>nd</sup> residence & travel back and forth to another town each day | No  | No  | Yes - during session only  |
| IL    | 30¢/mile; mileage is equal to the amount allowed by federal government employees as published in <i>Federal Register</i> .   | No  | No  | No   |
| IN    | 25¢/mile, door to door   | No  | No  | Yes - must reimburse for personal calls  |
| IA    | 23¢/mile   | No  | No  | WATTS line during session  |
| KS    | 30¢/mile; state allowance for employees  | No  | May request American Express card; state pays annual fee only | Yes - if their monthly bill exceeds \$200, leadership is notified                        |
| KY    | 31¢/mile (federal rate)  | No  | No  | Telephone credit cards for leadership  |
| LA    | 26¢/mile for round trip from home to Capitol or location of interim cmte. Meetings   | No  | No  | Yes - provided with state-owned telephone line in office and home extension if requested |

**Table 6: State Legislators' Travel Allowances**

| State | Mileage   | Access to State Autos   | Credit Card   | Phone Card/Phone Allowance   |
|-------|---|---|---|--|
| ME    | Regular session: one round trip per week at 22¢/mile; those who "commute" during the week are capped at \$38/day. Interim: actual mileage reported @ 22¢/mile. Mileage rate to increase to 23¢/mile effective 7/1/97        | No  | No  | Presiding offices establish policies                                       |
| MD    | 29¢/mile; must voucher between capitol or meeting location  | No  | No  | No   |
| MA    | Between \$5 and \$50, determined by distance from State House   | No  | No  | No   |
| MI    | 30.5¢/mile; Senate rule and senate maj.ldr. policy statement  | No  | No  | Official business only   |
| MN    | 31.5¢/mile; House: one round trip per week for those who live outside their district home; interim - reimbursed with cmte. chair or speaker approval. Senate: miles are reimbursed with cmte. chair or president's approval | State motor pool is available   | No  | Legislative use only   |
| MS    | 31¢/mile; determined by <i>Federal Register</i> and Legislature   | No  | No  | No   |
| MO    | 28¢/mile  | Speaker only  | Gas card for speaker only; American Express for meals and lodging on state business | Constituent and state business only  |
| MT    | 31¢/mile; last year's IRS allowed mileage up to 1,000 miles and .03¢ less per mile thereafter   | State autos are available but motor pools are located in very few locations statewide | No  | No telephone allowance during interim; leaders may be issued cards         |
| NE    | 29¢/mile for those who live more than 50 miles from the capitol; one round trip per calendar week; for those who live within 50 miles, a daily mileage is authorized for days in session                                    | A state car may be requested  | No  | Yes  |
| NV    | Equal to the federal mileage rate   | No  | No  | Telephone allowance for session is \$2,800                                 |
| NH    | Round trip home to State House @ 38¢/mile for first 45 miles and 19¢/mile thereafter  | No  | No  | Yes - leadership only  |
| NJ    | No  | Yes - from time to time leadership leases cars; this has not exceeded six             | Gas cards if they are using state-leased or state-owned vehicles                    | Yes - no limit but to be used only for official state business             |
| NM    | 31.5¢/mile traveled   | No  | No  | No   |
| NY    | 29¢/mile  | Top leadership has access to nine vehicles  | No  | Limited to official business   |
| NC    | 29¢/mile, 1 round trip/week during session; 1 round trip for attendance at interim cmte.  | No  | No  | Allowance of \$1,800 for postage, telephone, fax and telephone credit card |
| ND    | 25¢/mile; one round trip/week during session  | No  | No  | Only Legislative Council members or chairmen of interim cmtes.             |

Source: National Conference of State Legislatures, May 7, 1997

**Table 6: State Legislators' Travel Allowances**

| State | Mileage  | Access to State Autos   | Credit Card   | Phone Card/Phone Allowance   |
|-------|--|---|---|--|
| OH    | 20.5¢/mile; one round trip/week from home to Statehouse  | No  | No  | Senate-related phone calls only  |
| OK    | 28¢/mile; State Travel Reimbursement Act   | No  | No  | No   |
| OR    | 25¢/mile; per actual miles driven; set by statute  | No  | No  | State-provided office and district office phone for legislative business only                                    |
| PA    | 31.5¢/mile; rate tied to federal rate  | No automobile allowance, but reimbursement for leased vehicle to \$600 for Senate, \$650 for House. Senate members reimbursed for leased vehicles cannot receive mileage. | No  | No   |
| RI    | 31¢/mile   | No  | No  | No   |
| SC    | 25.5¢/mile   | No  | No  | Official business only   |
| SD    | No   | No  | State pays yearly fee on Mastercard; cards have \$2,000 limit   | Telephone allowance: \$600/6 month for legislators and \$900/6 months for leadership                             |
| TN    | 24¢/mile state employee rate in effect day before November General Election  | No  | No  | Senate   |
| TX    | 28¢/mile set by General Appropriations bill; an allowance for single, twin and turbo engines from 40¢-\$1/mile is also given | No  | Senate members are eligible for American Express cards for official use and are responsible for pymt. | Official state business only. House members are limited to available balance in their monthly operating accounts |
| UT    | 30¢/mile, round trip from home to capitol  | Access to state autos   | No  | Yes  |
| VT    | 30¢/mile, from home to statehouse  | No  | No  | Leaders and a few cmte. chairs for legislative business  |
| VA    | 27¢/mile   | No  | No  | Limits set by rules committee  |
| WA    | 31¢/mile for preapproved cmte. mtgs.; and one round trip each leg. Session; determined by Office of Financial Mgmt.          | No  | State-sponsored credit cards are issued; legislators are invoiced for all charges                     | For business calls only  |
| WV    | 31¢/mile based on Dept. of Admin. Travel Mgmt. Office; one round trip home each week during session                          | No  | No  | Legislative business only  |
| WI    | 26¢/mile; one round trip/week to Capitol   | No  | No  | Senate members limited to their operating budget   |
| WY    | 35¢/mile   | No  | No  | Telephone credit card for official business only   |
| DC    | No   | Access to motor pool  | No  | No   |

n/r = no response

**Table 7: Office, District Office and Staffing Allowances**

| State         | Allowances  |
|---------------|---|
| Alabama       | None.   |
| Alaska        | \$6,000/year for postage, stationery and other legislative expenses. Staffing allowance determined by rules and presiding officers, depending on time of year.  |
| Arizona       | None.   |
| Arkansas      | Legislators are entitled to receive a maximum reimbursement of \$9,600/year for legislative expenses. Those members who reside within a 50 mile radius are entitled to receive an additional \$6,800/year reimbursement due to their ineligibility for per diem and mileage reimbursement.  |
| California    | \$240,000/year covers salaries, specified utilities, specified travel costs, supplies, publications, printing, postage, etc.  |
| Colorado      | \$1,000/per 120-day session staffing allowance.   |
| Connecticut   | Senators receive \$4,500 and Representatives receive \$3,500 expense allowance.   |
| Delaware      | None.   |
| Florida       | Commencing 7/1/97 \$2,000-2,500/month for Senate and \$1,500/month for House. Also commencing 7/1/97 rates will be adjusted annually at a minimum by the change in CPI. Covers district office expenses except staff, computers and an additional budget allotment of \$7,500 annually.   |
| Georgia       | \$4,800/year reimbursable expense account. If the member requests and provides receipts, the member is reimbursed for personal services, office equipment, rent, supplies, transportation, telecommunications, etc.   |
| Hawaii        | \$5,000 annual allowance for incidental expenses.   |
| Idaho         | \$500/year for unvouchered constituent expense. No staffing allowance.  |
| Illinois      | Senators receive \$57,000/year and Representatives \$47,000/year for office expenses, including district offices and staffing.  |
| Indiana       | \$25/day during interim only. No staffing allowance.  |
| Iowa          | \$200/month to cover district constituency postage, travel, telephone and other expenses. No staffing allowance.  |
| Kansas        | \$270/for 20 pay periods, which is taxable income to the legislators. Staffing allowances vary for leadership who have their own budget. Legislators provided with secretaries during session only.   |
| Kentucky      | None  |
| Louisiana     | \$625/month for rent and/or vouchered, reimbursable expenses (supplies, postage, etc.). New legislators receive \$1,500/month with possible yearly increase up to \$2,500 over a 10-year period.  |
| Maine         | Constituent Service Allowance is a statutory allowance paid annually: \$1,000/Senators and \$750/Representatives.   |
| Maryland      | Senators, \$18,265/year and Delegates, \$17,707/year for office rent, supplies, postage, etc. Members must document expenses. \$400/year for in-district travel. Senators must use \$5,800 of allowance and the House members must use \$7,300 for clerical services.   |
| Massachusetts | \$3,600/yearly for office expenses..  |
| Michigan      | \$60,101/yr for printing, mailings, travel, furniture and district offices. Senate Majority party receive \$195,159, Senate Minority party receive \$119,000 for staffing. Senators are allowed to transfer \$35,000 between the two accounts. Representatives receive \$95,000 for staffing and office expenses. They can use the money at their own discretion. |
| Minnesota     | None.   |
| Mississippi   | None.   |
| Missouri      | \$600/month to cover all office expenses.   |
| Montana       | None.   |
| Nebraska      | No allowance; however, each member is provided with two full-time capitol staff year-round.   |
| Nevada        | \$60 postage allowance.   |
| New Hampshire | None.   |
| New Jersey    | \$750 for supplies. \$90,000/year for district office personnel and benefits.   |
| New Mexico    | None.   |

Source: National Conference of State Legislatures, May 7, 1997

**Table 7: Office, District Office and Staffing Allowances**

| <b>State</b>                | <b>Allowances</b>  |
|-----------------------------|--|
| <b>New York</b>             | Staff allowance set by majority leader for majority members and by minority leader for minority members. Staff allowance covers both district and capitol; geographic location; seniority and leadership responsibilities will cause variations; only one district office is permitted.  |
| <b>North Carolina</b>       | Non-leaders receive \$6,708/year for any legislative expenses not otherwise provided. Full-time secretarial assistance is provided during session.   |
| <b>North Dakota</b>         | None.  |
| <b>Ohio</b>                 | None.  |
| <b>Oklahoma</b>             | \$350/year for unvouchered office supplies plus seven rolls of stamps.   |
| <b>Oregon</b>               | \$2,635/session; interim allowance is \$400-550/month, depending on geographic size of district. Staffing allowance of \$3,611/month during session and \$1,100/month during interim.  |
| <b>Pennsylvania</b>         | \$27,500/year for operation of district offices, excluding salaries; \$26,500/year for postage expense for senators only.  |
| <b>Rhode Island</b>         | None.  |
| <b>South Carolina</b>       | Senate \$2,400/yr. for postage, stationary and telephone. House \$1,800/yr. for telephone and \$600/yr. for postage.   |
| <b>South Dakota</b>         | None.  |
| <b>Tennessee</b>            | \$525/month for expenses in district (U).  |
| <b>Texas</b>                | Senate: \$25,000/month for staff salaries only. House: \$8,500/month for staff salaries, supplies, stationery, postage, district office rental, telephone expense, etc.  |
| <b>Utah</b>                 | None.  |
| <b>Vermont</b>              | None.  |
| <b>Virginia</b>             | \$9,000/year; leadership receives \$12,000/year for office expenses incurred through their district offices, stationery and business cards. Legislators receive a staffing allowance of \$19,300/year; leadership receives \$28,970/year.  |
| <b>Washington</b>           | \$1,350/quarter for legislative expenses, for which the legislator has not been otherwise entitled to reimbursement. No staffing allowance.  |
| <b>West Virginia</b>        | None.  |
| <b>Wisconsin</b>            | Senate receives \$25,068/two-year session plus a mailing for the district each year. Covers district mileage, copying and special documents; capitol expenses include printing, postage, subscriptions, phone, etc. Senate receives \$146,539/two-year session for staffing. Assemblymen receive \$12,500 plus an allowance for district size—min. \$750, max. \$2,600 that covers printing and postage. Staff salary paid by state. |
| <b>Wyoming</b>              | None.  |
| <b>District of Columbia</b> | None.  |

**Table 8A: Health, Dental and Optical Insurance Benefits for State Legislators**

| State | Health  | Dental   | Optical   |
|-------|---|--|---|
| AL    | Optional at legislator's expense  | Optional at legislator's expense   | Not available   |
| AK    | State pays full amount  | State pays full amount   | State pays full amount  |
| AZ    | State pays portion, legislator pays portion; Department of Administration determines amounts to be paid pursuant to legislative appropriation | State pays portion; legislator pays portion; Dept. of Administration determines amounts to be paid pursuant to legislative appropriation | Optional at legislator expense  |
| AR    | State pays \$256; legislator pays balance, depending on plan chosen.  | Provided through standard health coverage, limited visits  | Provided through standard health coverage, limited visits                                 |
| CA    | State pays \$174-410, depending on 1-3 party; legislator pays portion   | State pays full amount   | State pays full amount  |
| CO    | State pays portion, legislator pays portion; amount differs according to plan selected  | State pays full amount   | Not available   |
| CT    | State pays full amount  | State pays full amount   | Some health insurance plans include discounts on eyeglasses                               |
| DE    | State pays portion, legislator pays portion   | Optional at legislator's expense   | State pays portion, legislator pays portion; only available through health insurance plan |
| FL    | State pays full amount  | State pays full amount   | Not available   |
| GA    | Optional; state pays 75%, legislator pays 25%   | Optional at legislator's expense   | Not available   |
| HI    | State pays portion, legislator pays portion   | State pays portion, legislator pays portion  | State pays portion, legislator pays portion   |
| ID    | State pays full amount or minimal contribution of \$6 by legislator   | State pays full amount or minimal contribution of \$6 by legislator  | Not available   |
| IL    | State pays portion, legislator pays portion   | State pays portion, legislator pays portion  | Yes with co-pay from legislator   |
| IN    | State pays portion; legislator pays portion   | State pays full amount.  | State pays portion; Legislator pays portion   |
| IA    | State pays portion, legislator pays portion; single fully covered; family plans vary and are paid by legislator                               | State pays portion, legislator pays portion  | Not available   |
| KS    | State pays portion, legislator pays portion   | State pays for legislator, legislator pays dependent coverage  | Not available   |
| KY    | State pays portion, family coverage extra   | Optional at legislator's expense   | Optional at legislator's expense  |
| LA    | State pays 50%, legislator pays remaining   | Not available  | Optional at legislator's expense  |
| ME    | State pays full amount for legislator and 50% of dependent coverage   | State pays full amount for legislator; dependent coverage is at legislator's expense   | Health insurance covers one exam every 2 years  |
| MD    | State pays 85%, legislator pays 15%   | Optional at legislator's expense   | State pays full amount  |
| MA    | State pays portion, legislator pays portion   | State pays portion, legislator pays: single plan \$3.41/month, family plan \$9.08/month  | Dental and optical are offered as one premium   |
| MI    | State pays full amount  | State pays full amount   | State pays full amount  |
| MN    | State pays 100% of low-cost plan, legislator pays balance   | State pays 100% of low-cost plan, legislator pays balance  | Included in health coverage   |
| MS    | State pays full amount  | Optional at legislator's expense   | Not available   |
| MO    | State pays full amount, depending on choice of plan   | Optional at legislator's expense   | Not available   |

Source: National Conference of State Legislatures, May 7, 1997

**Table 8A: Health, Dental and Optical Insurance Benefits for State Legislators**

| State           | Health   | Dental                                      | Optical  |
|-----------------|--|---|--|
| MT              | State pays \$230/month for all coverages, legislator pays balance depending on plan chosen | Same as health coverage                     | Included in health coverage  |
| NE              | Optional at legislator's expense   | Not available                               | Not available  |
| NV              | Optional at legislator's expense   | Optional at legislator's expense            | Optional at legislator's expense                                     |
| NH              | Optional at legislator's expense   | Optional at legislator's expense            | Not available  |
| NJ              | State pays full amount HMO, traditional co-pay   | State pays portion, legislator pays portion | State pays portion, legislator pays portion; \$75/year paid by state |
| NM              | Not available  | Not available                               | Not available  |
| NY              | State pays portion, legislator pays portion  | State pays portion, legislator pays portion | No cost if participating provider used                               |
| NC              | State pays full amount for legislator; optional family coverage at legislator's expense    | Optional at legislator's expense            | Benefits are available through health coverage                       |
| ND              | State pays full amount   | Optional at legislator's expense            | Not available  |
| OH              | State pays 90%, legislator pays 10%  | State pays full amount                      | State pays full amount   |
| OK              | State pays full amount   | State pays full amount                      | Not available  |
| OR <sup>1</sup> | State pays \$377 toward health, dental, life and disability; legislator pays balance       | See health coverage                         | See health coverage  |
| PA              | State pays full amount   | State pays full amount                      | State pays full amount   |
| RI              | State pays full amount   | State pays full amount                      | State pays full amount   |
| SC              | State pays portion, legislator pays portion  | State pays portion, legislator pays portion | Not available  |
| SD              | Not available  | Not available                               | Not available  |
| TN              | State pays 80%, legislator pays 20%  | Optional at legislator's expense            | Some HMO's offer coverage  |
| TX              | State pays for legislator, legislator pays for dependent coverage                          | Optional at legislator's expense            | Included in health coverage  |
| UT              | State pays 90% of highest premium  | State pays 80% of highest premium           | Optional at legislator's expense                                     |
| VT              | Optional at legislator's expense   | Optional at legislator's expense            | Not available  |
| VA              | State pays portion, legislator pays portion  | State pays portion, legislator pays portion | State pays portion, legislator pays portion                          |
| WA              | State pays portion, legislator pays portion  | State pays full amount                      | Included in medical  |
| WV              | Optional at legislator's expense   | Not available                               | Not available  |
| WI <sup>2</sup> | State pays portion, legislator pays portion  | Not available                               | Some HMOs cover.   |
| WY              | Not available  | Not available                               | Not available  |
| DC              | State pays up to 75%, legislator pays portion  | Not available                               | Included in medical coverage if available                            |

n/r = no response

<sup>1</sup> OR Same benefit package as state management employees.

