

Approved: \_\_\_\_\_

Date

3/24/99

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS COMMITTEE.

The meeting was called to order by Chairperson Representative Susan Wagle at 1:30 P.M. on March 22, 1999 in Room 313-S of the Capitol.

All members were present except:

Committee staff present:

Theresa Kiernan, Revisor of Statutes  
Russell Mills, Legislative Research  
Judy Swanson, Committee Secretary

Conferees appearing before the committee:

Tim Madden, Department of Corrections  
Tim Shallenburger, State Treasurer  
Roland Smith, Chair of Pay Commission

Others attending:

See attached list

Hearing was opened on **SB 238**, autopsies of persons who have died while in custody. Theresa Kiernan, Revisor of Statutes, reviewed the bill. She said there is no fiscal impact since all autopsy costs are already authorized.

Tim Madden, General Counsel of Department of Corrections, presented testimony from Charles Simmons, Secretary of Corrections. (Attachment #1) He said current law provides that autopsies are to be performed at the direction of the coroner or at the request of the county or district attorney. This bill would authorize the secretary of corrections, a warden or administrator of a correctional facility to order an autopsy on a person who dies while in custody. He said the Department of Corrections has contracts with forensic pathologists to perform their autopsies.

Hearing on **SB 238** was closed.

Hearing was opened on **HB 2566**, Legislative compensation and benefits, and **HB 2567**, Legislative compensation when legislature not in session.

Chair Wagle presented Committee members with a 1997-1998 Compensation and Benefits for State Legislators report (Attachment #2), a 1999 Annual Legislative Salary comparison of Kansas & surrounding states (Attachment #3) and a Comparison of Proposed Legislative Compensation Bills (Attachment #4).

State Treasurer Tim Shallenburger testified that legislative pay is one of the most important issues that the legislature faces - or fails to face. It is very difficult to compare legislative salaries among states because there is no continuity since each state approaches the issue differently. Several years ago Kansas was 43<sup>rd</sup> in the nation on legislative pay levels. He said when he was first elected to the Legislature, senior legislators recalled very low salaries, however they received free phones, free transportation, free food, etc. which are perks that are no longer provided. It is not fair to compare what we do today with what was done years ago. He said nothing is done about legislative salaries because of 1) political reasons; 2) people not wanting to get away from citizen legislators; and 3) attitude of "don't like pay - don't run for the job".

Shallenburger said recruiting good candidates is very difficult because of the low pay. If someone has been in KPERS, they might consider running for office because of the good retirement package. In response to the question of whether the same people would run if the pay was \$100,000 annually, he said that then there would be no profession or individual who could not afford to run. He urged the Committee to increase salaries for all legislators and do it right. Do not let the negative people keep government from getting better. He said legislators are expected to spend inordinate amounts of time attending civic meetings, numerous functions, Chamber of Commerce meetings, traveling across the State, etc. and should be compensated for such work. If professional people are to serve in the Legislature, they have to be recruited by saying they are not going to suffer if they serve. When he campaigned for State Treasurer, he explained how raises were justified. He said the great legislative

pension is gone. Legislators have to have courage to support the pay raise.

Shallenburger felt if compensation were increased, there would not be a risk of longer-than-desirable legislative tenure. He did not believe there is any evidence that would show an increase in tenure. Kansas should not model itself after Congress. He felt it is power that keeps people in the Legislature. He does not feel that the best 165 people are serving in the Legislature. He testified there is money for raises, and he will sign the checks.

Roland Smith, Chairman of the Legislative Compensation Commission, testified that legislative salaries need to be increased. (Attachment #5) He said there are no clear guidelines to follow from other states in setting up legislative salaries. The way pensions are figured seems to be a sore spot. He testified the \$18,000 figure was taken out of the blue as a place to start. He warned members not to make the increase too small because people argue about a little increase as much as a big one. Smith said vouchers were discussed. Vouchers are not figured in on income tax. Half of the Commission members will be appointed again in two years. Just reviewing 600 bills each session is a mountainous task, and the public does not have a clue what legislators do. He urged the Committee to look at the Commission's recommendations and take action.

