

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate  
3 Bill No. 39 entitled “An act relating to compensation and benefits for members  
4 of the Vermont General Assembly” respectfully reports that it has considered  
5 the same and recommends that the bill be amended by striking out all after the  
6 enacting clause and inserting in lieu thereof the following:

7 \* \* \* Health Insurance Benefits \* \* \*

8 Sec. 1. 3 V.S.A. § 631 is amended to read:

9 § 631. GROUP INSURANCE FOR STATE EMPLOYEES; SALARY  
10 DEDUCTIONS FOR INSURANCE, SAVINGS PLANS, AND  
11 CREDIT UNIONS

12 (a)(1) The Secretary of Administration may contract on behalf of the State  
13 with any insurance company or nonprofit association doing business in this  
14 State to secure the benefits of franchise or group insurance. Beginning on  
15 July 1, 1978, the terms of coverage under the policy shall be determined under  
16 section 904 of this title, but it may include:

17 \* \* \*

18 (2)(A)(i) As used in this section, the term “employees” includes any  
19 class or classes of elected or appointed officials, State’s Attorneys, sheriffs,  
20 employees of State’s Attorneys’ offices whose compensation is administered  
21 through the State of Vermont payroll system, except contractual and temporary

1 employees, and deputy sheriffs paid by the State of Vermont pursuant to  
2 24 V.S.A. § 290(b). The term “employees” ~~shall~~ does not include ~~members of~~  
3 ~~the General Assembly as such~~, any person rendering service on a retainer or  
4 fee basis, members of boards or commissions, or persons ~~other than employees~~  
5 ~~of the Vermont Historical Society, the Vermont Film Corporation, the~~  
6 ~~Vermont State Employees’ Credit Union, Vermont State Employees’~~  
7 ~~Association, and the Vermont Council on the Arts~~, whose compensation for  
8 service is not paid from the State Treasury, or any elected or appointed official  
9 ~~unless the~~ except as specifically provided pursuant to this subdivision

10 (a)(2)(A)(i). The term “employees” includes employees of the Vermont  
11 Historical Society, the Vermont State Employees’ Credit Union, the Vermont  
12 State Employees’ Association, the Vermont Council on the Arts, and any  
13 elected or appointed official who is actively engaged in and devoting  
14 substantially full-time to the conduct of the business of his or her the official’s  
15 public office. The term “employees” also includes members of the General  
16 Assembly as set forth in subdivision (iv) of this subdivision (a)(2)(A).

17 \* \* \*

18 (iv) For purposes of group hospital-surgical-medical expense  
19 insurance and any flexible spending account program offered to State  
20 employees for health care or dependent care expenses, or both, the term  
21 “employees” includes members of the General Assembly.

1           (B)(i) The premiums for extending insurance coverage to employees  
2 shall be paid in full by the Vermont Historical Society, ~~the Vermont Film~~  
3 ~~Corporation~~, the Vermont State Employees’ Association, the Vermont State  
4 Employees’ Credit Union, the Vermont Council on the Arts, or their respective  
5 retirees. Nothing herein creates a legal obligation on the part of the State of  
6 Vermont to pay any portion of the premiums required to extend insurance  
7 coverage to this group of employees.

8           (ii) The premiums for extending insurance coverage to members  
9 of the General Assembly shall be paid in full by the General Assembly as  
10 follows:

11                           (I) 80 percent by the General Assembly; and

12                           (II) 20 percent by the member.

13   \* \* \*

14   \* \* \* Compensation and Expenses \* \* \*

15       Sec. 2. 32 V.S.A. § 1051 is amended to read:

16       § 1051. SPEAKER OF THE HOUSE AND PRESIDENT PRO TEMPORE  
17                           OF THE SENATE; COMPENSATION AND EXPENSE  
18                           REIMBURSEMENT

19       (a) The Speaker of the House and the President Pro Tempore of the Senate  
20 shall be entitled to receive annual compensation of ~~\$10,080.00 for the 2005~~  
21 \$XX,XXX.00 for the first year of the 2025 Biennial Session and thereafter, to

1 be paid in biweekly payments, ~~provided that, beginning on January 1, 2007,~~  
2 ~~the annual compensation shall be adjusted annually thereafter by the cost of~~  
3 ~~living adjustment negotiated for State employees under the most recent~~  
4 ~~collective bargaining agreement, except that, beginning on July 1, 2021.~~

5 **Beginning on January 1, 2026** and annually thereafter on January 1, the  
6 annual compensation shall be adjusted consistent with the compensation  
7 increases provided to other constitutional officers. In addition to the annual  
8 compensation, the Speaker and President Pro Tempore shall be entitled to  
9 receive:

10 (1) ~~\$652.00 a week for the 2005~~ **\$XXXX.00 a week for the first year**  
11 **of the 2025** Biennial Session and thereafter, to be paid in biweekly payments  
12 during the regular and adjourned sessions of the General Assembly, provided  
13 that, beginning on January 1, ~~2007, the weekly compensation shall be adjusted~~  
14 ~~annually thereafter by the cost of living adjustment negotiated for State~~  
15 ~~employees under the most recent collective bargaining agreement, except that,~~  
16 ~~beginning on July 1, 2021~~ **2026** and annually thereafter on January 1, the  
17 weekly compensation shall be adjusted consistent with the compensation  
18 increases provided to other constitutional officers;

19 \* \* \*

20 (3) an allowance for or reimbursement of expenses for mileage; meals;  
21 and lodging expenses; and child, dependent, and elder care as provided to

1 members of the General Assembly under subsection 1052(b) of this title during  
2 the biennial, adjourned, and special sessions of the General Assembly and in  
3 addition such other actual and necessary expenses incurred while engaged in  
4 duties imposed by law.

5 Sec. 3. 32 V.S.A. § 1052 is amended to read:

6 § 1052. MEMBERS OF THE GENERAL ASSEMBLY; COMPENSATION  
7 AND EXPENSE REIMBURSEMENT

8 (a) Compensation.

9 (1) Session compensation. Each member of the General Assembly,  
10 other than the Speaker of the House and the President Pro Tempore of the  
11 Senate, is entitled to a weekly salary of ~~\$589.00 for the 2005~~ **\$XXXX.00 for**  
12 **the first year of the 2025** Biennial Session and thereafter, provided that,  
13 beginning on January 1, ~~2007, the weekly compensation shall be adjusted~~  
14 ~~annually thereafter by the cost of living adjustment negotiated for State~~  
15 ~~employees under the most recent collective bargaining agreement, except that,~~  
16 ~~beginning on July 1, 2021~~ **2026** and annually thereafter on January 1, the  
17 weekly compensation shall be adjusted consistent with the compensation  
18 increases provided to other constitutional officers. The salary of members  
19 shall be paid in biweekly installments.

20 (2) Special session compensation. During a special session, a member is  
21 entitled to an amount equal to one-fifth of the annually adjusted weekly

1 compensation set forth in subdivision (1) of this subsection, rounded up to the  
2 nearest dollar, for each day of a special session ~~on which the House of which~~  
3 ~~he or she is a~~ that the House in which the member serves shall sit.

4 (3) Adjournment compensation.

5 (A) During adjournment of the General Assembly, a member is  
6 entitled to an amount equal to one-fifth of the annually adjusted weekly  
7 compensation set forth in subdivision (1) of this subsection (a), rounded up to  
8 the nearest dollar, for each week of the adjournment of the General Assembly.

9 (B) During adjournment of the General Assembly, a member who is  
10 serving on a special committee or joint committee shall, in addition to the  
11 weekly adjournment compensation set forth in subdivision (A) of this  
12 subdivision (3) and the per diem compensation set forth in 2 V.S.A. § 23, be  
13 entitled to compensation for time spent preparing for meetings of the special or  
14 joint committee at an hourly rate equal to 2.5 percent of the annually adjusted  
15 weekly compensation set forth in subdivision (1) of this subsection (a).

16 (b) Expenses. During any session of the General Assembly, each member  
17 is entitled to receive an allowance for or reimbursement of expenses as  
18 ~~follows:~~ set forth in this subsection.

19 (1) Mileage reimbursement. ~~Reimbursement~~ Each member shall receive  
20 reimbursement in an amount equal to the actual mileage traveled for each day  
21 of session in which the member travels between Montpelier and the member's

1 home or from Montpelier or from the member's home to another site on  
2 officially sanctioned legislative business. Reimbursement of actual mileage  
3 traveled under this subdivision shall be at the rate per mile determined by the  
4 federal Office of Government-wide Policy and published in the Federal  
5 Register for the year of the session.

6 (2) ~~Meals and lodging allowance.~~ Each member shall receive either a  
7 meals allowance or reimbursement of actual meals expenses. Each member  
8 shall inform the Office of Legislative Operations of the member's choice of a  
9 meals allowance or meals expense reimbursement prior to the beginning of  
10 each biennium, and the member's choice shall remain in effect through the  
11 remainder of the biennium unless the member notifies the Office that the  
12 member wishes to make a change.