<sup>2</sup> WI There are 26 choices of health insurance; some may be paid in full.

**Table 8B: Disability and Life Insurance Benefits for State Legislators**

| State | Disability Insurance  | Same as State Employee Plan | Life Insurance  | Same as State Employee Plan |
|-------|---|-----------------------------|---|-----------------------------|
| AL    | Not available   | No                          | Not available   | No                          |
| AK    | Optional at legislator's expense  | Yes                         | Optional at legislator's expense  | Yes                         |
| AZ    | State pays full amount of long-term disability; short-term disability available at legislator's expense | Yes                         | Legislator may opt to purchase add'l life insurance above the standard \$10,000 base that all state employees receive.                    | Yes                         |
| AR    | Not available   | Yes                         | State provides \$20,000 as part of health plan  | No                          |
| CA    | Optional at legislator's expense  | Yes                         | State pays full amount.   | Yes                         |
| CO    | Not available   | No                          | State pays full amount for \$12,000 policy.   | Yes                         |
| CT    | Not available   | No                          | State pays portion/legislator pays portion.   | Yes                         |
| DE    | Not available   | Yes                         | Optional at legislator's expense  | Yes                         |
| FL    | State pays full amount.   | Yes                         | State pays full amount.   | Yes                         |
| GA    | Optional at legislator's expense  | Yes                         | Optional at legislator's expense  | Yes                         |
| HI    | State pays portion/legislator pays portion  | Yes                         | State pays portion/legislator pays portion  | Yes                         |
| ID    | State pays full amount.   | Yes                         | State pays full amount.   | Yes                         |
| IL    | Not available<br>Legislators may buy accidental death coverage; and life ins for a spouse or child      | Yes                         | State provides term life insurance. Employee may buy add'l life insurance in a face amount of 1-4 times the amount provided by the state. | Yes                         |
| IN    | Not available   | Yes                         | State pays portion; legislator pays portion.  | Yes                         |
| IA    | State pays portion/legislator pays portion  | Yes                         | State pays portion/legislator pays portion  | Yes                         |
| KS    | State pays full amount.   | Yes                         | Optional at legislator's expense.   | Yes                         |
| KY    | Optional at legislator's expense  | Yes                         | State pays for \$20,000; extra available at legislator's expense  | Yes                         |
| LA    | Not available   | Yes                         | State pays half; legislator pays half   | Yes                         |
| ME    | Legislators are eligible for disability retirement through the state.                                   | No                          | Optional at legislator's expense  | No                          |
| MD    | Not available   | Yes                         | Optional at legislator's expense  | Yes                         |
| MA    | Optional at legislator's expense  | Yes                         | \$5,000 base policy provided by state. Legislator may opt for up to 8 times amount of salary at own expense.                              | Yes                         |
| MI    | Not available   | No                          | State pays amount at 2 times annual salary. Add'l amount up to 4 times annual salary optional at legislator's expense.                    | Yes                         |
| MN    | Optional at legislator's expense  | Yes                         | State pays premium for benefit of \$30,000. Legislator pays for any amt over to a max of \$300,000 optional                               | Yes                         |
| MS    | Optional at legislator's expense  | Yes                         | State pays half/legislator pays half  | Yes                         |
| MO    | State pays full amount.   | Yes                         | State pays full amount - \$15,000. Additional amounts up to 3 times annual salary optional at legislator's expense.                       | Yes                         |
| MT    | Not available   | Yes                         | State pays \$230 towards health coverages/legislator pays balance   | Yes                         |
| NE    | Optional at legislator's expense  | No                          | Optional at legislator's expense  | No                          |



**Table 8B: Disability and Life Insurance Benefits for State Legislators**

| State | Disability Insurance  | Same as State Employee Plan             | Life Insurance   | Same as State Employee Plan              |
|-------|---|---|--|--|
| IV    | Optional at legislator's expense                                | Yes/State pays employees entire benefit | Optional at legislator's expense   | Yes/State pays employees entire benefits |
| NH    | Not available   | No                                      | Not available  | No                                       |
| NJ    | Not available   | No                                      | State pays full amount. Also available is additional coverage of 1 1/2 times salary; legislator pays portion.    | Yes                                      |
| NM    | Not available   | No                                      | Not available  | No                                       |
| NY    | State pays full amount  | Yes                                     | Optional at member's expense   | Yes                                      |
| NC    | Provided through retirement system.                             | Yes                                     | Death benefit provided through retirement system   | Yes                                      |
| ND    | Not available   | Yes                                     | State pays for \$1,250 policy  | Yes                                      |
| OH    | Not available   | Yes                                     | State pays full amount.  | Yes                                      |
| OK    | State pays full amount.   | Yes/Same as Management Employees        | State pays full amount (\$20,000). For optional amounts above that, legislator pays.                             | Yes/Same as Management Employees         |
| OR    | State pays portion; legislator pays portion.                    | Yes                                     | State pays portion; legislator pays portion.   | Yes                                      |
| PA    | State pays full amount.   | Yes                                     | State pays full amount.  | Yes                                      |
| RI    | Optional at legislator's expense                                | Yes                                     | Optional at legislator's expense   | Yes                                      |
| SC    | State pays. Add'l coverage at legislator's expense.             | Yes                                     | State pays; addl. coverage at legislator's expense.  |  |
| SD    | State pays full amt for accidental death/dismemberment ins only | No                                      | Not available  | No                                       |
| TN    | Not available   | Yes                                     | State pays \$20,000; Legislator pays \$2,000. Legislator may purchase up to \$50,000 more in additional coverage | Yes                                      |
| TX    | Optional at legislator's expense                                | Yes                                     | Optional at legislator's expense   | Yes                                      |
| UT    | Not available   | Yes                                     | State pays full amount for basic coverage (\$18,000). Additional coverage optional at legislator's expense.      | Yes                                      |
| VT    | Not available   | No                                      | Optional at legislator's expense   | No                                       |
| VA    | Not available   | Yes                                     | State pays full amount.  | Yes                                      |
| WA    | Optional at legislator's expense                                | Yes                                     | State pays for \$5,000 policy. More is optional at legislator's expense.   | Yes                                      |
| WV    | Not available   | No                                      | Optional at legislator's expense   | No                                       |
| WI    | Optional at legislator's expense                                | Yes                                     | State pays portion; legislator pays portion.   | Yes                                      |
| WY    | Not available   | No                                      | Not available  | No                                       |
| DC    | State pays full amount  | Yes                                     | State pays portion; legislator pays portion  | Yes                                      |

n/r = no response

**Table 9: Retirement Benefits for State Legislators**

| State | Participation | Same as State Employees | Minimum Age and Service Requirement   | Contribution Rate  | Estimated Monthly Retirement Benefits |   |   | Benefit Formula  |
|-------|---------------|-------------------------|---|--|---------------------------------------|---|---|--|
|       |               |                         |   |  | 4 yrs.                                | 12 yrs.   | 20 yrs.   |  |
| AL    | Not available |                         |   |  |                                       |   |   |  |
| AK    | Optional      | Yes                     | Age 60  | 6.75% employee; 14.92% employer  | Vested at 5 yrs.                      | \$500/mo.   | \$900/mo.   | 2% (first 10 yrs.); or 2.25% (second 10 yrs.) or 2.5% (third 10 yrs.) x monthly salary avg over highest consecutive yrs. x yrs. of service   |
| AZ    | Mandatory     | No                      | Age 65 with 5+ yrs. of service; age 62 with 10+ yrs. of service; age 60 with 25+ yrs. of service  | 7%   | Vested at 5 yrs.                      | \$600/mo.   | \$1,000/mo.                                       | 4%/yr. of credited service x 3 yr. average; max. 80% of member's avg. yearly salary  |
| AR    | Optional      | No                      | Age 65 with 10 yrs.; or age 55 with 12 yrs.; or any age with 30 yrs. of service                   | Noncontributory  | Not eligible                          | \$420/mo.; \$480 for leadership                   | \$700/mo.; \$800 for leadership.                  | \$35/mo. x yrs. of service. speaker and president pro tem receive \$40/mo. x yrs. of service   |
| CA    | Not available |                         |   |  |                                       |   |   |  |
| CO    | Mandatory     | Yes                     | Age 60 with 5 yrs. of service   | 8% of gross salary   | Not yet vested                        | \$350/mo.   | \$729/mo.   | 2.5% x HAS x creditable service through 20 yrs. plus 1.5% x HAS for 21 through 40 yrs. Maximum benefit = 80% of employee's HAS <sup>1</sup>  |
| CT    | Mandatory     | Yes                     | Age 70 with 5 yrs. of service or age 62 with 10 yrs. of service or age 60 with 25 yrs. of service | Zero   | Not yet vested                        | \$223/mo.   | \$372/mo.   | (.0133 x avg. annual salary) + (.005 x avg. annual salary in excess of "breakpoint" [specified \$ amt. ea. yr.]) x yrs. credited service   |
| DE    | Mandatory     | No                      | Age 62 with 5 yrs. of credited service  | 3% of total monthly compensation in excess of \$500  | n/r                                   | n/r   | n/r   | Years of service x highest rate of pymt being paid to any retired member of the General Assembly   |
| FL    | Optional      | Yes                     | Age 62 with 8 yrs. service  | 23.73%   | Zero                                  | Based on highest 5 yrs. of salary                 | Based on highest 5 yrs. of salary                 | Yrs. creditable service x 3% x average final compensation = yrly.  |
| GA    | Optional      | No                      | Age 60 with 8 yrs. service  | Approx. 9% of monthly earnings; legislator pays 4% + \$7; State pays 5% - \$7. Total contribution is \$81.41 | Zero                                  | \$336/mo. (member is 62 w/maximum benefit option) | \$560/mo. (member is 62 w/maximum benefit option) | Less than age 62 - \$28 x yrs. of service x reduction factor = monthly benefit. (Age reduction factor is 5% for ea. yr. under age 62) At age 62 - \$28 x yrs. of service = monthly benefit |
| HI    | Optional      | No                      | 55 yrs. if less than 10 yrs. of service   | 7.8%   | Zero                                  | Varies  | Varies  | 3.5 x yrs. of service as legislator x highest average salary plus annuity based on contributions as an elected official.   |
| ID    | Mandatory     | Yes                     | Min. 5 yrs. service; age 65 unreduced, age 55 reduced   | 6.97%  | \$77/mo. at age 65                    | \$236/mo. at age 65                               | \$383/mo. at age 65                               | Avg. mo. salary for highest 42 consecutive months x .01917 x months of service ÷ 12  |

<sup>1</sup> CO HAS = 1/12 x average three highest annual salaries earned during calendar year periods on which PERA contributions were paid; 15% limit applies to annual salary increases during three years before retirement. Partial year salaries can be combined.

Table 9: Retirement Benefits for State Legislators

| State | Participation                                   | Same as State Employees            | Minimum Age and Service Requirement  | Contribution Rate  | Estimated Monthly Retirement Benefits |                     |                     | Benefit Formula  |
|-------|---|------------------------------------|--|--|---------------------------------------|---------------------|---------------------|--|
|       |   |                                    |  |  | 4 yrs.                                | 12 yrs.             | 20 yrs.             |  |
| CA    | Optional  | No                                 | Age 55 with 8 yrs. service or age 62 with 4 yrs. service   | 8.5% for retirement; 2% for survivors; 1% for automatic increases; total 11.5%             | 12% of final salary                   | 45% of final salary | 85% of final salary | 3% for each of first 4 yrs. of service; 3.5% for each of the next 2 yrs.; 4% for each of the next 2 yrs.; 4.5% for each of the next 4 yrs.; 5% for each year of service above 12 |
| IN    | Mandatory                                       | No                                 | No service requirement   | 5% employee, 20% state (of taxable income)   | Varies                                | Varies              | Varies              | Yrs. of service x 1.1% x highest one-year salary   |
| IA    | Optional  | Yes                                | Age 55 yrs., 4 yrs. of service   | 3.7 %  | n/r                                   | n/r                 | n/r                 | 60% x average of highest 3 yrs. x yrs. of service ÷ 30 (maximum no. of yrs.)   |
| KS    | Optional  | No                                 | Age 55, 10-yr. minimum   | 4%   | n/r                                   | n/r                 | n/r                 | 3 highest yrs. x 1.75% x no. of yrs. service ÷ 12  |
| KY    | Mandatory                                       | Yes                                | n/r  | \$114.58/mo. for both plans  | n/r                                   | n/r                 | n/r                 | n/r  |
| LA    | Opt until 1/1/97. The law now prohibits joining | Yes                                | Any age with 16 yrs. legislative service; age 55 with 12 yrs. service or age 50 with 12 yrs. service and 20 yrs. total | 7.5% employees, 11.5 % legislators   | n/r                                   | n/r                 | n/r                 | Yrs. of service x 3.5% x avg. compensation + \$300 = annual benefit  |
| ME    | Mandatory <sup>2</sup>                          | No                                 | Age 60 (if 10 yrs. of service on 7/1/93) and age 62 (if less than 10 yrs. of service on 7/1/93)                        | 7.65% legislators; 14.08% legislative retirement system; 22.03% ME State Retirement System | Varies                                | Varies              | Varies              | 1/50 average final compensation x number of years of creditable service  |
| MD    | Optional  | No                                 | Age 60 with 8 yrs; age 50 with 8+ yrs. creditable service (early reduced retirement)                                   | 5% of annual salary  | None                                  | \$891               | \$1,485             | 3% of legislative salary for each yr. of creditable service up to a max. of 22 yrs. 3 months   |
| MA    | Mandatory                                       | Yes; employee vested after 10 yrs. | Age 55 with 6 yrs. service   | 9%   | n/r                                   | n/r                 | n/r                 | n/r  |
| MI    | Optional  | No                                 | Age 55 with 5 yrs. with some exceptions  | 9% before 12/1/94; 7% after 12/1/94  | Varies                                | Varies              | Varies              | Depends on when service started  |
| MN    | Mandatory                                       | No                                 | Age 62 (reduced amount available at age 60) with 6 yrs. of service   | 9%   | Zero                                  | \$759               | \$1,645             | 2.5% x 5 yr. avg. salary/yr. of service; excep yrs. served before 1979 earn 5% up to 8 yrs.  |
| MS    | Mandatory                                       | Yes                                | 55 yrs. or 25 yrs. of service  | Regular: 7.25% legislator 9.75% state; supplemental: 3%/6.33%                              | Varies                                | Varies              | Varies              | n/r  |

<sup>2</sup> ME Members may request a waiver if they can document that participation would increase their total tax liability.

**Table 9: Retirement Benefits for State Legislators**

| State | Participation | Same as State Employees | Minimum Age and Service Requirement  | Contribution Rate  | Estimated Monthly Retirement Benefits |                              |                            | Benefit Formula   |
|-------|---------------|-------------------------|--|--|---------------------------------------|------------------------------|----------------------------|---|
|       |               |                         |  |  | 4 yrs.                                | 12 yrs.                      | 20 yrs.                    |   |
| MO    | Mandatory     | No                      | Age 55 + 3 full biennial assemblies  | Non-contributory <sup>3</sup>                            | Zero                                  | \$900/mo.                    | \$1,500/mo.                | \$150/mo. per biennial assemblies served  |
| MT    | Optional      | Yes                     | Age 60 with at least 5 yrs. service; age 65 regardless of yrs. of service; or 30 yrs. of service regardless of age | 6.7% employee/<br>6.7% employer                          | \$87                                  | \$263                        | \$439                      | 1/56 x yrs. service credits x final avg. salary   |
| NE    | Not available |                         |  |  |                                       |                              |                            |   |
| NV    | Mandatory     | No                      | 10 yrs. of service   | 15% of session salary                                    | Zero                                  | \$300/mo.                    | \$500/mo.                  | n/r   |
| NH    | Not available |                         |  |  |                                       |                              |                            |   |
| NJ    | Mandatory     | No                      | Age 60 with 10 yrs. service; age 50 (early retirement)   | 5%/yr.   | n/r                                   | n/r                          | n/r                        | Effective 1/74 all legislators received 3% p yr. pension allowance; before to 1974, members received 1/60 <sup>th</sup>       |
| NM    | Optional      | No                      | Age 65 with 5+ yrs.; 64 & 8+yrs., 63 with 11+ yrs., 60 with 12+ yrs., or any age with 14+ yrs. of credited service | \$100 per year   | n/r                                   | n/r                          | n/r                        | \$250 x yrs. of service (after 1959)  |
| NY    | Mandatory     | Yes                     | Depends on tier set by date of initial membership; min. of 10 yrs. service.  | Varies (0 - 3%); depends on tier                         | Zero                                  |                              |                            | n/r   |
| NC    | Mandatory     | No                      | Age 65 with 5 yrs. of service  | 24.58%   | Zero                                  | 48.2% of annual compensation | 75% of annual compensation | Final compensation x 4.02% x yrs. of servi  |
| ND    | Not available |                         |  |  |                                       |                              |                            |   |
| OH    | Optional      | Yes                     | Age 60 with 5 yrs. service or 55 with 25 yrs. service or at any age with 30 yrs. service                           | State 13.31%, legislator 8.5%                            | n/r                                   | n/r                          | n/r                        | 2.1% of final avg. salary (FAS) x yrs. of service   |
| OK    | Optional      | No                      | Age 60 with 6 yrs. service   | Optional contribution of 4.5%, 6%, 7.5%, 8.5%, 9% or 10% | \$426.68 at 10%                       | \$1,280.04 at 10%            | \$2,133.40 at 10%          | Avg. participating salary x length of serviv computation factor depending on optional contributions ranging from .019 to .040 |
| OR    | Optional      | Yes                     | Age 55 with 30+ yrs. service   | 14.97% of subject wages                                  | n/r                                   | n/r                          | n/r                        | 1.67% x yrs. of service and final avg. monthly salary   |
| PA    | Optional      | Yes                     | Age 50 with 3 yrs. service   | 5% of gross salary                                       | n/r                                   | n/r                          | n/r                        | 2% x final avg. salary x credited yrs. servi x withdrawal factor if under regular retirement age (50 for legislators)         |

<sup>3</sup> MO If evaluated separately from general employee plan, contribution rate is 27.94%. The current contribution rate, which includes employees, is 10.3%.