Rep. Edmonds said an increase will lead Kansas down the path of more career politicians. He said currently all legislative seats are filled, everyone is here voluntarily, and all knew what the job paid when they took the seat. He feels legislators have struck a deal with the public and now want to change the deal. He said there is a current demand for these positions at the current rate of pay. Russ Mills, Legislative Research, reported the fiscal note for **Sub. For SB 55** is approximately \$1.5 million. The fiscal note for the original **SB 55** was approximately \$800,000.

Rep. Mason compared legislators salaries to those of less-than-adequate county commissioners who make three times the daily salary of a legislator without the additional expenses that a legislator incurs. Rep. Edmonds said the right of refusal of a legislative pay raise would be more palatable to him if it were in perpetuity. Rep. Mason said the first four years he was in the Legislature he refused every pay increase, and never had one constituent write a letter, make a comment or ask a question about why he refused the raises. Rep. Peterson testified she could not afford to serve in the Legislature until after she retired. She said an increase is long overdue.

Rep. Wagle testified that as a member of the Wichita Independent Business Association she stressed the need for an increase in salaries. Because she owns a travel agency, her travel agents get calls concerning legislative issues. They then have to take time from their commission-based job to field such questions. Small business owners suffer from being a legislator. The biggest gulf exists between leadership and legislators salaries. Leadership has the luxury of additional compensation, additional staff members, unlimited mailing privileges and an additional voucher privilege. If a legislator works at home, they should be paid just as if they come to Topeka, therefore that is why she introduced the voucher bill.

Chair Wagle said Committee members Franklin and Klein will be working with her to see if Committee members want to pass a bill and what they want the bill to look like. Roland Smith said the Pay Commission has not yet addressed leadership compensation.

Rep. Cox made a motion to approve the Committee meeting minutes of March 10, March 11, March 15, March 16, March 17 and March 18 as written. Rep. Gilbert seconded the motion, and the motion passed.

Meeting adjourned at 2:40 P.M.







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Bill Graves  
Governor

Charles E. Simmons  
Secretary

MEMORANDUM

DATE: March 22, 1999  
TO: House Federal and State Affairs  
FROM: Charles E. Simmons  
Secretary of Corrections  
RE: SB 238 as Amended by Senate Committee

SB 238 is part of the Department's legislative initiatives. SB 238 passed the Senate by a vote of 39 to 0. SB 238 amends K.S.A. 22a-233 to authorize the secretary of corrections, a warden or administrator of a correctional facility, jail or other institution for the detention of persons accused or convicted of crimes to order that an autopsy be performed on persons who die while in custody. SB 238 further provides that the cost of autopsies performed at the direction of correctional officials be borne by the correctional agency.

Current law provides that autopsies are to be performed at the direction of the coroner or at the request of the county or district attorney. Additionally, K.S.A. 22a-233 provides that the cost of autopsies are to be paid by the county. Without statutory authority, an autopsy cannot be performed without the authorization of the decedent's representative. SB 238 would not alter the authority of a coroner or prosecutor to order that an autopsy be performed.

The reasons for correctional officials wanting to have an autopsy performed on a person who died while incarcerated are typically much broader than the reasons for a coroner or prosecutor to seek an autopsy. Coroners and prosecutors are usually interested in whether a death was caused by criminal intervention. However, corrections officials have the additional interests of gathering and documenting any evidence that may be relevant in civil litigation or for evaluating the medical services provided by the correctional facility. Additionally, correctional officials may have to respond to concerns or allegations of family members even though a coroner or prosecutor has no reason to believe a death was the result of criminal activity and therefore does not order an autopsy. These differences may reasonably be expected to be germane when coroners and prosecutors are confronted

House Federal & State  
03-22-99  
Attachment #1-1



MEMO: House Federal And State Affairs  
Re: SB 238 as Amended by Senate Committee  
March 22, 1999  
Page 2

with the expenditure of county funds in situations where only the Department of Corrections has an interest in having the cause of death fully investigated and documented.