13 (A) Meals allowance. ~~And~~ A member who elects to receive a meals  
14 allowance shall receive an amount equal to the daily amount for meals ~~and~~  
15 ~~lodging~~ determined for Montpelier, Vermont, by the federal Office of  
16 Government-wide Policy and published in the Federal Register for the year of  
17 the session; for each day the House in which the member serves shall sit.

18 (B) Meals reimbursement. A member who elects to receive  
19 reimbursement of expenses shall receive reimbursement equal to the actual  
20 amounts expended by the member for meals for each day that the House in  
21 which the member serves shall sit, as well as meals for the night preceding the

1 first legislative day of each week during the legislative session. The amount of  
2 the daily reimbursement available pursuant to this subdivision shall not exceed  
3 the daily amount for meals determined for Montpelier, Vermont, by the federal  
4 Office of Government-wide Policy and published in the Federal Register for  
5 the year of the session. The member shall provide meal receipts or otherwise  
6 substantiate the amounts expended to the Office of Legislative Operations in  
7 the form and manner prescribed by the Director of Legislative Operations.

8 (3) Lodging. Each member shall receive either a lodging allowance or  
9 reimbursement of actual lodging expenses. Each member shall inform the  
10 Office of Legislative Operations of the member's choice of a lodging  
11 allowance or lodging expense reimbursement prior to the beginning of each  
12 biennium, and the member's choice shall remain in effect through the  
13 remainder of the biennium unless the member notifies the Office that the  
14 member wishes to make a change.

15 (A) Lodging allowance. A member who elects to receive a lodging  
16 allowance shall receive an amount equal to the daily amount for lodging  
17 determined for Montpelier, Vermont, by the federal Office of Government-  
18 wide Policy and published in the Federal Register for the year of the session  
19 for each day the House in which the member serves shall sit.

20 (B) Lodging reimbursement. A member who elects to receive  
21 reimbursement of expenses shall receive reimbursement equal to the actual



1 amounts expended by the member for lodging for each day that the House in  
2 which the member serves shall sit, as well as lodging for the night preceding  
3 the first legislative day of each week during the legislative session. The  
4 amount of the daily reimbursement available pursuant to this subdivision shall  
5 not exceed the daily amount for lodging determined for Montpelier, Vermont,  
6 by the federal Office of Government-wide Policy and published in the Federal  
7 Register for the year of the session. The member shall provide lodging  
8 receipts or otherwise substantiate the amounts expended to the Office of  
9 Legislative Operations in the form and manner prescribed by the Director of  
10 Legislative Operations.

11 (4) Child, dependent, and elder care reimbursement.

12 (A) Each member shall be eligible to receive reimbursement equal to  
13 the actual amounts expended by the member for child care, dependent care, or  
14 elder care services in this State, or a combination, that is necessary to facilitate  
15 the member's service in the General Assembly. The total amount of the  
16 reimbursement available pursuant to this subdivision (4) shall not exceed the  
17 federal maximum annual household contribution limit for a dependent care  
18 flexible spending account.

19 (B) Expenses shall not be reimbursed under this subdivision (4) to  
20 the extent they are being reimbursed or subsidized by another source or if  
21 reimbursement or subsidies are reasonably available from another source.

1           (C) As used in this subdivision (4):

2           (i) “Child care” and “dependent care” mean care provided to an  
3 individual who would be a qualifying individual for purposes of the federal  
4 child and dependent care tax credit.

5           (ii) “Elder care” means care provided to an adult 65 years of age  
6 or older in the home or in an adult day program.

7           **(5) Parking. A member who attests that the member’s physical**  
8 **limitations make it difficult or impractical for the member to walk from**  
9 **the member’s lodging to the State House may receive reimbursement for**  
10 **actual costs incurred for overnight parking for the night preceding each**  
11 **day that the House in which the member serves shall sit.**

12           (6) Absences. If a member is absent for reasons other than sickness or  
13 legislative business for one or more entire days while the house in which the  
14 member sits is in session, the member shall notify the Office of Legislative  
15 Operations of that absence, and ~~expenses received shall not include the amount~~  
16 ~~that the legislator specifies was not incurred~~ the member shall not be  
17 reimbursed for mileage, meals, or lodging expenses incurred during the period  
18 of that absence.

19           (c) ~~For attending a meeting of the Joint Fiscal Committee when a member~~  
20 ~~is not receiving compensation as a member of the General Assembly, a~~  
21 ~~member of the Joint Fiscal Committee shall be entitled to the same per diem~~

1 ~~compensation and reimbursement for necessary expenses as provided members~~  
2 ~~of the General Assembly for attendance at sessions of the General Assembly.~~

3 [Repealed.]

4 (d) Death of a member. If a member of the General Assembly dies while  
5 the General Assembly is in session, the estate of the deceased member shall be  
6 entitled to receive compensation for the entire pay period in which the death  
7 occurred.