**Table 9: Retirement Benefits for State Legislators**

| State | Participation                | Same as State Employees | Minimum Age and Service Requirement                                   | Contribution Rate                   | Estimated Monthly Retirement Benefits |                |                | Benefit Formula   |
|-------|------------------------------|-------------------------|---|-------------------------------------|---------------------------------------|----------------|----------------|---|
|       |                              |                         |   |                                     | 4 yrs.                                | 12 yrs.        | 20 yrs.        |   |
| RI    | (See footnote <sup>4</sup> ) | No                      |   |                                     |                                       |                |                |   |
| SC    | Mandatory                    | No                      | Age 60 with 8 yrs. service. 30 yrs of service regardless of age       | 10%                                 | Zero                                  | \$1,079        | \$1,800        | 4.82% x annual compensation x yrs. of service   |
| SD    | Not available                |                         |   |                                     |                                       |                |                |   |
| TN    | Optional                     | No                      | Age 55 with 4 yrs. service  | Zero                                | \$280/mo.                             | \$840/mo.      | \$1,375/mo.    | \$70 per month x yrs. of service with a \$1,37 monthly cap  |
| TX    | Optional                     | No                      | Age 60 with 8 yrs.; or age 50 with 12 yrs.                            | 8%                                  | Not eligible                          | \$1,704.34/mo. | \$2,840.56/mo. | 2% x district judge's salary (currently \$7,101.40) x length of service                               |
| UT    | Mandatory                    | No                      | Age 62 with 10 yrs. service; or 65 yrs. with 4 yrs. service           | Non-contributory                    | Varies                                | Varies         | Varies         | \$10/mo. x yrs. service; adjusted semi-annually according to consumer price index, ltd. to max. of 4% |
| VT    | Not available                |                         |   |                                     |                                       |                |                |   |
| VA    | Mandatory                    | Yes                     | Age 50 with 10 yrs. of service  | 9.85% of monthly salary             | Varies                                | Varies         | Varies         | Based on high 36 mo. of salary; 1.65% x \$13,200, 1.5% of remainder x number of yrs service           |
| WA    | Optional                     | No                      | Several plans are offered; Requirements vary depending on plan chosen | n/r                                 | n/r                                   | n/r            | n/r            | n/r   |
| WV    | Optional                     | Yes                     | Age 60 with 5+ yrs. service   | 4.5% gross wages                    | Not eligible                          | \$300/mo.      | \$500/mo.      | 2% of final avg. salary x yrs. of service   |
| WI    | Mandatory                    | Yes                     | Age 55 with 5 yrs. service  | 5.5%                                | 8%                                    | 24%            | 40%            | 2% per year; 3-year highest average   |
| WY    | Not available                |                         |   |                                     |                                       |                |                |   |
| DC    | Mandatory                    | Yes                     | Age 62 with 5 yrs. service; age 55 with 30 yrs., Age 60 with 20 yrs.  | Before 10/1/87 7%; after 10/1/87 5% | Zero                                  | Varies         | Varies         | Multiply high 3 yrs. average pay by indicator under applicable years and months of service            |

n/r = no response

<sup>4</sup> RI The Rhode Island Constitution has been amended effective January 1995. Any legislator elected after this date is not eligible to join the state retirement system, but will be compensated for \$10,000/yr. with cost of living increases to be adjusted annually. See Joint Resolution 94-2427 sub. B.

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# **House Joint Resolution 60**

**Compensation of the Members of the  
General Assembly and their Staff**

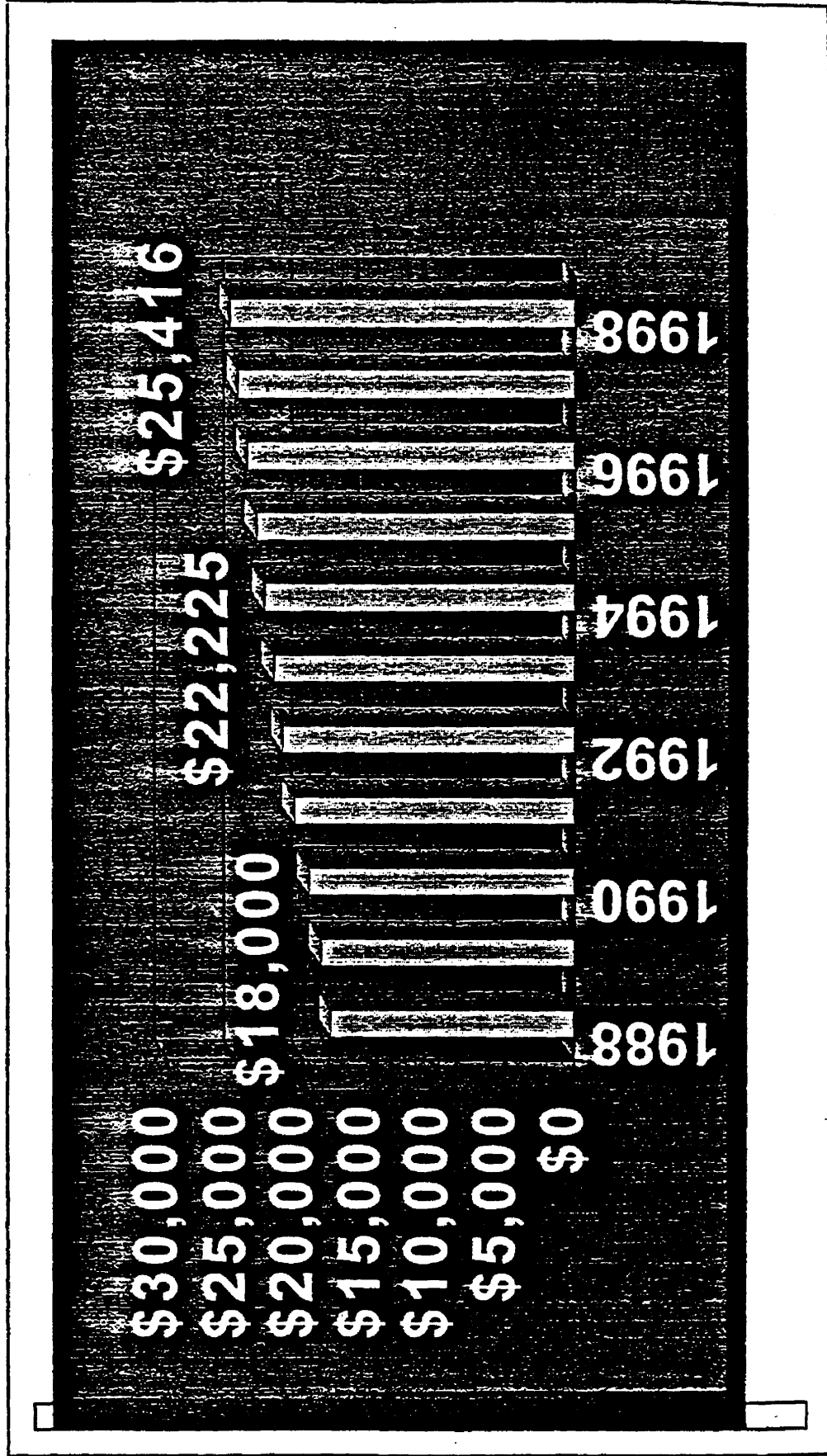
**September 11, 1998**

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# The Effect of Automatic Indexing on Legislators' Salaries and Per Diems

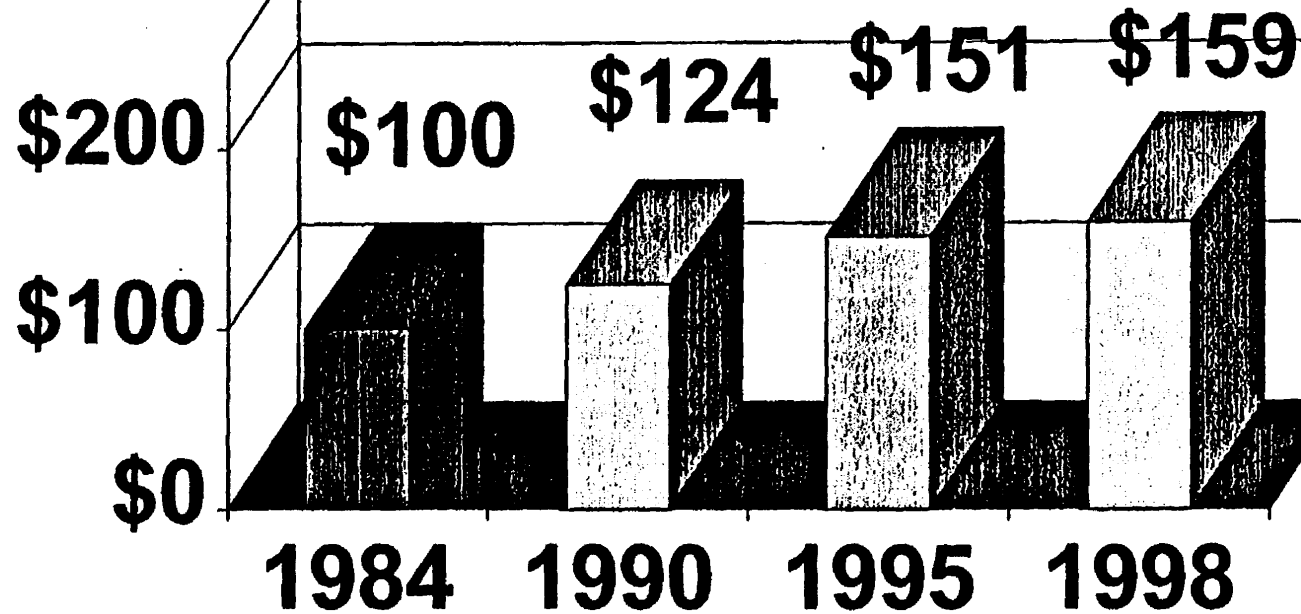
DIVISION OF LEGISLATIVE SERVICES

# Projected Legislators' Salaries Based on CPI Rate of Inflation



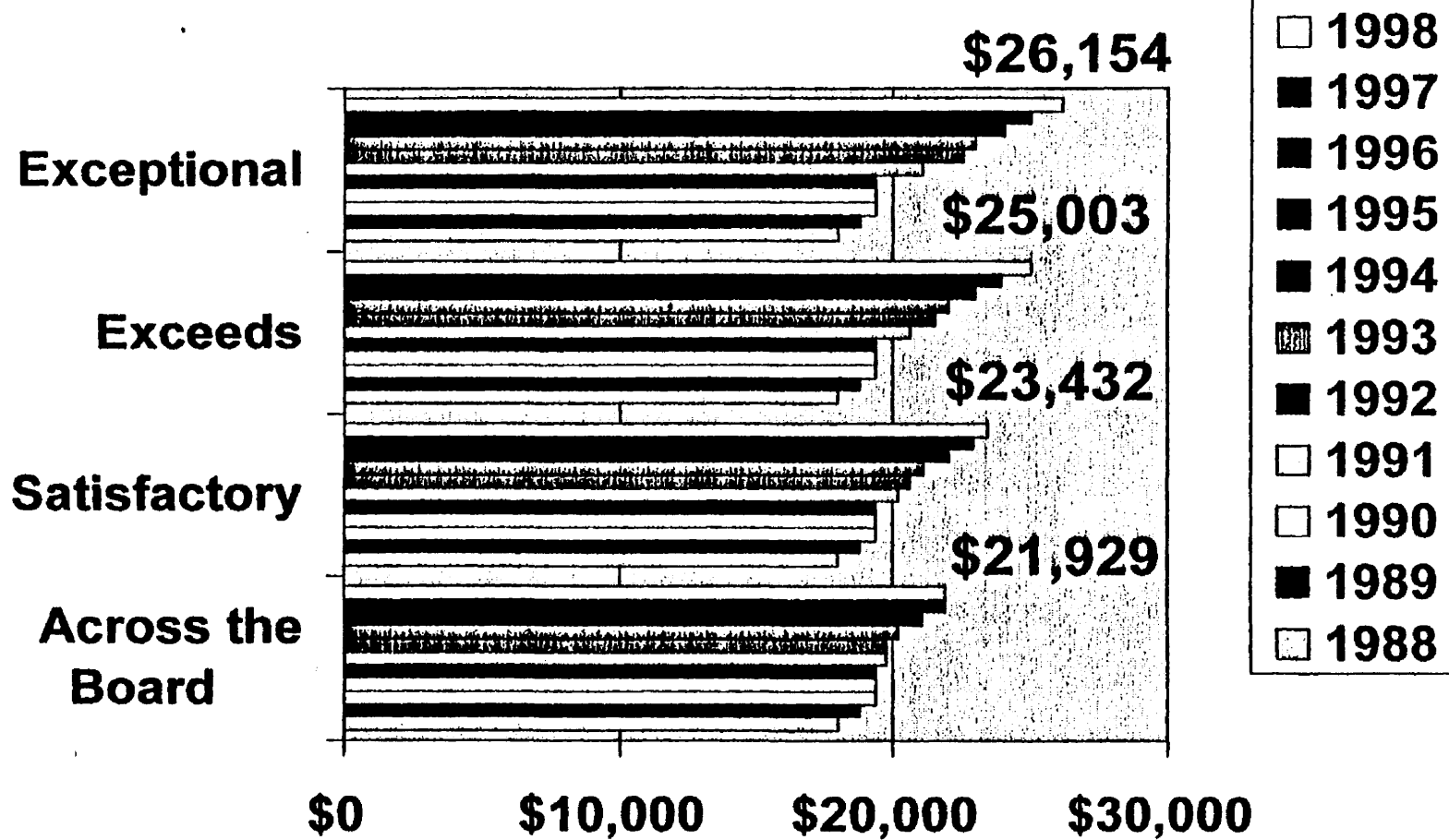


# Projected Interim Per Diem Based on CPI

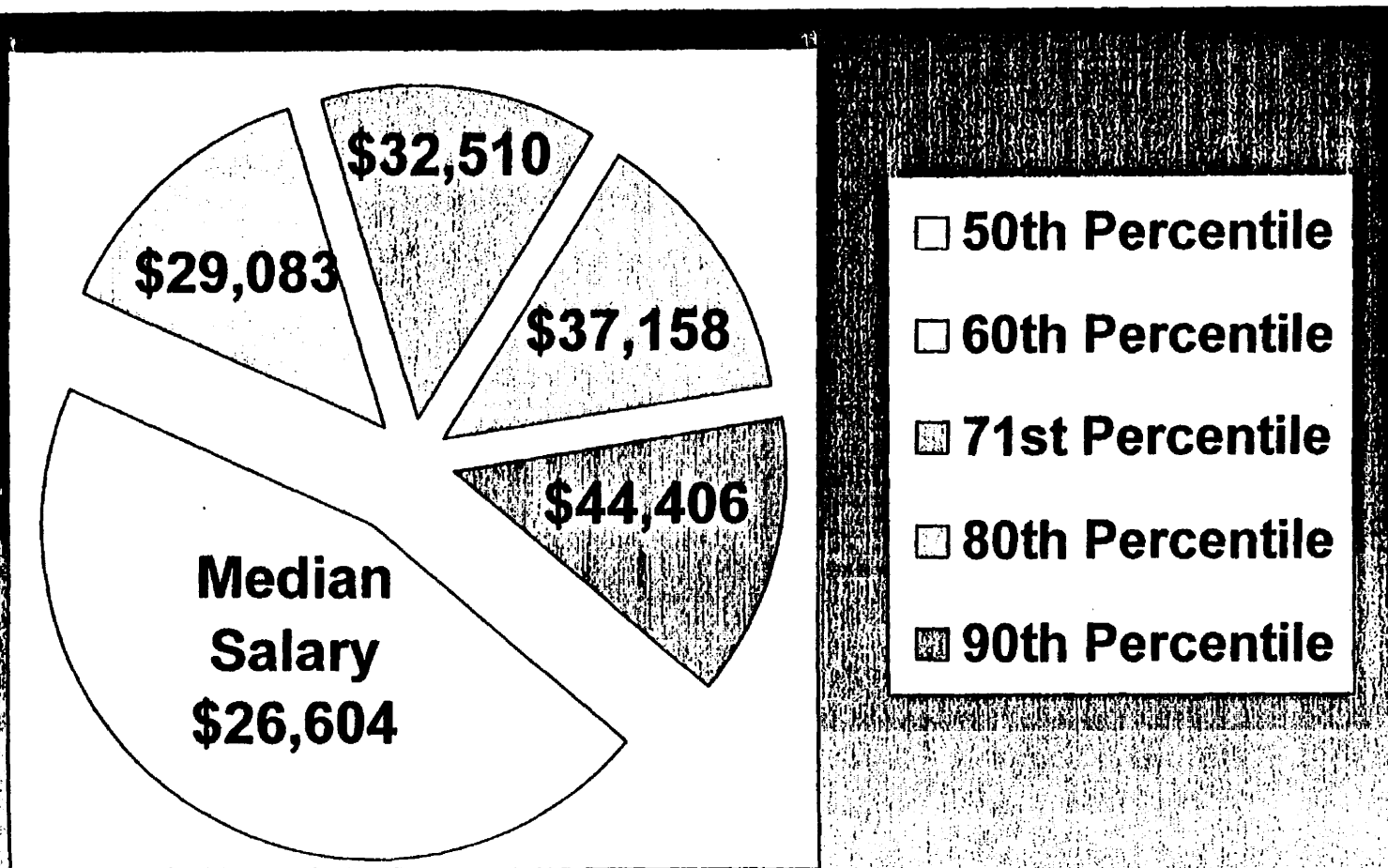


- Last Per Diem Increase
- 22.3% Increase in CPI
- ▣ 40.8% Increase in CPI
- 48% Increase in CPI