The Department of Corrections has long followed a policy of seeking from coroners the authorization to have an autopsy performed on deceased inmates. During calendar year 1998, 21 persons died while in the custody of the Department. An autopsy was performed for each death, with the cost of the autopsy being paid by the Department for all but 4. Due to the fact that several county coroners had jurisdiction over these deaths, the Department is unable to determine whether local coroners would have authorized an autopsy without the willingness of the Department to pay the cost of that service. It has, however, been the Department's experience that on occasion, repeated requests to coroners and even the intervention of prosecutors has been necessary to obtain authorization for an autopsy. In those situations, it is believed that the willingness of the Department to bear the cost of the autopsy was beneficial in obtaining the necessary authorization.

Finally, the Department has encountered coroners raising the issue of whether they had the authority to order that an autopsy be performed when the inception of a chronic fatal illness occurred in one county and death occurred in a hospital located in another county.

SB 238 would appropriately allocate the cost of an autopsy to the governmental entity that believes it is necessary to have it conducted. SB 238 would also serve to avoid the dilemma imposed upon local officials in deciding whether to burden their county with the expense of an autopsy when the interests of the county are not implicated.

The Department recommended the amendments of SB 238 made by the Senate: (1) to specify that the secretary of corrections may also direct that an autopsy be performed; (2) to clarify that the responsibility for the cost of the autopsy lies with the governmental entity rather than the individual official; and (3) to clarify that correctional officials are not provided the authority pursuant to this bill to order the autopsy of deceased offenders who have been released from confinement.

The Department requests favorable consideration of SB 238.

CES/TGM/nd

cc: Legislation file w/attachment

1-2

# 1997-98 COMPENSATION AND BENEFITS FOR STATE LEGISLATORS



NATIONAL CONFERENCE OF STATE LEGISLATURES  
LEGISLATIVE MANAGEMENT PROGRAM

1560 BROADWAY, SUITE 700  
DENVER, CO 80202  
(303) 830-2200

*House Federal + State  
03-22-99  
Attachment #2c1*



## Table of CONTENTS

Table 1	1998 LEGISLATOR COMPENSATION AND LIVING EXPENSE ALLOWANCE DURING SESSION
Table 2	1998 LEGISLATOR LIVING EXPENSE ALLOWANCE DURING INTERIM
Table 3A	1997 ADDITIONAL COMPENSATION FOR HOUSE/ASSEMBLY LEADERS
Table 3B	1997 ADDITIONAL COMPENSATION FOR SENATE LEADERS
Table 4	1997 ADDITIONAL COMPENSATION FOR COMMITTEE CHAIRS
Table 5	1997 METHOD OF SETTING LEGISLATORS' COMPENSATION
Table 6	1997 LEGISLATORS' TRAVEL ALLOWANCES
Table 7	1997 CAPITOL OFFICE, DISTRICT OFFICE AND STAFFING ALLOWANCES
Table 8A	1997 HEALTH, DENTAL AND OPTICAL INSURANCE BENEFITS FOR LEGISLATORS
Table 8B	1997 DISABILITY AND LIFE INSURANCE BENEFITS FOR LEGISLATORS
Table 9	1997 RETIREMENT BENEFITS FOR LEGISLATORS

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

State	Salary	Per Diem (Allowance for Daily Expenses)
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."

Source: National Conference of State Legislatures, March 16, 1998



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

State	Salary	Per Diem (Allowance for Daily Expenses)
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 \$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

Source: National Conference of State Legislatures, March 16, 1998

2-4

**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.

Source: National Conference of State Legislatures, March 16, 1998

2-5



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	\$1290/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 flr. ldr., \$2,400; asst. admin. flr. 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. flr. ldr., \$4,500; maj. flr. 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. flr. ldr., \$8,000; maj. flr. 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

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

2-7



**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

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
AL	None	None	None	None
AK	\$500	None	None	None
AZ	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

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

2-10

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

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

2-11



**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

21-28

2

21-22

**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.

2  
3

## Table 6: State Legislative 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 cmt. Meetings	No	No	Yes - provided with state-owned telephone line in office and home extension if requested

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

2-14

## 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

2-15



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

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

2-16

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

2-17

Table 7: Office, District Office and Staffing Allowances

State	Allowances
New York	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.
North Carolina	Non-leaders receive \$6,708/year for any legislative expenses not otherwise provided. Full-time secretarial assistance is provided during session.
North Dakota	None.
Ohio	None.
Oklahoma	\$350/year for unvouchered office supplies plus seven rolls of stamps.
Oregon	\$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.
Pennsylvania	\$27,500/year for operation of district offices, excluding salaries; \$26,500/year for postage expense for senators only.
Rhode Island	None.
South Carolina	Senate \$2,400/yr. for postage, stationery and telephone. House \$1,800/yr. for telephone and \$600/yr. for postage.
South Dakota	None.
Tennessee	\$525/month for expenses in district (U).
Texas	Senate: \$25,000/month for staff salaries only. House: \$8,500/month for staff salaries, supplies, stationery, postage, district office rental, telephone expense, etc.
Utah	None.
Vermont	None.
Virginia	\$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.
Washington	\$1,350/quarter for legislative expenses, for which the legislator has not been otherwise entitled to reimbursement. No staffing allowance.
West Virginia	None.
Wisconsin	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.
Wyoming	None.
District of Columbia	None.

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

2-18

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

2-19



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.

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

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 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

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

2-21

T 8B: Disability and Life Insurance Benefits for State Legislators

State	Disability Insurance	Same as State Employee Plan	Life Insurance	Same as State Employee Plan
NV	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

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

2-22

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 av 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.	
IL	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 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; except 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/ 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% per 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 service
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 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 service x 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. service 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

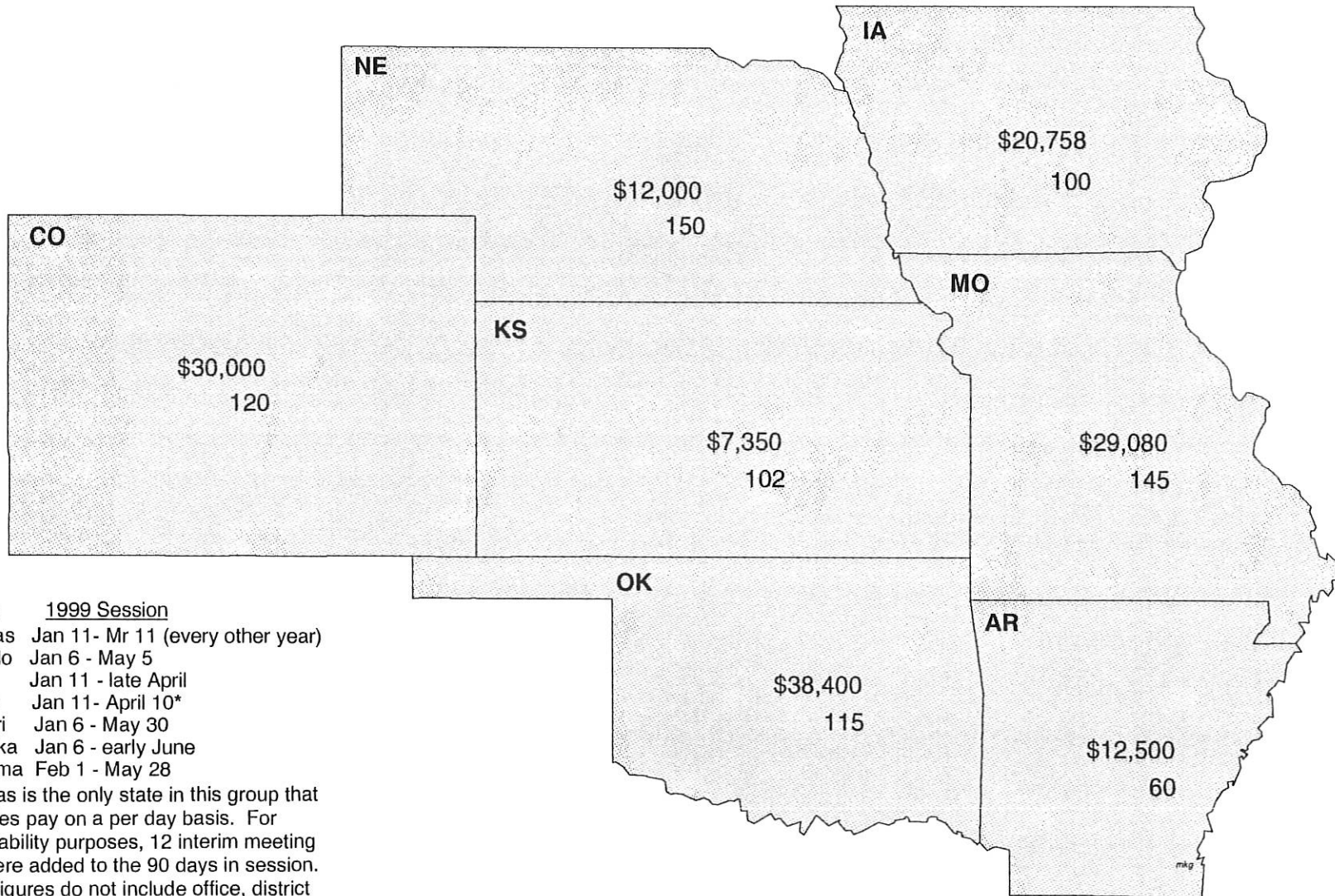
State	Participation	Same as State Employees	Minimum Age and Service Requirement	Contribution Rate	Estimated Monthly Retirement Benefits			Benefit Formula
					4 yrs.	12 yrs.	20 yrs.	
RI	(See footnote <sup>4</sup> )	No						
SC	Mandatory	No	Age 60 with 8 yrs. service. 30 yrs of service regardless of age	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 - \$1,375 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 (current) 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