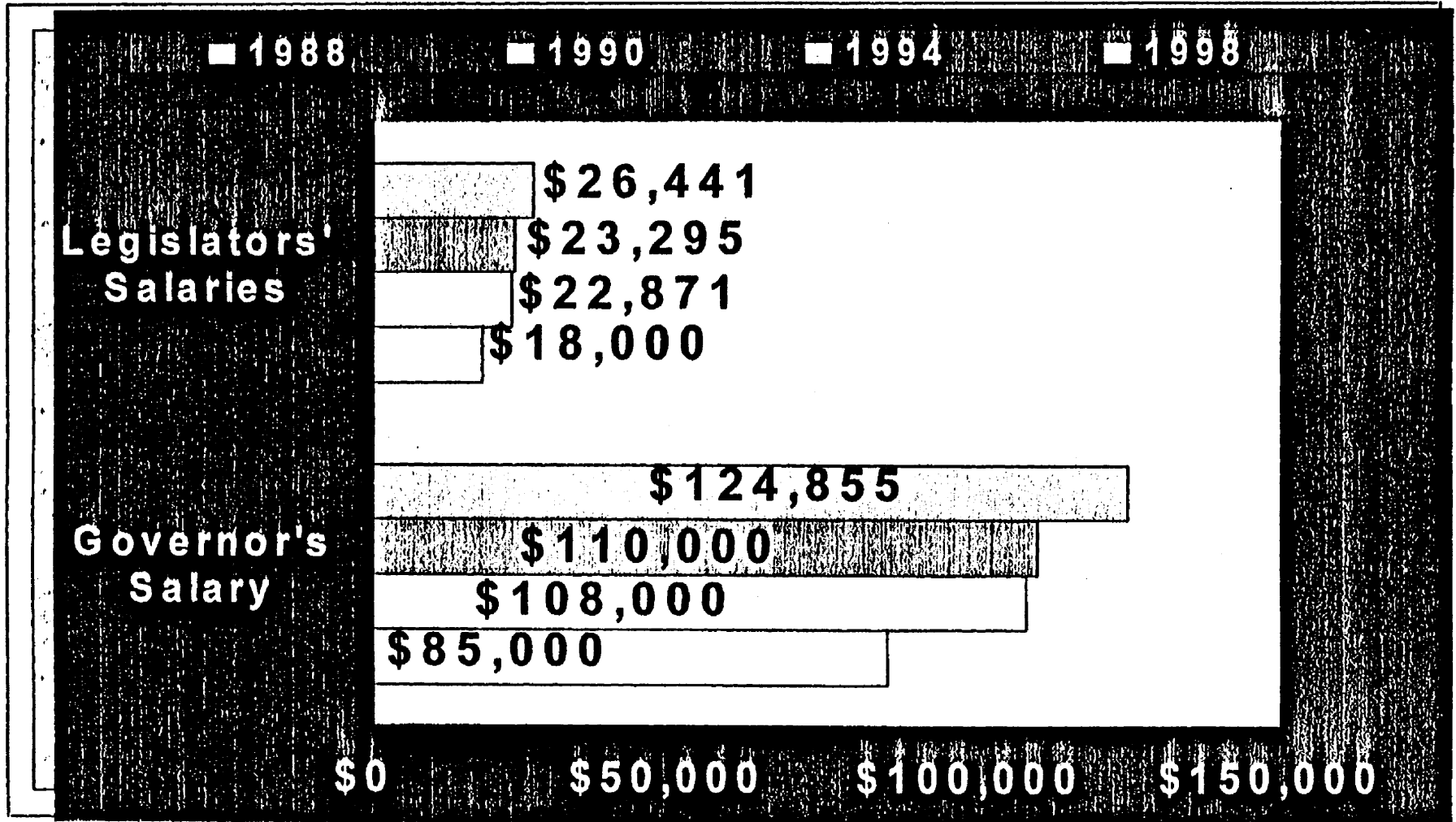
# Projected Legislators' Salaries Based on Various State Employee Performance Levels



# Salary Percentiles for the State's Classified Employees



# Projected Legislators' Salaries Based on Governor's Salary



**Legislative Salaries: Pay, Process, and Politics**

Testimony to the Citizens Commission of the House Rules Committee  
October 27, 1998  
Richmond, Virginia  
Larry J. Sabato  
Director, University of Virginia Center for Governmental Studies

Distinguished Chairmen --Governor Baliles and Governor Holton -- and Commission Members --

Thank you for the invitation to speak before you today. Yours is a vitally important task, because your recommendations can potentially determine the kind and quality of legislative representation in Virginia for decades to come.

We Virginians have indeed been fortunate to maintain an honest, dedicated, citizen-legislature. We have avoided the mistakes made by some states in dramatically under-paying legislators, a practice that encourages nefarious activities of various sorts. Yet we have also shunned the opposite error made by other states in over-professionalizing their legislative branch, a condition that inevitably leads to too much government, excessive law-making, and a lack of respect for the legislature by citizens overburdened with taxes, fees, statutes, and regulations. Instinctively, Virginians have long recognized the wisdom of the adage, "No man's life, liberty, or property is safe while the legislature is in session."

Therefore, I believe there is a near-consensus in our Commonwealth to stay on our current moderate, sensible, centrist path concerning legislative pay in order to preserve an honest citizen-legislature.

However, that does not mean complete support of the status quo. Adjustments to the Virginia norm must be made from time to time, and at the present moment, three small changes are necessary to reinforce the Virginia legislative ideal:

### PAY

(1) The total legislative pay package should be marginally increased from its current level of \$18,000-Senate and \$17,640-House to a uniform amount per General Assembly member of \$26,000. Accounting for inflation since 1988\* -- the year the current salary was set -- this amounts to no real increase at all in purchasing power. Surely, such a modest salary hike could be easily explained and defended to an admittedly skeptical public, especially if a bipartisan group of non-legislators such as this distinguished Commission took the lead aggressively.

### PROCESS

(2) The procedure by which legislative pay is determined should be altered to take politics out of the process as much as possible. (Politics is not always a good thing, but please don't tell my students I made this concession!) This will require an automatic inflation adjustment for legislative salaries, to be discussed shortly.

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\* I am including an inflation factor through calendar year 1999, since no salary increase could take effect until January 2000.

## OFFICE EXPENSES AND PER DIEM

(3) Especially if a salary hike with a regular inflation adjustment is enacted, appropriations for office expenses should be used only for the legitimate costs of serving as a legislator; none of it should be pocketed by the legislators nor should it or the per diem be counted for pension purposes. Each legislator should file an annual accounting of the expense money, open for public inspection, with the Clerk's Office in his or her house of the General Assembly. Finally, the Commission may want to consider using my recommended salary COLA (explained later) to adjust upwards the office expense allocations and per diem expenses on a regular basis as well. Despite substantial cumulative inflation, the per diem of \$100 has not been changed since 1984, and again, an inflation factor should be applied to cover the past fourteen years. The automatic COLA should then be attached to the new base per diem.

\* \* \* \* \*

Regarding the first point on legislative salaries, there are very few people who would contend that the current legislative pay -- stagnant for a full decade -- is a particularly generous salary level. Yes, we want that citizens' legislature, but we should not and cannot expect good people of modest means to make extraordinary sacrifices year after year in order to serve in the legislature. At the same time, we do not want to set pay so high that it encourages candidacies by people who would run for legislative office simply for the salary.

Still, I am much more troubled by the fact that under present conditions we discourage people of average means from running. Should we be governed only by the

wealthy? I doubt that many Virginians would answer in the affirmative. The amount of salary I have suggested here is a reasonable compromise (though certainly not a golden mean) between the polar extremes of too little and too much. But \$26,000 (coupled with the other existing benefits) ought to be sufficient to attract thoughtful trustees to the General Assembly. These trustees must include able citizens who cannot afford to give up several months' worth of salary-generating work in a calendar year. At the same time, \$26,000 is certainly not generous enough to draw greedy moths to the flame.

Next, we should remember from past experience that the legislative pay issue is a particularly heeded one, and the debate about it can poison the atmosphere for an entire legislative session. Surely, there is already more than enough friction in an Assembly session without adding this particular brand of gasoline to the combustible mix. An automatic salary COLA can prevent many future conflagrations.

Several methods of inflation-increase calculations for legislative salaries have been suggested, but I would argue that the best one is the cost-of-living adjustment (COLA) for Social Security, raising legislative pay every two or four years by the cumulative total of the Social Security COLA adjustments for that period of time. This index is automatic and is national – that is, it is not under the control of the state legislature (nor of the politicians in Congress, either). This will remove the possible criticism of political manipulation from the process. Most importantly, the COLA escalator can take the divisive pay issue off the table for many years to come.

Regarding legislative office expenses and the per diem, citizens with whom I have discussed this subject seem particularly upset about the use of such expense monies as salary and pension supplements. With the higher overall pay that I am suggesting, it



appears reasonable to enact the changes I earlier urged. The prohibitions on personal and pension usage of expense money clearly represent a sacrifice for legislators, but in the scheme of the new plan, the sacrifice is more than made up by the additional pay and regular COLA increases.

Finally, let's keep in mind two other critical facts. The salary reforms outlined here will help to answer the legitimate criticisms of many citizens who do not begrudge legislators a small pay hike but who deeply resent the political shenanigans and subterfuge sometimes employed to secure a raise. Second, it is useful to keep the salary subject in perspective: with a \$40 billion biennial budget, we are not talking about very much money -- though the principles involved are worth your trouble, for sure.

In sum, the minor, reasonable adjustments I am offering can help to keep Virginia's legislature on the right track, avoiding the extremes of too little or too much compensation -- thus insuring that future General Assemblies will be worthy of the remarkable heritage created by their predecessors. Good luck to the Commission in its deliberations.

\* \* \* \* \*

October 27, 1998

STATEMENT OF DELEGATE VINCENT F. CALLAHAN, JR.  
for the  
CITIZENS ADVISORY COMMITTEE TO EVALUATE LEGISLATIVE COMPENSATION

I have served in the Virginia House of Delegates since 1968 and during this period have seen the General Assembly evolve from a part-time citizens' legislature to a full-time citizen's legislature, involving as much work outside the legislative sessions as during the time we are in session.

By the end of this year (1998) I will have logged 67 legislative days in Richmond plus between 50 and 60 additional days away from Northern Virginia, mostly in Richmond, but also in other parts of the Commonwealth and out-of-state on official legislative business as a result of meetings of the many committees, subcommittees, boards and commissions on which I serve and are an integral part of the legislative process when we are not actually in session.

In addition, I will have participated in several dozen out-of-area functions, including conferences at universities throughout Virginia for which I am not compensated but which I consider an integral part of my duties as a state legislator.

My constituent work involves considerable time meeting with citizens, associations, advocacy groups, local government officials, and the myriad of duties confronting an elected official.

My salary as a member of the House of Delegates is \$17,640.00 per annum, which represents a two-percent reduction from the last pay raise we voted ourselves in 1987, effective 1988.

In addition to the base salary I receive \$115.00 per diem for expenses during the session, a figure determined by the Internal Revenue Service; \$100.00 per diem for expenses for official meetings when we are not in session (plus vouchered expenses including mileage reimbursement at the rate of .27 per mile); and \$9,000.00 a year to operate my legislative office. (Increases in the latter two categories are now under litigation.)

All of this adds up to about \$40,000 per year, out of which I have to pay for my lodging and meals in Richmond, my district office expenses, and all of the incidental expenses associated with the office I hold, leaving me with a net compensation of less than half that amount for an office that involves full-time dedication.

I offer this information, not as a plea for higher compensation, but merely to appraise you of the extensive time and commitment that is required for an elected office that many view as only a two-month winter sojourn in Richmond.

MINUTES  
CITIZENS' ADVISORY COMMITTEE ON LEGISLATIVE COMPENSATION  
HJR 60 (1998)  
DECEMBER 2, 1998 -- 10 AM

The second meeting of the Citizens' Advisory Committee on Legislative Compensation was called to order at 10 am on December 2, 1998 by the co-chairs of the Committee, former Governor A. Linwood Holton and former Governor Gerald L. Baliles. All of the members of the Committee were present except Mr. Cutchins.

The minutes of the October 27, 1998 meeting of the Committee were approved as distributed after correcting a typographical error on the first page.

Governor Holton made opening remarks in which he outlined the agenda for the meeting. Governor Baliles pointed out that, although the Committee would not hold a second public hearing, the Joint Rules Committee had already agreed to hold a public hearing in January on any compensation proposals it may decide to recommend to the General Assembly.

The Committee next heard a presentation by Staff Attorney, Virginia Edwards, regarding the results of the survey conducted by the Committee on Legislators' Responsibilities and Expenditures. (See, Survey Results and Analysis and Total Results, Exhibit 1). Ms. Edwards began by pointing out that the averages reported in the analysis might be skewed by the wide range of responses received in several categories. She cautioned that it might be more helpful to look at medians or modes. She also indicated that, because of some confusion caused by the language of the questions on the survey, the members responding to the survey may have included some expenses for which they receive reimbursements (personnel costs, postage, or travel) in responses from which this information should have been excluded. Accordingly, she said that the best indicators regarding out of pocket expenditures are probably the answers to Questions 12 and 13.

Summarizing the survey results, Ms. Edwards said that the survey did not show any significant differences in the total time commitment of members of the Senate and House. Senate members reported slightly higher percentages of time devoted to constituent services than House members. House members reported higher percentages of time devoted to in-district activities. Asked by Mr. Boone what key statements she thought the survey respondents were making, Ms. Edwards said:

1) Many members volunteered that office expenses should be removed from the calculation of "creditable compensation" for retirement purposes.

2) Many members indicated that the office expense reimbursement should be more realistic.

3) Many members commented on legislative salaries. Some were against any increase but many favored a cost of living increase. Two to one of those volunteering comments about salary favored an increase.

Mr. Stallard asked several questions about compensation for legislative assistants. There was discussion about whether the Committee should address this issue, and it was decided that the issue should be left to the Joint Rules Committee to address.

The Committee next reviewed draft recommendations prepared for the Committee by staff based on the discussion at the Committee's first meeting. (See, Draft Recommendations attached at Exhibit 2.) The members of the Committee agreed that recommendation A

should be revised to make clear that because of confusion about its meaning "per diem" should not be used in the Code to describe either daily salary or living expense reimbursements. The Committee then agreed that recommendation E should be amended to make clear that legislative salary payments (annual and daily) should be included in "creditable compensation" but that no amounts paid to reimburse office or living expenses should be included.

Before considering whether and what salary increases to recommend for legislators, the Committee members asked staff several questions about the relative ranking of compensation for Virginia legislators and about inflation figures. Staff responded to questions regarding the relative ranking of pay first by noting the difficulty of comparing pay and benefits among the 50 states. Staff then pointed out that it appeared that legislative compensation in Maryland and North Carolina would continue to be higher than Virginia even if a full cost of living increase was given. Staff reminded the Committee that information presented at the Committee's first meeting indicated that the annual salary for legislators would be \$25,416 if adjusted for inflation through 1998, and that the salary would be \$26,441 if adjusted by the same amount the Governor's salary has risen since 1988. Daily salary would be \$159 through 1998 if adjusted for inflation, up from \$100. Because any salary increases recommended by the Committee would not be effective until the year 2000, there was a consensus among members of the Committee to account for the additional inflation in any salary increase recommended.

Mr. Stallard then moved that the Committee recommend that the annual salary be increased to \$26,000 and the daily salary to \$160. The motion was seconded and passed unanimously.

The Committee first discussed the equipment allowance included in recommendation F. Ms. Kilberg inquired whether the equipment available to the members in the General Assembly is adequate, and staff responded that it is. Regarding the allowance for equipment in district offices, staff reported that the House Director of Information Systems suggested \$2,500 as a four year office equipment budget particularly in light of the fact that all members will have laptops provided by the legislature beginning in the year 2000. Although some members expressed concern that this amount might be low, the Committee agreed to set the equipment allowance at a ceiling of \$2,500 for a four year period and agreed that reimbursement for such expenses should be made only upon receipt of a voucher.

The Committee next discussed the proposal to create a two-tiered system for office reimbursements in which those maintaining separate legislative offices could qualify for reimbursement at a higher level than those who do not. It was pointed out that providing higher reimbursement for those with separate offices might encourage some legislators to open offices outside their homes or businesses where they might be more accessible to their constituents. Although generally supportive of the two-tiered approach, Dr. Morris cautioned against imposing a Congressional model in which every member would have to have a fully staffed, free standing district office.

After further discussion of the survey information on the costs of operating a district office including the relatively higher cost of rent in Northern Virginia, it was moved and seconded that the office expense allowance be set at an annual ceiling of \$18,000 (about \$1,500 per month) for those with free standing offices, and \$12,000 (about \$1,000 per month) for those with offices in their homes, businesses or the General Assembly Building. The Committee emphasized that these increases in office allowances should only be approved if the General Assembly adopts a system of accountability for such expenses. The Committee was of the view that expense monies should be used only for the costs of

operating a legislative office. It was moved and seconded that the system of annual declarations set forth in draft recommendation F be adopted.

The Committee next looked at the alternative recommendations regarding the process to be followed for reviewing legislative compensation in the future. The Committee had two alternative draft recommendations before it. The first draft recommendation G would establish a system of quadrennial reviews conducted by a citizens' committee appointed by the Joint Rules Committee. The second draft recommendation G would establish a system of automatic adjustments based on an inflation factor. After some discussion of the importance of citizen involvement and the need for the legislators to act affirmatively on any pay increases, the Committee agreed to the first alternative G.