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 \$10,000/yr. with cost of living increases to be adjusted annually. See Joint Resolution 94-2427 sub. B.

# 1999 Annual Legislative Salary and Approximate Numbers of Days in Session

*House Fed & Staff  
03-22-99  
A Hackment #4*



State	1999 Session
Arkansas	Jan 11- Mr 11 (every other year)
Colorado	Jan 6 - May 5
Iowa	Jan 11 - late April
Kansas	Jan 11- April 10*
Missouri	Jan 6 - May 30
Nebraska	Jan 6 - early June
Oklahoma	Feb 1 - May 28

\* Kansas is the only state in this group that calculates pay on a per day basis. For comparability purposes, 12 interim meeting days were added to the 90 days in session. Salary figures do not include office, district office and staffing allowances.

Data Source: National Conference of State Legislatures

*House Federal & Staff  
03-22-99  
A Hackment #4*



*Roland E. Smith*

2552 NORTH RICHMOND • WICHITA, KANSAS 67204 • (316) 838-3511

March 22, 1999

STATEMENT TO: House Federal & State Affairs Committee  
FROM: Roland E. Smith, Chairman of the Legislative Compensation  
Commission  
SUBJECT: Report on 1999 Legislative Compensation Commission

Madam Chairman and members of the committee, I am Roland Smith, Chairman of the Legislative Compensation Commission created last session to review legislative compensation. Attached is a copy of the report to the Governor on the recommendations made by the commission that instituted the introduction of Senate Bill 55 as required by statute.

The commission met three times and reviewed legislative compensation in all the adjoining states and several of like size. There was no common rational to any of them. It was the feeling of the commission that we should retain a citizen legislature, but attract more citizens to consider public service. There was no one on the commission that felt the current compensation was adequate.

There was serious concern by the majority of the commission on how the pensions were calculated. It may be legal, but the ethics were questionable. It is a back door method to compensate long term legislators for some of their lost income when they did serve. Personally it became more obvious to me why legislation limiting terms has never passed.

We believed it would be impossible to change the retirement of current legislators so the Commission felt the first step would be to have an annual salary starting after the next election and grand fathering current legislators. The majority of the commission would like to have left off the daily expense allowance in figuring the amount of pension, but knew for now that would not fly.

The salary of \$18,000 a year does not do much to attract persons to run or help them cover costs for being away from their business or jobs, but it is a start.