Governor Holton moved that he and Governor Baliles be given authority to draft and submit a report to the Joint Rules Committee based on the draft recommendations A. through G. approved by the Committee and incorporating the information provided to the Committee and the discussions had at its two meetings. This motion was seconded and approved unanimously. Mr. Munford asked that the Governors include in the report language indicating that the Committee had rejected the suggestion for an automatic cost of living adjustment in favor of a statutory citizens committee because the act of citizens coming together to review legislative compensation was part of public service and was supportive of the citizen legislature concept and because the Committee considers it important for members to vote on their pay. Ms. Woolsey asked that the report emphasize the importance of providing members a good strong support system including an office and staffing truly supportive of their efforts on behalf of Virginia citizens.

Governor Holton stated that the transmittal letter to the Joint Rules should i) highlight the important recommendation to exclude office allowances from VRS calculations; ii) commend members on their service but state that the Committee was recommending no real increase in salaries but only adjustments to reflect inflation; iii) state that, while expense reimbursements should be increased to reasonable levels such increases should be tied to greater accountability; and iv) emphasize the need for a regular process for reviewing compensation in the future. Committee members expressed general agreement with this statement.

There being no other business to come before the Committee, the meeting was adjourned.



# Commonwealth of Virginia

GENERAL ASSEMBLY  
RICHMOND

## Memorandum

TO: The Members of the General Assembly

FROM: Gerald L. Baliles  
A. Linwood Holton

RE: Survey of Legislative Responsibilities and Expenditures

DATE: November 3, 1998

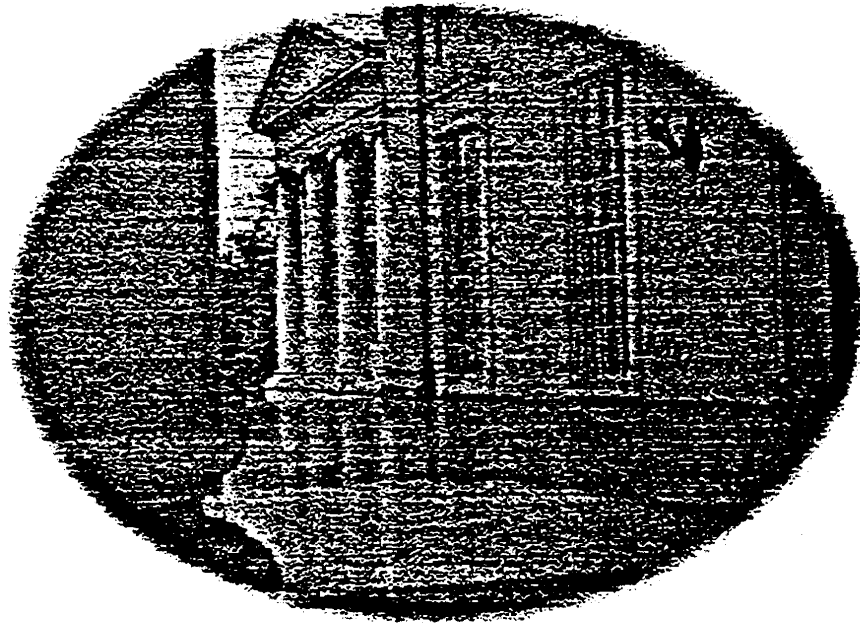
As you know, the Joint Rules Committee has asked that we serve as the co-chairs of a twelve person Citizens' Advisory Committee to review the issue of legislative compensation as posed in a study resolution passed by the legislature last March (HJR 60). At our first meeting held on October 27, 1998, the members of the Committee agreed that it is important to look at the two components of legislative compensation separately - "salary" as payment for time spent in legislative responsibilities and "expenses" as payment for office expenses, travel costs or other expenses related to legislative service. We also agreed that it would be helpful to our deliberations to have some factual information about the time and expenditures required of you as members of the House and Senate. Finally, we wanted to be sure that each of you had the opportunity to provide the Committee with your comments regarding legislative compensation or the process for determining what it should be. Accordingly, we have drafted the attached survey to obtain (i) anonymous factual information about the time demands of serving in the legislature, (ii) the costs associated with maintaining a legislative office, and (iii) general comments about the compensation issue.

Please take a few minutes to complete this survey and return it to the Committee in the enclosed envelope before November 16th. We will then be able to review the information provided and summarize it before our next meeting on December 2, 1998. This information will give the citizens on our Committee and around the Commonwealth a clearer picture of the investment of time required of our citizen legislators and the kinds of expenses you incur in fulfilling your responsibilities. In addition, any additional comments you may have about legislative compensation will be much appreciated as we proceed with our deliberations.

Thank you in advance for your assistance.

Attachment

# Virginia General Assembly



## **House Joint Resolution No. 60 Joint Rules Committee**

**Citizens Advisory Committee on Legislative Compensation**

## **Survey**

**Legislative Responsibilities and Expenditures**

1. Current Membership:

- Member of the Senate  
 Member of the House

2. Length of Service as of November 1, 1998:

- First Term  
 Second or Third Term  
 Fourth or Fifth Term  
 Sixth or Seventh Term  
 More than Seven Terms

3. Primary occupation in 1998?

- Salaried (public agency, excluding the legislature)  
 Salaried (private industry)  
 Self-employed  
 Retired  
 Uncompensated/Volunteer  
 Other (Please specify: \_\_\_\_\_)

4. Do you think that your income from your primary occupation has been adversely affected because of your service in the legislature?

- Yes (during session only)  
 Yes (during the interim only)  
 Yes (during session and the interim)  
 No (skip to question 6)

5. If your income has been adversely affected, what has been the opportunity cost (percentage of loss income) for your service in the legislature?

- during session  
 during the interim between session

6. Compared to most sessions, do you estimate your 1998 in-district, non-campaign activity to be (mark one or write brief answer):

- exceptionally high  
 high  
 about equal to most session years  
 low  
 exceptionally low



7. Are your in-district time and requirements:

- increasing tremendously each year
- increasing somewhat each year
- staying about the same
- decreasing somewhat
- decreasing tremendously

8. Is your attendance at interim legislative meetings:

- increasing tremendously each year
- increasing somewhat each year
- staying about the same
- decreasing somewhat
- decreasing tremendously

9. Approximately how many times and how many hours per week (on average) do you estimate you spend on the following activities?

| Activity  | Number | Hours |
|---|--------|-------|
| Personal or small group meetings with constituents                |        |       |
| Legislative-related public appearances to groups                  |        |       |
| Traveling to constituent meetings and functions                   |        |       |
| Talking to constituents on the phone                              |        |       |
| Resolving constituents' concerns or complaints with a third party |        |       |
| Other (specify)   |        |       |

10. How many hours per week during each period listed do you estimate you devote (on average) to the following legislative business?

| Activity  | Jan-Mar | Apr-Jun | Jul-Sep | Oct-Dec |
|---|---------|---------|---------|---------|
| Session and/or legislative meetings               |         |         |         |         |
| Preparing for Session and/or legislative meetings |         |         |         |         |
| In district services                              |         |         |         |         |
| Constituent services                              |         |         |         |         |
| Other (specify)                                   |         |         |         |         |

10. What do you think you have spent on office equipment (capital costs) since becoming a member of the General Assembly and what do you think you spend annually to operate your legislative office?

| Items   | Capital Costs | Annual Operating Costs |
|---|---------------|------------------------|
| (a) Telephone   |               |                        |
| (b) Postage   |               |                        |
| (c) Constituent Newsletters   |               |                        |
| (d) Stationery and small office supplies (pencils, staplers, etc.)      |               |                        |
| (e) Travel to and from Richmond   |               |                        |
| (f) Travel in-district  |               |                        |
| (g) Contributions required as result of being a legislator              |               |                        |
| (h) Office rent   |               |                        |
| (i) Office utilities other than phone                                   |               |                        |
| (j) Office personnel:<br>• full-time<br>• part-time                     |               |                        |
| (k) Major Equipment (computers, copiers, faxes, postage machines, etc.) |               |                        |
| (l) Office Furniture  |               |                        |
| (m) Other: (please specify)   |               |                        |

11. What percentage of your annual operating expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? \_\_\_\_\_
12. What percentage of your capital expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? \_\_\_\_\_
13. Do you have any additional comments on the time and costs involved in conducting legislative business? Please provide your comments below or attach additional pages as needed.

14. Do you have any other comments on the current legislative compensation plan or process, including salary level, session per diem, interim per diem, office expense, legislative assistant or secretary allowance, and retirement pension? Please provide your comments below or attach additional pages as needed.

**Thank You For Your Time and Cooperation**

**Please Return the Completed Survey in the Enclosed Postage Paid Envelope to the  
Citizens' Advisory Committee on Legislative Compensation  
by November 16, 1998**

**Legislators' Responsibilities and Expenditures**  
**(Survey Results and Analysis)**  
**December 2, 1998**

1. Number of Responses:

- ◆ 53 House = 53%
- ◆ 16 Senate = 40%
- ◆ 69 Total = 49.3%

2. Length of Service:

- ◆ Good distribution

3. Primary Occupation:

- ◆ 62% identified themselves as self-employed
- ◆ 23% salaried (private industry)

4. Impact of Legislative Service on Income

- ◆ 83% said income was impacted adversely during the session and the interim
- ◆ 88% said income was impacted adversely during the session
- ◆ Only 6 members said their income was not affected and most of these members stated they were not gainfully employed

5a. Percentage of Income Affected

a. During the Session

- ◆ Range (0-100%)
- ◆ Average (71%)
- ◆ On average, an additional 10% of the Senate members' income was adversely affected

b. During the Interim

- ◆ Range (0-70%)
- ◆ Average (31 %)
- ◆ No significant difference between House and Senate responses

6. Level of In-District Activities in 1998 Compared with Other Years

- ◆ 67% rated activities as exceptionally high or high
- ◆ 30% of the House members and 19% of the Senate members rated these activities about equal to most session years.

7. Level of In-District Time and Requirements.

- ◆ 33 % said the level was increasing tremendously each year
- ◆ 81 % said the level was increasing to some degree each year
- ◆ 0% said that the level was decreasing to some degree each year

**8. Level of Attendance at Interim Legislative Meetings.**

- ◆ 46% said the level was increasing tremendously each year
- ◆ 86% said the level was increasing to some degree each year
- ◆ 0% said the level was decreasing to some degree each year

**9. Hours Spent Per Week on In-District Activities**

- ◆ On average, members have more interactions with constituents by telephone (approximately 15 per week) and spend slightly more time in personal or small group meetings with constituents (5.49 hours per week)
- ◆ Members' time appeared to be equally divided between group meetings, legislative-related appearances, traveling to constituent meetings, and resolving constituents complaints
- ◆ No significant difference between House and Senate responses
- ◆ Other activities reported primarily included general correspondence, which for some members constituted their primary in district activity

**10. Hour Per Week Spent on Legislative Responsibilities (Session and Legislative Meetings, Preparing for Session, In District Services and Constituent Services)**

- ◆ Session (Average = 85 hours per week)
- ◆ Interim (Average = 35-40 hours )
- ◆ Consistent level throughout the interim
- ◆ Hours devoted to in-district activities was slightly higher for House members
- ◆ Hours devoted to constituent services was slightly higher for Senate members
- ◆ Other responsibilities primarily included meeting with lobbyists, debriefing groups about the session, preparing for veto session, traveling, and reading agency reports and other legislative-related material

**11. Office Costs**

- ◆ Wide ranges were reported (e.g., capitol cost of major equipment was between \$324 and \$52,050 and annual cost of distributing a constituent newsletter was between \$0 and-\$20,000)
- ◆ On average, the most expensive annual operating costs were office personnel (\$21,738), constituent newsletters (\$4,767), travel (\$3,688), and office rent (\$3,527)
- ◆ On average, the capital costs to finance major equipment and office furniture were \$6,745 and \$1,953, respectively
- ◆ Other miscellaneous expenses included: interns, holiday cards, storage facilities, event sponsorships, lodging, mailing lists, fares, and parking
- ◆ Excluding personnel and other miscellaneous expenses, the total average annual operating expense was \$19,464. The current \$750 allowance per month (\$9,000 per year) would cover approximately 46% of these costs  
Note some travel and postage costs may already be reimbursed

12. Percentage of Annual Operating Costs Reimbursed by the Legislative Expense Account

- ◆ Range (0-100%)
- ◆ Average (60%)
- ◆ Percentage of expenses unreimbursed was higher for Senate members (54%) in comparison to House members (36%)

13. Percentage of Capitol Expenses Reimbursed by the Legislative Expense Account

- ◆ Range (0-100%)
- ◆ Average (27%)
- ◆ No significant difference between Senate and House responses

House and Senate Comments

Response Scale

High (6 or more references)

Moderate (4 or 5 references)

Low (2 or 3 references)

One time reference in quotes

Legislative Time and Cost Commitments

- ◆ Increasing time commits in fulfilling legislative responsibilities (High)
- ◆ Recognition of opportunity costs for legislative service (High)
- ◆ Travel time (High)
- ◆ Consider position full-time (Moderate)
- ◆ Impact on professional and personal life (Low)

Salary

- ◆ By a margin of 2:1, respondents favored an increase (High)
- ◆ Favored a cost of living increase (\$25,000-\$27,000) (High)
- ◆ Asked that salaries of members of the County Board of Supervisors be used as a comparison since they are part-time too (Low)
- ◆ "Double the salary"
- ◆ "Should not be part of VRS since legislators are part-time"
- ◆ "Add office expense to salary so that it is one item"

Session Per Diem

- ◆ Low comment item
- ◆ Satisfied with the allowance (Moderate)
- ◆ Follow IRS Maximum (Low)
- ◆ "Do not include in the retirement"

### Interim Per Diem

- ◆ By a closer margin (8 in favor and 6 opposed) members favored an increase
- ◆ Double (Moderate)
- ◆ "Increase to \$150"
- ◆ "Covers cost not income loss"
- ◆ "Used office expense to compensate for loss of income"
- ◆ "Don't include in retirement"
- ◆ "Should be part of retirement"

### Office Expenses

#### A. As Part of Retirement

- ◆ Do not include (High)

#### B. Relating to the Level

- ◆ Needs to be realistic (High)
- ◆ Campaign and personal funds currently used to offset losses (High)
- ◆ Current reimbursement does not cover adequately all related expenses, such as equipment for a modern office, rent, travel in district, parking, lodging, appearances at civic groups, framing commending and memorial resolutions, and flag presentations (High)
- ◆ Don't increase (Low)
- ◆ "Increase office expense for members who have high office costs in areas of the state"
- ◆ "Give a set of standard productivity tools (laptops, organizers, etc.) to members to manage their offices"

#### C. Comments on a Voucher System (High)

- ◆ Hard to calculate office expenses if the business/home office is used as the legislative office (High)
- ◆ Businesses would start charging to get reimbursement and members would have to pay their company for rent and utilities (High)
- ◆ "Require monthly vouchering, but don't set monthly limit. Set an annual limit" (Low)
- ◆ "If pay is increased, office expenses should be vouchered"
- ◆ "Recognize that vouchering may penalize those who can cover expenses through other business or professional activities."
- ◆ Require members to return excess"
- ◆ "Require receipts"
- ◆ "Treat as nontaxable"
- ◆ "Do not require vouchering. Keep the system simple, too many forms already"
- ◆ "Concern about listing expenses. Higher expenses are incurred in months in which newsletter is sent out"

Legislative Assistants and Secretaries

- ◆ Salary is not sufficient to retain qualify people (High)
- ◆ Salary is sufficient since last increase (Moderate)
- ◆ "Fund an additional ½ legislative position"
- ◆ "Increase per diem to members' rate"
- ◆ "More than one assistant should receive benefits"
- ◆ "Pay is adequate if funding a full-time session and part-time interim assistant, but office requires a full-time person"
- ◆ "Provide COLA increases for Northern Virginia employees"



# Total Results

1. Current Membership:
  - a. Member of the Senate (16 responses received)
  - b. Member of the House (53 responses received)  
(69 total responses received)
2. Length of Service as of November 1, 1998:
  - a. First Term (10)
  - b. Second or Third Term (21)
  - c. Fourth or Fifth Term (16)
  - d. Sixth or Seventh Term (8)
  - e. More than Seven Terms (14)
3. Primary occupation in 1998?
  - a. Salaried (public agency, excluding the legislature) (3)
  - b. Salaried (private industry) (16)
  - c. Self-employed (43)
  - d. Retired (2)
  - e. Uncompensated/Volunteer (5)
  - f. Other (Please specify: \_\_\_\_\_) (2)
4. Do you think that your income from your primary occupation has been adversely affected because of your service in the legislature?
  - a. Yes (during session only) (4)
  - b. Yes (during the interim only) (2)
  - c. Yes (during session and the interim) (57)
  - d. No (skip to question 6) (6)
5. If your income has been adversely affected, what has been the opportunity cost (percentage of loss income) for your service in the legislature?
  - a. during session--average (71.31%) range (0%-100%)
  - b. during the interim between session--average (31.5%) range (0%-70%)
6. Compared to most sessions, do you estimate your 1998 in-district, non-campaign activity to be (mark one or write brief answer):
  - a. exceptionally high (15)
  - b. high (31)

- c. about equal to most session years (19)
- d. low (0)
- e. exceptionally low (0)

7. Are your in-district time and requirements:

- a. increasing tremendously each year (23)
- b. increasing somewhat each year (33)
- c. staying about the same (7)
- d. decreasing somewhat (0)
- e. decreasing tremendously (0)

8. Is your attendance at interim legislative meetings:

- a. increasing tremendously each year (32)
- b. increasing somewhat each year (27)
- c. staying about the same (3)
- d. decreasing somewhat (0)
- e. decreasing tremendously (0)

9. Approximately how many times and how many hours per week (on average) do you estimate you spend on the following activities?