There has been criticism that there would be no incentive to serve on interim committees. This was not discussed, but I personally believe \$72.00 per day is not very much incentive unless some is depending on it for a living.

I would be happy to answer any questions you might have regarding the recommendations the commission made.

*House Federal & State Affairs  
03-22-99  
Attachment #5-1*

# COMPENSATION COMMISSION

## First Biennial Report: December 1, 1998 to the Governor and Legislative Coordinating Council

### COMPENSATION OF MEMBERS OF THE KANSAS LEGISLATURE

#### CONCLUSIONS AND RECOMMENDATIONS

The Commission recommends that the 1999 Legislature enact legislation that, commencing in the 2001 Session, would do the following:

- Legislative compensation would be set at an annual rate of \$18,000. This replaces both the per diem compensation (\$72.06 per day) method and the interim expense allowance (\$5,400 per year) provision. This represents a compensation increase of about \$5,000 to \$5,500 for an "average year" of legislative service. As under current law, compensation automatically would be increased for cost-of-living adjustments made in the general pay plan for classified state employees.
- For new members of the Legislature in 2001, participation in the Kansas Public Employees Retirement System (KPERS) would be based on the actual annual rate of compensation rather than annualization of a daily rate of compensation. For continuing members of the Legislature in 2001, KPERS participation would continue to be determined on the current basis.
- Legislators whose districts encompass all or portions of more than one county would receive vouchered mileage reimbursement for travel to meetings related to the member's legislative responsibilities when the Legislature is not in session when the indistrict meetings are held in a county other than the one of the member's residence.

The current methods of determining legislators' subsistence allowance, mileage reimbursement, and leadership pay would not be changed. Optional participation by legislators in the state health insurance program would not be changed. KPERS participation would be continued, but the method of determining legislative compensation for that purpose would be altered as noted above.

#### BACKGROUND

The Compensation Commission was created by the 1998 enactment of S.B. 514. The Commission is composed of seven members, one member each appointed by the President, Majority Leader, and Minority Leader of the Senate; the Speaker, Majority Leader, and Minority Leader of the

House; and the Governor. No member appointed to the Commission may be a registered lobbyist, a member of the Legislature, or a member of the Legislature within two years of the date of appointment. Of the members first appointed, the terms of members appointed by the President of the Senate, Speaker of the House, and the Governor are for four years. The terms of the

other appointees are two years. Thereafter, all members serve four-year terms. Terms began on July 1, 1998. The member appointed by the Governor serves as chair of the Commission. All official actions require a majority vote of the Commission.

The Commission studies the compensation, expense allowances, and reimbursement of members of the Legislature. The Commission meets in even-numbered years and submits the report of its recommendations to the Legislative Coordinating Council and Governor by no later than December 1 of that year. If implementation of the Commission's recommendations requires legislation, a bill containing the recommendations is introduced at the commencement of the next legislative session. The statutes state that in order for this bill to become effective, it must be enacted by no later than February 1 of the odd-numbered year of introduction.

#### COMMISSION ACTIVITIES

The Commission held three one-day meetings in the conduct of its duties. The first two meetings, August 26 and September 30, were devoted to the twin tasks of studying background materials prepared by staff and engaging in policy discussions. The third meeting, held October 20, was focused on reaching agreement on the Commission's recommendations.

The Commission reviewed materials which included the history of legislative compensation, subsistence allowance, interim expense allowance, mileage reimbursement, and leadership pay in Kansas; total and currently estimated expenditures from the Legislature's budget for legislative compensation, allowances, and reimbursements; compensation and benefits for legislators in all 50 states; Kansas statutory provisions relating to legislator compensation, subsistence allowance, mileage reimbursement, and other benefits; Kansas specific information on legislator participation in the state employees health insurance program and in KPERS; Kansas legislators' daily compensation over a ten-year period as compared to such compensation adjusted for changes in the

Consumer Price Index for All Urban Consumers and as compared to step movement and cost-of-living adjustments in the pay plan for classified state employees; and comparative information for Kansas and ten other states (Nebraska, Utah, Arkansas, Mississippi, Iowa, Oregon, Oklahoma, Colorado, Arizona, and Missouri) regarding state population, size of the state budget, legislators' compensation, length of regular legislative sessions, standing committees of the legislature, and interim legislative activity.