| Activity   | Number                  | Hours                  |
|--|-------------------------|------------------------|
| a. Personal or small group meetings with constituents                | avg. 4.27 --range .5-25 | avg. 5.49—range .5-30  |
| b. Legislative-related public appearances to groups                  | avg. 2.77—range .75-10  | avg. 5.3—range 1-20    |
| c. Traveling to constituent meetings and functions                   | avg. 4.12—range .75-12  | avg. 4.92—range 1-17.5 |
| d. Talking to constituents on the phone                              | avg. 14.76—range 2-55   | avg. 4.27—range 1-9    |
| e. Resolving constituents' concerns or complaints with a third party | avg. 5.31—range 2.05-20 | avg. 3.63—range .05-22 |
| f. Other (specify)   | avg. 11.27—range 1-50   | avg. 7.87—range 2-38   |

10. How many hours per week during each period listed do you estimate you devote (on average) to the following legislative business?

| Activity                               | Jan-Mar    | Apr-Jun   | Jul-Sep   | Oct-Dec    |
|--|------------|-----------|-----------|------------|
| a. Session and/or legislative meetings | avg. 49.40 | avg. 7.85 | avg. 8.27 | avg. 11.39 |

|  | range 3.5-85             | range 0-40                | range 1-30                  | range 1-40                 |
|--|--------------------------|---------------------------|-----------------------------|----------------------------|
| b. Preparing for Session and/or legislative meetings | avg. 18<br>range 0-60    | avg. 5.18<br>range 0-20   | avg. 6.08<br>range 1-15     | avg. 8.53<br>range 1.5-30  |
| c. In-district services                              | avg. 10.04<br>range 0-60 | avg. 9.53<br>range 2-42   | avg. 10.70<br>range 1.75-42 | avg. 9.10<br>range 2.75-42 |
| d. Constituent services                              | avg. 9.95<br>range 0-60  | avg. 9.89<br>range 1-30   | avg. 9.59<br>range 1-30     | avg. 10.14<br>range 1-30   |
| e. Other (specify)                                   | avg. 15.2<br>range 0-60  | avg. 4.54<br>range 1.3-11 | avg. 5.99<br>range 1-11     | avg. 6.75<br>range 1.3-22  |

11. What do you think you have spent on office equipment (capital costs) since becoming a member of the General Assembly and what do you think you spend annually to operate your legislative office?

| Items   | Capital Costs                     | Annual Operating Costs            |
|---|-----------------------------------|-----------------------------------|
| (a) Telephone   | avg. \$260.09<br>Range 0-2000     | avg. \$1475.42<br>range 0-4500    |
| (b) Postage   | avg. \$433.33<br>range 0-1300     | avg. \$1494.92<br>range 104-9000  |
| (c) Constituent Newsletters   | avg. \$1975<br>range 0-5000       | avg. \$4767.62<br>range 0-20000   |
| (d) Stationery and small office supplies (pencils, staplers, etc.)      | avg. \$150<br>range 0-300         | avg. \$706.76<br>Range 0-4104     |
| (e) Travel to and from Richmond   | avg. \$10250<br>range 0-25000     | avg. \$2163.98<br>range 200-7950  |
| (f) Travel in-district  | avg. \$250<br>range 0-500         | avg. \$1524.24<br>range 200-7200  |
| (g) Contributions required as result of being a legislator              | avg. \$3333.33<br>range 0-8000    | avg. \$1889.11<br>Range 150-12000 |
| (h) Office rent   | avg. \$728.57<br>range 0-3600     | avg. \$3527.39<br>Range 0-12000   |
| (i) Office utilities other than phone                                   | avg. \$388.89<br>Range 0-1500     | avg. \$716.09<br>range 0-1920     |
| (j) Office personnel:<br>• full-time<br>• part-time                     | avg. \$397.50<br>range 0-795      | avg. \$21738.29<br>range 0-42000  |
| (k) Major Equipment (computers, copiers, faxes, postage machines, etc.) | avg. \$6745.48<br>range 324-52050 | avg. \$1070.42<br>range 0-6300    |
| (l) Office Furniture  | avg. \$1952.93<br>range 0-7200    | avg. \$131.18<br>range 0-450      |
| (m) Other: (please specify)   | avg. \$5499<br>Range 0-18000      | avg. \$1635.73<br>range 0-9717    |

12. What percentage of your annual operating expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? Avg. 59.57%--range 0-100%
13. What percentage of your capital expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? Avg. 26.60%--range 0%-100%
14. Do you have any additional comments on the time and costs involved in conducting legislative business? Please provide your comments below or attach additional pages as needed.

**See comments.**

15. Do you have any other comments on the current legislative compensation plan or process, including salary level, session per diem, interim per diem, office expense, legislative assistant or secretary allowance, and retirement pension? Please provide your comments below or attach additional pages as needed.

**See comments.**

# Senate Results

1. Current Membership:
  - a. Member of the Senate (16 responses received)
  - b. Member of the House
  
2. Length of Service as of November 1, 1998:
  - a. First Term (3)
  - b. Second or Third Term (8)
  - c. Fourth or Fifth Term (2)
  - d. Sixth or Seventh Term (2)
  - e. More than Seven Terms (1)
  
3. Primary occupation in 1998?
  - a. Salaried (public agency, excluding the legislature) (1)
  - b. Salaried (private industry) (5)
  - c. Self-employed (10)
  - d. Retired (0)
  - e. Uncompensated/Volunteer (1)
  - f. Other (Please specify: \_\_\_\_\_) (0)
  
4. Do you think that your income from your primary occupation has been adversely affected because of your service in the legislature?
  - a. Yes (during session only) (0)
  - b. Yes (during the interim only) (0)
  - c. Yes (during session and the interim) (14)
  - d. No (skip to question 6) (1)
  
5. If your income has been adversely affected, what has been the opportunity cost (percentage of loss income) for your service in the legislature?
  - a. during session--average (72.92%) range (0%-100%)
  - b. during the interim between session—average 32.96% range (0%-60%)
  
6. Compared to most sessions, do you estimate your 1998 in-district, non-campaign activity to be (mark one or write brief answer):
  - a. exceptionally high (5)
  - b. high (8)

- c. about equal to most session years (3)
- d. low (0)
- e. exceptionally low (0)

7. Are your in-district time and requirements:

- a. increasing tremendously each year (7)
- b. increasing somewhat each year (8)
- c. staying about the same (1)
- d. decreasing somewhat (0)
- e. decreasing tremendously (0)

8. Is your attendance at interim legislative meetings:

- a. increasing tremendously each year (10)
- b. increasing somewhat each year (5)
- c. staying about the same (1)
- d. decreasing somewhat (0)
- e. decreasing tremendously (0)

9. Approximately how many times and how many hours per week (on average) do you estimate you spend on the following activities?

| Activity   | Number                 | Hours                    |
|--|------------------------|--------------------------|
| a. Personal or small group meetings with constituents                | avg. 5--range 2-15     | avg. 7.13--range 2-30    |
| b. Legislative-related public appearances to groups                  | avg. 2.47--range 1-5   | avg. 4.78--range 2-15    |
| c. Traveling to constituent meetings and functions                   | avg. 4.23--range 1-9   | avg. 4.97--range 1.5-15  |
| d. Talking to constituents on the phone                              | avg. 13.8--range 2-30  | avg. 3.89--range 1.25-9  |
| e. Resolving constituents' concerns or complaints with a third party | avg. 3.7--range .05-10 | avg. 2.05--range .05-2.5 |
| f. Other (specify)   | avg. 11--range 6-20    | avg. 6.26--range 2-10    |
| See Comments   |                        |                          |

10. How many hours per week during each period listed do you estimate you devote (on average) to the following legislative business?

| Activity                               | Jan-Mar    | Apr-Jun | Jul-Sep   | Oct-Dec    |
|--|------------|---------|-----------|------------|
| a. Session and/or legislative meetings | avg. 46.57 | avg. 7  | avg. 8.31 | avg. 12.62 |

|  |                          |                          |                           |                           |
|--|--------------------------|--------------------------|---------------------------|---------------------------|
|  | range 3.5-80             | range 3-25               | range 3-30                | range 4-40                |
| b. Preparing for Session and/or legislative meetings | avg. 19.91<br>range 0-60 | avg. 5.92<br>range 2-15  | avg. 6.67<br>range 2-15   | avg. 9<br>range 2-20      |
| c. In-district services                              | avg. 9.58<br>range 0-60  | avg. 7.04<br>range 2-15  | avg. 7.23<br>range 2-20   | avg. 7.62<br>range 2-20   |
| d. Constituent services                              | avg. 11.33<br>range 0-60 | avg. 10.89<br>range 1-30 | avg. 10.42<br>range 3-30  | avg. 10.92<br>range 3-30  |
| e. Other (specify)<br>See Comments                   | avg.28.67<br>range 11-60 | avg.4.06<br>range 1.3-11 | avg. 4.08<br>range 1.3-11 | avg. 7.33<br>range 1.3-22 |

11. What do you think you have spent on office equipment (capital costs) since becoming a member of the General Assembly and what do you think you spend annually to operate your legislative office?

| Items   | Capital Costs                     | Annual Operating Costs              |
|---|-----------------------------------|-------------------------------------|
| (a) Telephone   | avg. \$375.<br>Range 0-2000       | avg. \$1695.57<br>range 960-3200    |
| (b) Postage   | avg. \$0<br>range NR              | avg. \$1819.73<br>range 104-5500    |
| (c) Constituent Newsletters   | avg.\$0<br>range NR               | avg. \$6714.29<br>range 0-20000     |
| (d) Stationery and small office supplies (pencils, staplers, etc.)      | avg. \$0<br>range 0               | avg. \$1111.<br>Range 0-4104        |
| (e) Travel to and from Richmond   | avg. \$0<br>range 0               | avg. \$2234.62<br>range 500-7950    |
| (f) Travel in-district  | avg. \$0<br>range 0               | avg. \$1058.33<br>range 200-2500    |
| (g) Contributions required as result of being a legislator              | avg. \$0<br>range 0               | avg. \$1500.<br>Range 500-4000      |
| (h) Office rent   | avg. \$0<br>range 0               | avg. \$4300.<br>Range 0-9600        |
| (i) Office utilities other than phone                                   | avg. \$1000.<br>Range 0-1500      | avg. \$752.50<br>range 0-1920       |
| (j) Office personnel:<br>• full-time<br>• part-time                     | avg. \$0<br>range 0               | avg. \$22912.80<br>range 2500-36000 |
| (k) Major Equipment (computers, copiers, faxes, postage machines, etc.) | avg. \$9442.31<br>range 500-52050 | avg. \$1382.36<br>range 0-6300      |
| (l) Office Furniture  | avg. \$1780.77<br>range 0-7200    | avg. \$103.33<br>range 0-200        |
| (m) Other: (please specify)<br>See Comments                             | avg. \$3000.<br>Range 0-6000      | avg. \$3379.25<br>range 0-9717      |

12. What percentage of your annual operating expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? Avg. 45.71%--range 7.5%-85%
  13. What percentage of your capital expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? Avg. 27.21%--range 0%-100%
  14. Do you have any additional comments on the time and costs involved in conducting legislative business? Please provide your comments below or attach additional pages as needed.
- 
14. Do you have any other comments on the current legislative compensation plan or process, including salary level, session per diem, interim per diem, office expense, legislative assistant or secretary allowance, and retirement pension? Please provide your comments below or attach additional pages as needed.



# House Results

1. Current Membership:
  - a. Member of the Senate
  - b. Member of the House (53 responses received)
  
2. Length of Service as of November 1, 1998:
  - a. First Term (7)
  - b. Second or Third Term (13)
  - c. Fourth or Fifth Term (14)
  - d. Sixth or Seventh Term (6)
  - e. More than Seven Terms (13)
  
3. Primary occupation in 1998?
  - a. Salaried (public agency, excluding the legislature) (2)
  - b. Salaried (private industry) (11)
  - c. Self-employed (33)
  - d. Retired (2)
  - e. Uncompensated/Volunteer (4)
  - f. Other (Please specify: law firm partner and part-time salaried position) (2)
  
4. Do you think that your income from your primary occupation has been adversely affected because of your service in the legislature?
  - a. Yes (during session only) (4)
  - b. Yes (during the interim only) (2)
  - c. Yes (during session and the interim) (43)
  - d. No (skip to question 6) (5)
  
5. If your income has been adversely affected, what has been the opportunity cost (percentage of loss income) for your service in the legislature?
  - a. during session--average (62.85%) range (0%-100%)
  - b. during the interim between session--average (29.93%) range (0%-70%)
  
6. Compared to most sessions, do you estimate your 1998 in-district, non-campaign activity to be (mark one or write brief answer):
  - a. exceptionally high (10)
  - b. high (23)

- c. about equal to most session years (16)
- d. low (0)
- e. exceptionally low (0)

7. Are your in-district time and requirements:

- a. increasing tremendously each year (16)
- b. increasing somewhat each year (25)
- c. staying about the same (6)
- d. decreasing somewhat (0)
- e. decreasing tremendously (0)

8. Is your attendance at interim legislative meetings:

- a. increasing tremendously each year (22)
- b. increasing somewhat each year (22)
- c. staying about the same (2)
- d. decreasing somewhat (0)
- e. decreasing tremendously (0)

9. Approximately how many times and how many hours per week (on average) do you estimate you spend on the following activities?

| Activity   | Number                   | Hours                    |
|--|--------------------------|--------------------------|
| a. Personal or small group meetings with constituents                | avg. 4.04--range .5-25   | avg. 4.95-- range .5-13  |
| b. Legislative-related public appearances to groups                  | avg. 2.87--range .75-10  | avg. 5.47-- range 1-20   |
| c. Traveling to constituent meetings and functions                   | avg. 4.08-- range .75-12 | avg. 4.90-- range 1-17.5 |
| d. Talking to constituents on the phone                              | avg. 15.09-- range 2-55  | avg. 4.40-- range 1-17.5 |
| e. Resolving constituents' concerns or complaints with a third party | avg. 5.94--range 1.5-20  | avg. 4.10-- range 1-22   |
| f. Other (specify)   | avg. 11.39-- range 1-50  | avg. 8.40--range 2-38    |

10. How many hours per week during each period listed do you estimate you devote (on average) to the following legislative business?

| Activity                      | Jan-Mar    | Apr-Jun   | Jul-Sep   | Oct-Dec    |
|-------------------------------|------------|-----------|-----------|------------|
| a. Session and/or legislative | avg. 50.24 | avg. 8.10 | avg. 8.26 | avg. 11.06 |

|   |                          |                           |                             |                             |
|---|--------------------------|---------------------------|-----------------------------|-----------------------------|
| etings  | range 20-85              | range 0-40                | range 1-30                  | range 1-36                  |
| Preparing for Session and/or legislative meetings | avg. 17.05<br>range 3-60 | avg. 4.94<br>range 0-20   | avg. 5.93<br>range 1-15     | avg. 8.41<br>range 1.5-30   |
| In-district services                              | avg. 10.17<br>range 0-60 | avg. 10.27<br>range 2-42  | avg. 10.53<br>range 1.75-42 | avg. 11.72<br>range 1.75-42 |
| Constituent services                              | avg. 9.53<br>range 1-60  | avg. 8.90<br>range 1-22.5 | avg. 9.35<br>range 1-22.5   | avg. 9.91<br>range 1-22.5   |
| Other (specify)                                   | avg. 11.83<br>range 0-60 | avg. 4.73<br>range 2-10   | avg. 4.33<br>range 1-6      | avg. 6.58<br>range 1.5-20   |

11. What do you think you have spent on office equipment (capital costs) since becoming a member of the General Assembly and what do you think you spend annually to operate your legislative office?

| Items   | Capital Costs                     | Annual Operating Costs            |
|---|-----------------------------------|-----------------------------------|
| (a) Telephone   | avg. \$220.46<br>Range 0-1500     | avg. \$1403.75<br>range 0-4500    |
| (b) Postage   | avg. \$433.33<br>range 0-1300     | avg. \$1381.62<br>range 200-9000  |
| (c) Constituent Newsletters   | avg. \$1975<br>range 0-5000       | avg. \$4010.58<br>range 0-10000   |
| (d) Stationery and small office supplies (pencils, staplers, etc.)      | avg. \$150<br>range 0-300         | avg. \$572.01<br>Range 50-2123    |
| (e) Travel to and from Richmond   | avg. \$10250<br>range 0-25000     | avg. \$2136.97<br>range 200-6500  |
| (f) Travel in-district  | avg. \$250<br>range 0-500         | avg. \$1667.59<br>range 240-7200  |
| (g) Contributions required as result of being a legislator              | avg. \$3333.33<br>range 0-8000    | avg. \$2006.74<br>Range 150-12000 |
| (h) Office rent   | avg. \$728.57<br>range 0-3600     | avg. \$3284.57<br>Range 0-12000   |
| (i) Office utilities other than phone                                   | avg. \$83.33<br>Range 0-500       | avg. \$704.88<br>range 0-1500     |
| (j) Office personnel:<br>• full-time<br>• part-time                     | avg. \$397.50<br>range 0-795      | avg. \$21371.25<br>range 0-42000  |
| (k) Major Equipment (computers, copiers, faxes, postage machines, etc.) | avg. \$5797.95<br>range 324-50000 | avg. \$947.87<br>range 0-6200     |
| (l) Office Furniture  | avg. \$2032.86<br>range 0-6000    | avg. \$137.14<br>range 0-450      |
| (m) Other: (please specify)   | avg. \$7165<br>Range 295-18000    | avg. \$1001.73<br>range 178-2000  |

12. What percentage of your annual operating expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? Avg. 63.78%--range 0%-100%
13. What percentage of your capital expenses on legislative-related business do you estimate were reimbursed through legislative expense accounts? Avg. 26.40%--range 0%-100%
14. Do you have any additional comments on the time and costs involved in conducting legislative business? Please provide your comments below or attach additional pages as needed.

**See comments.**

15. Do you have any other comments on the current legislative compensation plan or process, including salary level, session per diem, interim per diem, office expense, legislative assistant or secretary allowance, and retirement pension? Please provide your comments below or attach additional pages as needed.