#### CONCLUSIONS AND RECOMMENDATIONS

Based upon the information reviewed and its deliberations, the Commission has concluded that an increase in the compensation paid to Kansas legislators is warranted. Some other changes in the compensation package for legislators also are recommended.

**Current Package.** At the present time, Kansas legislators receive compensation, allowances, and reimbursements as follows:

- Compensation of \$72.06 per day during any regular or special session of the Legislature and for participation in interim legislative meetings. Under current law, this amount is adjusted automatically commensurately with cost-of-living adjustments made in the state pay plan for classified employees.
- Subsistence allowance of \$80.00 per day for expenses for any regular or special session of the Legislature and for participation in interim legislative meetings. For out-of-state meetings, actual expenses are paid if they exceed \$80.00 per day. Under current law, the daily subsistence amount is adjusted automatically to the per diem expense allowance amount allowable under federal law and regulations for federal executive branch employees while serving away from home in Topeka.
- Interim expense allowance of \$5,400, paid in 20 biweekly installments commencing with the first biweekly pay period in April.

- Mileage reimbursement at 32 cents per mile for not more than one trip for each full week the Legislature is in regular or special session and for participation in interim legislative meetings. This amount is the mileage reimbursement rate set, in accord with law, by the Secretary of Administration for travel in private cars by state employees.

Additional annual compensation is provided for certain of the legislative leadership positions. These include the President and Vice President of the Senate and the Speaker and Speaker Pro Tem of the House; the Majority, Minority, Assistant Majority, and Assistant Minority Leaders of the House and Senate; and the Chairs of the House Appropriations and Senate Ways and Means Committees. This additional compensation is in recognition of the increased responsibilities and time demands on these persons.

In addition, legislators may participate in the state employees health insurance program, which involves state participation in premiums payment, and in KPERS. Workers compensation coverage also is applicable.

Legislator participation in KPERS has been broadly discussed in the public mainly due to the procedure for annualization of the per diem compensation and subsistence allowance amounts that legislators receive. This leads to a computed annual salary for determining KPERS retirement benefits that is greater than amounts legislators actually receive during the year. For example, while a "typical" member of the Legislature this year might receive a total of about \$20,000 in per diem compensation, subsistence allowance, and interim expense allowance, the member's annual salary for KPERS purposes would be about \$62,000. Legislators must pay the 4.0 percent employee contribution rate on the total annualized amount, not the amount they actually receive. The legislative leaders who receive additional compensation (see above) are permitted to include their leadership salaries in their KPERS calculations for retirement benefits.

**Recommendations.** The Committee recommends the following changes in the legislative

compensation, allowances, and benefits package:

- Legislative compensation should be paid at an annual rate of \$18,000. This would replace both the current per diem compensation pay system and the \$5,400 per year interim expense allowance that legislators now receive. On an annual basis, this represents a compensation increase of about \$5,000 to \$5,500 for an "average year" of legislative service. This compensation would be adjusted automatically, just as the current per diem compensation is adjusted, for cost-of-living adjustments that the Legislature approves for the general pay plan for classified state employees.
- Participation in KPERS would be changed as follows: the actual annual salary of legislators would replace the annualization of per diem compensation plus inclusion of the interim expense allowance (abolished under the Commission's proposal) for all new members of the Legislature beginning in January 2001. Other members would continue KPERS participation based on the present annualization method computed on the per diem compensation and interim expense allowance rates in effect prior to that time. The benefits due retirees at the time of implementation of this recommendation would be unaffected by the change.
- For legislators whose districts encompass all or portions of more than one county, vouchered mileage reimbursement would be paid for travel to meetings relating to the member's legislative responsibilities when the Legislature is not in session and when the meetings occur within the member's district but in a county other than the one of the member's residence.

The Committee endorses continuation of the present methods of determining additional pay for certain legislative leadership positions, the legislative subsistence allowance, and the mileage reimbursement rate for travel. Also, the Commission endorses current provisions for legislator participation in the state's health insurance program. Continued access to KPERS participation,



subject to the modifications necessarily related to migrating to an annual compensation method (see above), also is endorsed.