**See comments.**

## Senate Comments

- 1.
- 2.
3. Question 10e. Other: I average about 20-40 hours per month until November. November through December about 40 to 60 hours a month on this job
4. Question 9f. Other: Time spent on other activities such as talking on the phone or in person with representatives of groups; responding to mail and e-mail is 12 times at 4 hours. The time commitments are increasing every year.
5. During my service in the Senate, I have seen a decline in my income from private employment at approximately \$30,000 per year. In addition, I estimate approximately \$5,000 per year in unreimbursed expenses. My total income from my service in the Senate, all sources considered, is approximately \$35,000 per year. Therefore, I have been able to "break even" from a financial standpoint. Interim per diem needs to be increased. When I am away from my office I lose approximately \$300 per day. The current \$100 a day per diem does little to replace this loss. The current base salary of \$18,000/year needs to be increased to \$26,000 to adjust for CPI increases. Many members have to use their office expense allowance to compensate for lost income. Any accounting requirements for the OEA should take this into consideration. In other words, if the OEA cannot be used as supplemental income, many members would see a significant reduction in income.
- 6.
7. Question 9e. Other: Time spent on other activities, Letters of response and inquiry is 2 hours. Question 11. Capital and annual operating costs was left blank due to requiring too much time and energy to compile the information.
8. Question 4. Opportunity lost, have chosen not to have other employment while in the Senate. Question 5. Has salary been affected? In a sense it is 100% since I have decided not to work for pay. It could also be 0%. Question 8. Attendance at interim meetings. From the April 22 Veto Session until November 7, I have been away 61 days attending Senate-related meetings. Many were not recompensed. From November 8 through Christmas, I already have another 18 scheduled. Total 79 days in eight months "off session." Question 11. Capital and annual operating costs, Other: Since I do not have other employment, hence, no office and since there is no way to pay rent with current expense money, I have my office and two part-time assistants in my home. I do not charge for rent, heat, air conditioning cleaning or anything else. Nor do I take a tax deduction, who needs that political baggage. I am married to a saint.. Salaries should go up to about \$25,000 for cost-of-living since last raise. Interim per diem should also go up - \$150 a day seems fair. We should keep this system since some members rarely go to a meeting and others go to several a month. Should be part of retirement. Session per diem is about right, although hotel rates are going up this year. Aide's per diem should be at least as high as members since we are taken out more. Office expense should go up dramatically. Need to consider rent. Should not be part of retirement. Have

concerns about having to list expenses, some months, such as when newsletter goes out, are much higher than others. Would suggest about \$1500 a month, no retirement credit, and no expense trail as a good approach. Legislative assistant's allowance, I feel I am exploiting my assistants. They each work about 30 hours per week for \$14,000 a year. Ridiculous. They are experienced, college educated professionals. Only one can get benefits which is also wrong. Retirement pension should only cover salary and interim per diem, not expenses. I do worry about how changing this will impact on long-time members who have counted on current system in their retirement planning. I am not in that group.

9. Question 8. Attendance at interim legislative meetings breaks down to 50 plus legislative days, multiplied by 2 for travel time. Question 10. Hours per week during each period estimated to devoting to legislative business, other, travel, Jan-Mar 11, Apr-Jun 11, Jul-Sep 11 and Oct-Dec 22. Question 11. Annual operating costs, (m) Other: Air travel reimbursement at \$1,500. Please consider those districts in VA that are closer to 8 state capitol than Richmond and the amount of travel time and difficulty of travel.
10. Question 9. Estimated time spent on activities, Other: writing letters and answering inquiries at 20 times in 10 hours. I put in long hours year round as a member of the State Senate, not only during the session, but during the time the General Assembly is not in session, I will spend at least 30 hours a week on legislative matters. Taking phone calls, answering letters, meeting with constituents in my office, meeting them in their office, attending public hearings, travelling from one end of the county to the other, and frequent trips to Richmond. I believe that the salaries for State Legislators is entirely too low, especially when compared with the salaries received by the County Supervisors. I believe in Fairfax County, the Supervisor's salary exceeds \$40,000 dollars a year. Recently in Prince William County, the Board of Supervisor's increased salaries to \$36,000 dollars per year, beginning at the next term, and the Chairman's salary to \$41,000 dollars a year. I believe that legislators throughout the Commonwealth work just as hard, and spend just as many hours as the County Supervisors in Urban Counties do. Legislators in rural areas travel great distances to meet with the constituents, and spend many hours on the road, and I believe most legislators must go into their own pockets to help pay their legislative expenses. It should also be kept in mind, that Legislative Aids today make \$10,000 dollars more per year than their bosses in the General Assembly do.
11. Question 10. Hours per week spent on legislative business, other: deliberating groups about session and preparing for veto session, Apr-Jun at 4 hours per week. I think the system works well. Those who would deny benefits expense recoupment only exclude those who are not as fortunate as others from serving or they are simply trying to be politically correct. I have never been approached by a constituent and informed I make too much money.
- 12.
13. Question 11m. Other: Annual operating costs to include janitorial, paper towels, hand soap, etc. total \$2300.
- 14.

15. Question 10e. A total of two hours is spent traveling to and from Richmond between the months of April and June, two hours between the months of July and September and four hours between the months of October and December. Question 11m. Other legislative office annual operating costs. Don't quantify transportation costs, i.e., prorated insurance, wear and tear on vehicle; entertainment. Annual operating costs of travel to and from Richmond of \$1200 does not include unreimbursed mileage, travel in district of \$1200 includes tolls. Question 12. Percentage of annual operating expenses on legislative-related business reimbursed through legislative business accounts is 50% max. I have eliminated all reimbursements in Question 11. The major cost is my aid which I supplemented \$6000 annually until 1998. As mentioned some of my costs are difficult to quantify. Senate: (1) additional ½ time legislative assistants position, (2) reimbursement legislative related mileage and tolls. I spend about \$300 annually in tolls alone., (3) home office computers and faxes with maintenance contracts. Even for a "citizen legislator" the compensation is inadequate. The time commitment varies significantly for legislators, depending upon their geographical proximity to Richmond, It takes me about 55 minutes. It takes some six to seven hours. I would propose: (1) increase annual salary to \$25,000, (2) incorporate (1) and (3) above, (3) increase per diem to \$200 to incorporate entire increase into salary penalizes those legislators who are actively involved during interim, and (4) build in COLA or inflation factor.
16. Question 9. Other: A total of one meeting at four hours is spent per week. A total of five times at 1.3 hours is spent reading mail, agency and commission reports, etc. Question 10: Other A total of 5 hours is spent each week on mail, agency meetings and reports between the months of January and March, 1.3 hours between April and June, 1.3 hours between July and September and 1.3 hours between October and December. A total of 10 hours is spent with lobbyists, etc. during January through March. Question 11m. Other annual operating costs: payroll services \$744, newly registered voter informational mailings \$6732, fax rental-session \$150, payroll taxes \$1416, Aide parking during session \$75, and copier rental \$600. I have been reimbursed on mileage basis for travel to and from Richmond. I use personal vehicle for in-district travel (depreciation, taxes, operating costs, etc. are paid for by employer and/or member.) Member office allowance used to supplement aide's annual salary. Aide is full-time 12 months per year; use two additional part-time aides during session and part-time secretary when needed after session.

The amount of salaries of members should not be an incentive to seek public office and therefore should continue to represent a financial sacrifice to those who elect to serve. However, the salaries should not be so insignificant as to prohibit ordinary people from serving. Otherwise, the membership becomes comprised of the wealthy or retirees. In my circumstances, the present level of salary is satisfactory. The Session per diem should continue to follow IRS guidelines to avoid burdensome accounting for tax purposes and, therefore, should continue to be set at the levels allowed as a non-accountable plan by the IRS. The interim per diem for meetings attended is too low and discourages

members from serving on important interim study committees and commissions. The 1998 proposal of \$200 per day is, in my opinion, appropriate although less than a member would likely lose in lost income from his employment while attending meetings. The office allowance is inadequate to pay for basic constituent services. Constituents expect and demand an office staff and members to be available to them by phone and in person throughout the year—not just during Session. The services require members to have a convenient office located in the district and incur expenses for rent, telephone, faxes, email, computers, office supplies, postage, mailings, at least a part-time secretary and other such expenses. These expenses will vary district-by-district and by whether the member is employed by a large company which may underwrite some of the member's expenses. Self-employed members usually must rely upon the use of personal funds and support of contributors to defray the unreimbursed office expenses even if they are absorbed within their firms. Failure to have such office facilities and incur those expenses significantly reduces constituent services and renders them less than satisfactory. The question is, how much of an allowance is reasonable? The past \$750 per month represents less than 20% of my present monthly office expenses and the proposed \$1,250 per month would represent about 30% both of which exclude consideration for automobile use within the district. While service in the General Assembly should be an honor and represent, in my opinion, a sacrifice in salary, it should not require substantial subsidizing of office expenses from personal funds or from financial supporters because that subsidy may result in an impediment for ordinary citizens to serve. I feel that the \$1,250 proposal is reasonable but should be converted to an accountable plan. If members are required to spend less than \$1,250 per month, then the excess over the actual expenses should be repaid. If actual expenses actually exceed \$1,250, it would be because the member believes that the level of constituent services requires such excess and would either raise the funds from financial supporters or could subsidize the office expenses personally. Under the accountable plan, the monthly allowance would not be reportable income for tax purposes which would also reduce the paper work and tax burden on members. The Legislative Assistant (aide) salary originally assumed that the assistant would work full-time during each Session, and, most, part-time thereafter. Times have changed significantly in recent years and many members find it necessary to have a full-time person throughout the year to meet the demands of constituents. The present amount is adequate if the after-Session role is part-time but insufficient for a full-time person, thus requiring a subsidy by the member or from supporters. The retirement pension will likely benefit few members since many do not remain members until fully vested in the retirement system and salary amount is modest due to the part-time nature of the legislators. Nevertheless, I can see no compelling reason why the office allowance should be considered as retirement since, in my opinion, it is a partial expense reimbursement and not compensation. It is likely that the 1999 Session of the General Assembly will make this change to eliminate the office allowance from consideration for that purpose.



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## House Comments

1. I do not believe that salaries should be increased. We must maintain the "service approach"; however, legislators should be reimbursed for all related expenses.
2. Do not raise pay! We need citizen legislators not full-time members of Congress. Virginia is a special place where pay for service is not the key ingredient of one's dedication to the Commonwealth.
3. Question 9. A total of two to three times per week at six hours is spent on constituent related social functions. Question 10. A total of 10 hours per week is spent on social functions during the months of January and March, a total of 6 hours per week during the months of April through September and a total of 12 hours per week during October through December. The time involved in serving as a state legislator has increased dramatically. In order to serve the office properly, a full-time effort is required - 7 days a week. Members of the Virginia General Assembly are woefully under-compensated, both from the salary interim per diem and office expense level. Session per diem is adequate and legislative assistant allowances have been increased (they make more than the members). Salary and compensation should be at least doubled or the General Assembly will eventually be made up of retirees or those with independent wealth. It will cease to be a representative citizens body.
4. Please understand that these are basically estimates and since I use law office staff to do a lot of my legislative office work it is impossible to calculate exact office expenses.
5. Current pay is fair. Do not make it more attractive financially to serve. We cannot stand a legislature composed only of wealthy people, yet we must have productive people, not dependent on government service for their livelihood. I think compensation is fair. If pay is to be increased, office expenses should be paid separately preferably by voucher.
6. Loss of business due to legislative services.
7. Steadily increasing.
- 8.
9. Question 9f. Other: A total of four hours is spent on correspondence and research
- 10.
11. It is extremely difficult to estimate all of the time and expense. The office expense should NOT be counted towards the pension. This is the main basis for the suit. It represents that WE consider it compensation. This, of course, harms our argument that it is an "allowance" and not "salary" as contemplated in the Constitution of VA. That the IRS requires withholding is collateral and cumulative; but the counting of it in computing compensation devastates the argument that it isn't salary.
12. Question 10e. Other: Travel time when out-of-session, to and from Richmond, consumes a full day. Difficult questionnaire because 1) I'm a traditional lawyer in

law firm, office, phone, receptionist, all already in place. Impossible to estimate "costs." I'd be there anyway. 2) Anything the state doesn't pay or reimburse for, I pay out of my campaign account. So no out-of-pocket losses to me personally. 3) Budget problem: out-of-session trips to Richmond, 5-6 hours round trip in car. Day is lost. Impossible to estimate income lost that day. Other comments: 1) Compensation/basic salary should be higher, 25-27 k range. 2) Reimbursement levels are appropriate at current level. 3) Would be terrible mistake to attempt to tie the current \$750 monthly office allowance to actual expenses and have reimbursement process. My law firm would probably then actually charge me for use of conference room, firm receptionist answering my calls, my using the firm's photocopy machine, etc. Just to collect the reimbursement for such office allowance. Would devolve almost into a sham. Keep it simple! Too many forms already. 4) Eliminate office allowance as counting toward VRS retirement.

13. Question 10e. Other: A total of four hours per week is spent on travel during the months of January through September and eight hours per during October through December. The hours and demands are ever increasing. The money compensation was never an issue with me, however, the time element is impacting my private sector job.
14. Question 9f. Other: A total of four hours per week is spent on mail. Question 10e. Other: Time spent on campaigning, two hours per week during the months of January through March, 10 hours per week during April through June, five hours during July through September and 20 hours during the months of October through December. Time and cost increasing greatly. Much more activity each year. Salary is too low. Office expense is insufficient to maintain an office in Northern Virginia. Legislative assistant salary not sufficient to retain quality people. Retirement pension is so low as to discourage participation as a legislator. When you become a legislator, and you are not independently wealth, expect to live at a low standard of living.
- 15.
16. Start-up costs to run a modern office are simply not fully covered by the current allowance.
17. Question 10e. Other: A total of eight hours per week during January through March and four hours per week during the months of April through December are spent on meetings with special interest groups (PTA, associations, etc.). There are more and more "day" meetings that adversely impact my ability to perform my private sector job. In addition, I frequently take vacation/personal time from work to participate in day-long meetings, trips, conferences, etc.
18. Attached letter. To The Honorable Gerald L. Baliles and The Honorable Linwood Holton. I would like to add comments regarding questions 4 and 5 on the survey sheet. I believe these questions are irrelevant to this discussion, because I consider all of the members of the General Assembly to be volunteers who give of their time to the Commonwealth. Therefore the basis should not include lost income as a result of public service. Depending on individual incomes, this amount would vary greatly and would be a totally subjective figure. Regarding office expenses, by virtue of owning my business and the

building in which I operate that business, there are some economies of scale in my expenditures. My legislative office is located in my conference room, which is furnished and heated regardless; my legislative phone line is one of ten incoming lines that I pay for no matter what the use; all office machines and supplies, with the exception of state stationery, come out of my hardware store budget and so on and so on. In my particular situation, I cannot really associate numbers with these expenses. Let me close by stating that I would oppose a pay increase. I hope the information I provided is useful. I believe I speak for all the members, in thanking you for your time and efforts as cochairmen of the Citizen's Advisory Committee reviewing legislative compensation.

19.

20.

21. Pay is fine, office increase warranted, aide increase warranted. Make no sense whatever to include office expense in retirement calculations.

22.

23.

24. Per diem should reflect maximum that IRS allows. Interim per diem should be increased same, as its current level comes nowhere close to reflecting losses incurred from being out of the office. Keep legislative assistants allowance at a reasonably high rate. They're the one constant that we have. It's important to pay them a livable wage so that they'll be able to stay with us. Retirement pensions should not include office allowances as part of calculation. Salaries should be about \$25,000/year. That's probably an appropriate level.

25. Question 9f. Other: A total of one to two times per week at one to three hours are spent on going to constituents' homes to help with problems or going out to check into certain complaints (i.e., poor drainage, poor road repair, checking positions of street lights. Also framing constituent recommendations, letters from Governor, etc.) My district is spread from Hopewell, Prince George, Dinwiddie, Nottoway, Amelia, Powhatan and Chesterfield. It takes one to one and a half hours to drive to Amelia, Powhatan and Nottoway. I put about 25,000 to 30,000 miles on my car each year. I don't worry about my money; that is not why I chose to get into the General Assembly. However, I would like to have more money for legislative assistant pay. In order to get quality help, you need to pay for it. With this district lie it is, we have a heavy work-load just trying to keep in contact with the people. I would personally like to have up to \$45,000 for assistant pay. I think office expense should be 1099 income. Each year, I have direct expense out of pocket from \$7,000 to \$12,000 and IRS only allows me to deduct anything over 2% of my gross income. The biggest income I have is from property investments I have made. All combined, I am only allowed to deduct 20/40% of my expenses. If office expense was considered 1099 income, you could deduct dollar for dollar.

26. Question 9f. Other: A total of 15 to 20 times per week at eight to ten hours is spent on correspondence and issues with constituents. Time has increased each year. So have constituent expectations. Problem finding time for family, friends, self, much less earning a living. Must provide realistic office expenses and employee allowances. Grossly underfunded. \$500 postage allowance during

session, 10,000 newsletters, 16,000 plus registered voter households. Doesn't make sense.

27.

28. Question 10e. Other: Approximately two hours per week during the months of April through June, I spend talking about the session. I usually use left over campaign treasury money to pay for newsletter, which means having to raise more money for the next campaign. It would be helpful if the salary level were raised. Because of the time demanded by legislative responsibilities it is difficult to spend regular time on other work. Increasing the per diem would also be helpful. \$100 per day is ridiculous. I try to schedule at least several meetings per day to reduce trips to Richmond and would continue to this even if the per diem were doubled.

29. Question 9f. Other: drop-in visits total 15 times per week at eight years. Question 11m. Other: Capital costs total \$18,000 on two worn out vehicles. Est. pay per hour based on salary vs. Legislative hours spent per annum is \$8.75 per hour. If you include time on the highway, lost from time on gainful employment, hourly rate is \$7.35 per hour. Est. lost annual income from profession (this year based on average decline over last 8 years) Approximately. \$33,000.