**Discussion.** For a variety of reasons, the Commission believes legislative compensation should be increased. The Commission places high value on the benefits to the whole state of having a diverse legislative body, one which brings to the policymaking forum the views of all segments and interests of the people of Kansas. Compensation is an important consideration in this regard. The Commission supports compensation at a level that includes incentive enough to make it possible for persons of any station in society to consider public service in the Legislature. But, the Commission also does not support compensation that is high enough to attract legislative candidates for whom the compensation becomes a primary goal. Further, the Commission seeks, as far as is reasonably possible, to preserve the "citizen legislature" orientation for Kansas. Unfortunately, there is no formula upon which to rely in order to determine an exact level of compensation that will satisfy the Commission's objectives. In the end, this determination comes down to the wisdom of the collective judgment of persons who have the state's highest interests in mind.

The Commission believes that moving to an annual compensation method is better than the current "per day of service" approach. The compensation that members now receive varies among them, depending mainly on the amount of interim legislative study activity in which they are involved. This method is insensitive to the amount of time legislators spend in meetings and appearances in their districts. However, an annual salary implicitly recognizes duties beyond attendance at legislative sessions and interim study committee meetings. The Commission's recommendation, while making legislators' salaries more nearly comparable to those in similar states, also removes confusion that now exists regarding the interim expense allowance as a part of the legislative compensation package. Under the Commission's proposal, the interim expense allowance would be eliminated. However, it was taken into account in the development of the

Commission's annual compensation proposal. Another product of moving to an annual compensation method is to link KPERS participation and benefits to actual compensation rather than to an annualized salary. This latter approach, for which a sound rationale may be provided, nonetheless has been the subject of periodic press criticism. An unfortunate consequence of these attacks is their contribution to cynicism and negativism among the citizenry about legislative service. The Commission believes its proposal will nurture more positive reviews of the legislative compensation program, including the retirement feature, than presently occur.

Based upon its understanding of contractual rights and obligations associated with the KPERS system, the Commission has concluded that the simplest and most defensible approach is to implement its recommendations effective with the service of new members of the Legislature, *i.e.*, those who have no service under the present system. This means that beginning in 2001 and thereafter, all new members of the Legislature, or those who have had a break in their legislative service (for their "new" service), will commence participation in KPERS on the basis of the applicable annual salary. (Annualization of the subsistence allowance and inclusion of leadership pay also would continue to apply.) Legislators serving in the preceding session whose legislative service continues in 2001 would continue to participate in KPERS on the "old" basis during their continuous service as legislators, even though they also will move to the annual compensation method. Thus, their contractual rights and retirement expectations are preserved. These legislators become a "closed class" in that there may be no new entrants into the KPERS program on this basis after commencement of the 2001 Session.

This is a change in the groundrules for KPERS participation by new members of the Legislature beginning with the 2001 Session. The fiscal consequences of this change are that there will be a reduction in the state's contribution to KPERS on behalf of the new legislators and their retirement benefits will be lower than is the case under the current system.

The recommendation to provide vouchered mileage reimbursement for legislators whose districts cross county boundaries and who attend indistrict meetings pertaining to their legislative duties in a county other than the one of residence at times when the Legislature is not in session is designed to give some recognition to the greater demands of time and travel associated with providing representation in the districts which comprise the larger geographic areas. This proposal represents a first step in recognizing an issue that has for many years been a subject of discussion. The Commission recognizes that the legislative leadership sometimes will face difficult decisions relative to approval of the travel reimbursement for some types of meetings. Over time, though,

standardization in making such determinations will evolve.

The Commission's proposal is that its recommendations be implemented commencing with the convening of the 2001 Session of the Legislature. As all members of the House and Senate are subject to election in the year 2000, this will ensure that no member serving in the Legislature when the Commission's proposed legislation is enacted will benefit from it or be affected by it during that member's current term of service.

The Commission urges the 1999 Legislature to enact the legislation that accompanies this report.