30. Question 10f. Other: A total of 35 hours is spent each week during the months of January through March, five hours during April through June, one hour from July through September and three hours from October through December on constituent legislative concerns. Question 11m. Other: Annual operating costs: Legislative assistant travel in-district, \$540 per year, copies (using county copier, \$400 per year, and having the legislative questionnaire printed in local paper is \$785 per year. The time and cost of serving in the state legislature increases each year. The public puts more demands on legislators each year to the point it is becoming almost full-time. Also the legislature causes more and more work by not meeting deadlines and expanding legislative commissions. Office expense funds should be separate from legislative salaries and not counted as part of retirement. Office expenses should be increased for those who have high office costs for areas of the state. Salaries should be tied with other increases for cost of living, etc. as other state employees, and then voted on by both House and Senate before election year.

31. Question 9. Other: A total of one time at two hours is spent on meeting with local officials. Question 11m. Other: A total of \$295 (capital costs) and \$178 (annual operating costs) is spent on flags, taxes and parking. Although these are numerous direct costs associated with service to the General Assembly such as event travel, parking, admission, telephone, gratuities, etc. I do not expect them to be considered for reimbursement. Actual time expenditure is probably greater than estimated-lost opportunity cost is understood to be present by most elected officials when they first offer their services. I would be satisfied with vouchered accounting for office expenses up to a certain level. It is virtually impossible to operate a full-time constituent office at the present level of reimbursement.

Question 9. A total of five times at five hours per week is spent on other activities such as reading mail, answering constituent mail, writing, government officials and directing staff. Even if we don't get a pay raise, \$750/month does not come close to paying rent, telephone, postage and newsletter expense. Per diem is adequate to cover costs. However, for me to take a day off and travel to Richmond will cost me as much as \$1500 in lost revenue and definitely no less than \$200.

33. I am a legislator in a very large rural area. I am fortunately in a position that I can afford to be in the legislature. This office in the last six years has become almost full time. It is 9:35 a.m. in the day, I am writing this information and I have already had three constituent calls this morning. I certainly do not expect to be paid for the time that I put in working on constituent services, however, it would be very helpful if our total expenses were paid; especially the travel to and from the district, appearances before various civic clubs and other organizations, and generally places you are expected to show up as the representative. If we are going to attract top quality candidates to the General Assembly something will have to be done in the future to improve compensation. There are very few individuals in their twenties or thirties who could take time away from their regular jobs to serve in the legislature. If we are going to continue to attract top quality candidates in Virginia, something will need to be done.

34. Question 9. Other: hours per week spent on mail is 10. Question 11m. Other: annual operating costs for interns is \$650. I have a full-time Legislative Assistant who works at least 45 hours per week. Her time is NOT included in the above numbers. The weekly averages are based upon a seven day week, as I spend seven days in my office. Due to the large volume of mail, I easily spend two hours per day on the mail. Presently, I do not charge my company for rent for my legislative offices; nor do I pay a portion of utilities; if we are required to itemize expenses, I will pay the company for these expenses. I do not think that the office expenses allowance should be counted toward our pension nor as salary. The same applies for the per diem reimbursements.

35.

36. Question 9f. Other: I spend approximately six hours on 50 pieces correspondence. Question 10e. I spend six hours per week each year on correspondence. Question 11e. Annual operating cost of travel to and from Richmond, 6,000 miles, dollar amount not figured. Question 11f. Annual operating cost of travel in-district, 4,000 miles. During the April 1998 Special Session, I voted in support of Delegate Preston Bryant's amendment, which opposed an increase in salary and office expense funding for legislator's. I've attached copies of letters that I sent Bruce Jamerson and Governor Gilmore earlier this year with regard to this matter. Letter one. Dear Bruce: I request that the payment to me for legislative office expenses remain at the current level of \$750 per month and the level of per diem I receive for spending time in Richmond on official business during the year when the General Assembly is not in session remain at \$100 a day. Letter two. Dear Governor Gilmore: I would urge your line item amendment or veto of budget language which would increase payments to delegates for attending meetings and for office expenses. I believe

this is an extravagant use of hard-earned taxpayer dollars and, if approved, personally would intend not to accept such an increase in excess of the present levels.

Question 9f. Approximately seven times at 12 hours per week are spent on holding office, constituent or legislative related. Time and costs involved in conducting legislative business does not include costs of flags presented at \$2.00 each, framing for commending and memorializing resolutions at \$48.00, etc. Salary level is okay. Session per diem is okay. Interim per diem is okay. Office expense needs adjustment. Legislative assistant is now okay. Retirement pension should not include office expense.

Question 11m. Other: \$600 is spent annually on holiday cards.

Question 10e. A total of five hours is spent per week traveling to and from Richmond during the months of January through September. A total of six hours is spent traveling to and from Richmond during the months of October and December. I use space in-home rent and utility free. If I had to rent comparable space, rent would be \$1000 per month and utilities would be \$100 per month.

Question 11b2. Annual operating cost of postage amount does not include session costs. I do not have the time to meet all demands.

Being a delegate limits the choices for a new job. As this is my first term, it is impossible for me to answer most of the remaining questions. I live within the \$750 per month usually. I use other funds for newsletters, etc. My assistant and I share an office. We use my landlord's fax, copier, etc. I'm using old furniture that I had when I owned my own company. As a member of a Board of County Supervisors, which is considered part-time, representing half of the number of citizens that I currently do, I earned \$31,000. In 2000, the salary will be \$36,000. I am spending about the same number of hours.

42. Question 11m. Other: There are numerous incidental costs associated with holding office, i.e., high school athletic associations, event sponsorships, which go beyond normal contributions, storage costs at \$539 per year. Question 12. What percentage of your annual operating expenses were reimbursed through legislative expense accounts? My rent and office expenses take more than my entire yearly reimbursement. The expenses involved in conducting legislative business are expenses that are simply part of holding office. I really don't want to know what it cost to hold office. We don't expect to make money, only cover some of the expenses. Certainly, we don't do it for money. Full disclosure of how each Senator/Delegate spends his office expense allowance should take place. This elected position should never be considered anything but "Public Service" and compensation should be minimal. The funds received for office expenses should more accurately reflect actual cost. Certainly, these office expense funds should NOT be included in any retirement calculations. Most "legislative assistants" do full-time work for less than full-time compensation. I believe that great benefit can evolve as a result of the work that the legislative compensation group is conducting Thank you for what you are doing.

43. Question 9f. Other activities include office mail, writing and signing letters to constituents and other, time with governors/executive staff people, duties for caucus is nine hours. No re-election activities, knocking on doors. fund raising,

etc. included in the above numbers. Question 10e. Other: Travel takes approximately eight hours per week during the months on January and March and October and December and four hours between the months of April and September. Level of effort increases dramatically during election campaigns. Question 13. Additional costs involved in legislative business. None of the above included per diem during session which is a wash for me. Also, note that I pay part of the annual operating costs from campaign funds. Recapping the previous figures:

|                              |               |
|------------------------------|---------------|
| Total annual operating costs | 63760         |
| Aide pay (by state)          | <u>-28000</u> |
| Subtotal                     | 35760         |
| Reimbursed by the State      | <u>-9432</u>  |
|                              | 26328         |
| Paid from campaign account   | <u>-12200</u> |
| paid from personal funds     | 14128         |

The \$14,128 expense consumes just about all of my salary from the legislature. I don't know how folks do it who don't have partners to carry them or other income/resources to fall back on. For me, the legislature is virtually a full-time job with no pay. Vouchering expenses to a higher level of reimbursement would not bother me. But it might penalize those who can cover some of their expenses through other business/professional activities. I cannot since I am self-employed and have a separate legislative office. I do not think members of the legislature should be under VRS! We are suppose to be part-time, and we should remain part-time irrespective of the amount of time we choose to dedicate to public office.

44. Question 4 Income from primary occupation has been adversely affected. There is an intangible loss by not being there to supervise office situations or respond to professional questions. Question 5. At least \$6500 of income is lost during session. \$260 per day to hire replacement is lost during the interim between session. She works my regular hours during session and the days during the interim that I'm in Richmond. Additional comments on the time and costs involved in conducting legislative business. A question about what it actually "costs" to be a legislator is always a bit difficult to accurately assess because the issue gets muddled with potential overlapping campaigning work and any financial benefits that may arise because of the elected status, i.e. additional clients, community acknowledgement. I operate a service oriented business and there are daily needs that are often best met only by me, the owner/manager. If I am not present the work/tasks must still be completed. In my case, I hire a replacement during the session and legislative meetings. It is difficult to calculate any loss associated with the fact that clients/customers want to see me and I am unavailable. Problems can arise with business management and solutions may be delayed and thus costs incurred because I am not available. Unlike some professions that may attract clients through being the legislature, for business people, whether the business person is there or not. Of course, everything must also be identified within the framework of choice. Every elected official has chosen to accept the responsibility of dividing



time, money and energy. I think we do so willingly and with a sense of duty; and there is no denying there are perks that come with name recognition and elected status. But, one of the hardest aspects of the job comes when an elected official committed to doing the work of the district is classified as greedy and criticized for being a "politician" interested only in material gain.

45. Question 11m. Other annual operating costs: Motels for legislative related trips (i.e., Girls and Boys state, Task Force and Commissioner's meetings, Conference at \$400. Other comments: This job is what you make of it and I've managed to make it full time! I spend at least 40 hours per week and invest a good portion of my salary, as the office allowance, less tax withholding, covers a fraction of the expenses. We're certainly not in this for the money. I feel very strongly that the office expenses should be handled separately from salary. We should have an "expense account" with allocated dollars which are reimbursed monthly. When an expense report is submitted to the House or Senate clerk. This expense report should show the amount spent each month for rent, phones, office supplies, postage and any other expenses deemed to be appropriate - with receipts attached. The money should not be taxed or included for retirement pension calculations. Our salaries need to be increased - they haven't gone up for far too many years. If they were sufficient - many in the delegation would not feel the need to spend their office allowance in a thrifty manner, in order to pocket the rest as salary (the same goes for per diems!) The Fairfax County Board of Supervisors found fit to give themselves a significant increase and the citizens were okay with it because they know how many hours elected officials work and felt that they should be fairly compensated.
46. Question 11m. Other annual operating costs: mailing lists and hosting events at \$2000. Other comments: The hours are rough. They don't count political/caucus meetings and miscellaneous calls from people wanting help (10-15 hours per week). It's a great honor...and a great sacrifice to serve. 100/day per diem covers my first ½ hour of lost client billings. My expenses may be low in operations or same as pro-bono. Biggest help would be an increase in the office expense, especially for mail. Even if we must have a mail account budget apart from office expense to be controlled by clerk, we need more money to keep in touch with constituents. Currently only get \$300/year in session. The recent bump in legislative assistant pay has been great.
47. Loss of business-not in office at home. Neglect of family, a great sacrifice-money cannot buy. I love my legislative work. I am happy with present pay. I do not expect to make a profit.
48. Question 4. Although I am an uncompensated volunteer, there have been occasions in which I have had to supplement legislative expenditures. Question 11c. Used state's facilities for constituent newsletters, 11h. Office rent-use GAB office in district office. 11m. Other-taxicabs at \$18.00, faxes at \$51.00, non-reimbursed travel expense at \$50.03, refreshments at constituent meetings at \$833.26, parking at \$36.50, article reprints for constituents at \$288.65. Other comments: In eight months, since (April '95) I have put over 11,000 miles on my car. This includes several trips of over four hours one way because of legislative

total limit. That is how dependent care accounts work. Session per diem should continue to be based on IRS limits. Interim per diem should increase, but not double. Legislative assistants salaries should significantly increase so that they are consistent with similar full-time salaries in the private sector and perhaps a cost-of-living escalator should be included in high cost areas like Tidewater and Northern Virginia, as is done with state police. Both legislative assistants and members should have opportunities for professional development outside of session. Members should be given a standard set of productivity tools, such as laptop computers, "Palm Pilot"- type of organizers, office pc's, and other productivity tools which can help with the management. If office expenses continue to be a separate item, as they now are, then that should not be included in retirement calculations.

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duties. It also includes non-legislative travel. Prior to elective office, my average yearly mileage on my automobile was around 16,000 miles for the whole year. I will exceed my yearly average by about 3,000 miles at this rate. While I find the current legislative compensation plan adequate for my legislative staff, it may be too early to conclude that it is sufficient. The second session of my first term has not yet started. This upcoming session may require increased staffing in my office. I do find that the current compensation for office expenses needs to be more realistic and should be larger to more adequately cover expenses. Salary for all members of the House and Senate should at least be on par with realistic cost of living adjustments.

49. Question 14. While I realize that under the Constitution salary increases must be ratified and cannot be implemented until after the election, I approve of the concept that the salaries be increased in relation to COLA or CPI.
50. I don't have time to complete this survey!
51. Question 14. Maintain full-time legislative office with phones, fax, computer, etc.
52. When you are self-employed and maintain an office, it is difficult to know the added cost, except for specific items, such as a computer (? I will now have to replace). Question 14. I am sure the main problems for all legislators is to replace the income lost by the time demands. This is particularly true when you are self-employed and office expenses continue when you are away. Lawyers who are also sole practitioners, or in small firms, realize very little reduction in their practices, but have little or no income in these periods. That is one reason we work 50-65 hours per week. Overall, this year (1998) and considering this was a long session, the time, as best I can work it out in hindsight, has been about 55% of a 48 hours week. Generally I work more hours than that, or am engaged in professional or legislative duties, but I used that time frame to answer this questionnaire.
53. Question 6. Estimated 1998 in-district, non-campaign activity to be exceptionally high . For some reason, this has been a busy year. A very high number of legislative breakfasts and dinners for different groups and association, constituent problems with which to deal that include occasional citizen meetings, civic association meetings, legislative committee meetings in the interim, and legislative office activities. Question 8. Attendance at interim legislative meetings is increasing somewhat each year. The change we made to make final decisions on carry-over legislation by December has meant that each committee must meet before the deadline. That and the increased committee assignments of most of us has increased interim workload. Question 8. I spend six hours per week working on constituent correspondence. Question 11. I spend \$1400 (all reimbursed) on food and lodging outside of session per year. I have not kept a complete record of all time and expense information, so much of this is guess work. Our salaries should be slightly increased, consistent with previous increases. What is now called "office expense" should be added to the salary so that it is only one item. Office expenses should be vouchered up to a maximum that is similar to the amount we now receive. Expenses can be vouchered on a monthly basis, but there should not be a monthly limit; only a

total limit. That is how dependent care accounts work. Session per diem should continue to be based on IRS limits. Interim per diem should increase, but not double. Legislative assistants salaries should significantly increase so that they are consistent with similar full-time salaries in the private sector and perhaps a cost-of-living escalator should be included in high cost areas like Tidewater and Northern Virginia, as is done with state police. Both legislative assistants and members should have opportunities for professional development outside of session. Members should be given a standard set of productivity tools, such as laptop computers, "Palm Pilot"- type of organizers, office pc's, and other productivity tools which can help with the management. If office expenses continue to be a separate item, as they now are, then that should not be included in retirement calculations.

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## DRAFT RECOMMENDATIONS

Exhibit 2

- A. That the Code of Virginia be amended to define clearly the difference between salary and expense allowances paid to members of the General Assembly. Salary should be defined to include a regular annual salary and an additional daily salary for attending meetings between sessions of the legislature. Expense allowances should include reimbursement for travel and lodging, an equipment allowance and an allowance for the operating expenses of an office or offices in each member's district.
- B. That the regular salary of members of the General Assembly be increased to \$\_\_\_\_\_ per year to account for inflation since the last salary increase in 1988.
- C. That the additional amount paid to members of the General Assembly attending meetings when the Assembly is not in session be increased to \$\_\_\_\_ per day to account for inflation since the last increase in 1984.
- D. That there be no change in the current system for providing living expenses during the General Assembly Session or reimbursing vouchered travel expenses for attending meetings when the legislature is not in session or for travel to meetings or conferences as an official representative of the General Assembly.
- E. That the office expense allowance not be included in "creditable compensation" for purposes of calculating retirement benefits under the Virginia Retirement System.
- F. That the office expense allowance include a fixed amount for equipment costs and a budgeted annual amount for the operational expenses of each member's District office. The amount for equipment expenses should be set at a maximum of \$\_\_\_\_\_ for a four year period. The allowance for operating expenses should be set at a maximum of \$\_\_\_\_\_ per year (\$\_\_\_\_\_ per month) for those members maintaining a separate legislative office outside the General Assembly Building, their home or business and \$\_\_\_\_\_ per year (\$\_\_\_\_\_ per month) for those members who do not maintain a separate legislative office. Payments for equipment expenses should be made on receipt of a voucher with accompanying receipts. Payments for other office expenses should be made based on a declaration of need for reimbursement of office expenses and supplies filed in January with the respective Clerks of the House and Senate. This declaration should be in a form approved by the Rules Committee of each house and should be valid for one year. The declaration should provide a budget for the upcoming year, and (after the first year) an accounting of expenses for the year past. The declaration should require the member to swear or affirm that the information is true or correct.
- G. That the Joint Rules Committee of the General Assembly be required to appoint a Citizens' Advisory Commission on Legislative Compensation every four years to review the compensation of members of the General Assembly and their legislative assistants and secretaries. The first such Commission should be appointed effective July 1, 2002, with a required reporting date of December 1, 2002, and subsequent Commissions should be appointed effective July 1 every four years thereafter.

**OR**

G. That a statute be enacted requiring the Governor to include in the budget bill amendments submitted by the Governor pursuant to § 2.1-399 in the year preceding the election of all members of the General Assembly a cost of living adjustment to the annual salaries of the members of the General Assembly. The statute should require the cost of living adjustment to be calculated using the methodology used by the Social Security Administration.