8 \* \* \* Legislative Leave from Employment \* \* \*

9 Sec. 4. 21 V.S.A. § 496 is amended to read:

10 § 496. LEGISLATIVE LEAVE

11 (a) Any person who, in order to serve as a member of the General  
12 Assembly, must leave a ~~full-time~~ position in the employ of any employer, shall  
13 be entitled to a temporary or partial leave of absence for the purpose of  
14 allowing such employee to perform any official duty in connection with ~~his or~~  
15 ~~her~~ the person's elected office.

16 (b) An employee who intends to seek election to the General Assembly and  
17 to invoke, if elected, ~~his or her~~ the right to a leave of absence pursuant to  
18 subsection (a) of this section, shall notify ~~his or her~~ the employee's employer  
19 of those intentions in writing within ~~10~~ 14 days after ~~filing the primary election~~  
20 ~~nominating petition required by 17 V.S.A. § 2353 or of taking any other action~~  
21 ~~required by 17 V.S.A. chapter 49, to place his or her name on a primary or~~

1 ~~general election ballot~~ **being elected**. An employee who fails to give notice to  
2 ~~his or her~~ **the employee's** employer as required by this section shall be deemed  
3 to have waived ~~his or her~~ **the** right to a leave of absence under subsection (a)  
4 of this section.

5 \* \* \*

6 \* \* \* Legislative Service Working Group \* \* \*

7 Sec. 5. LEGISLATIVE SERVICE WORKING GROUP

8 (a) Creation. There is created the Legislative Service Working Group to  
9 consider issues related to serving as a member of the Vermont General  
10 Assembly.

11 (b) Membership. The Working Group shall be composed of the following  
12 members:

13 (1) three current members of the House of Representatives, not all from  
14 the same political party, who shall be appointed by the Speaker of the House;  
15 and

16 (2) three current members of the Senate, not all from the same political  
17 party, who shall be appointed by the Committee on Committees.

18 (c) Powers and duties. The Working Group shall consider and make  
19 recommendations on issues involving legislative compensation and benefits,  
20 staffing, administrative support, and the length of the legislative session,  
21 including:

- 1           (1) the current compensation and benefits offered to members of the  
2           General Assembly, including:
- 3                   (A) whether current salaries and benefits are sufficient and, if not,  
4           how they should be increased;
- 5                   (B) the impact of current salaries and benefits on recruiting and  
6           retaining members from diverse backgrounds and life experiences;
- 7                   (C) whether supplemental compensation should be provided to  
8           members who hold leadership positions in addition to the Speaker of the House  
9           and Senate President Pro Tempore, including caucus leaders and committee  
10           chairs; and
- 11                   (D) how the salaries, benefits, and compensation structure in the  
12           Vermont General Assembly compare to those of other state legislatures;
- 13           (2) whether changes to staffing are necessary, such as increasing the  
14           number of legislative staff in existing staff offices, expanding the types of  
15           legislative staff services available to members, adding caucus staff, and adding  
16           personal staff or providing members with an allowance to hire their own  
17           personal staff;
- 18           (3) how to increase the administrative support available to members to  
19           increase their effectiveness and ability to respond efficiently to the needs of  
20           their constituents; and

1           (4) whether changes should be made to the length or structure of the  
2           legislative session.

3           (d) Assistance. The Working Group shall have the administrative,  
4           technical, and legal assistance of the Office of Legislative Operations, the  
5           Office of Legislative Counsel, and the Joint Fiscal Office.

6           (e) Report. On or before January 15, 2024, the Working Group shall report  
7           its findings and recommendations, including any recommendations for  
8           legislative action, to the Speaker of the House, the Senate President Pro  
9           Tempore, and the House and Senate Committees on Government Operations.  
10          Drafts of the Working Group’s report shall be confidential unless publicly  
11          released.

12          (f) Meetings.

13           (1) The Office of Legislative Operations shall call the first meeting of  
14          the Working Group to occur on or before July 1, 2023.

15           (2) The Committee shall select a chair from among its members at the  
16          first meeting.

17           (3) A majority of the membership of the Working Group shall constitute  
18          a quorum.

19           (4) The Working Group shall cease to exist on January 15, 2024.

20          (g) Compensation and reimbursement. For attendance at meetings during  
21          adjournment of the General Assembly, a legislative member of the Working

1 Group shall be entitled to per diem compensation and reimbursement of  
2 expenses pursuant to 2 V.S.A. § 23 for not more than eight meetings. These  
3 payments shall be made from monies appropriated to the General Assembly.

4 \* \* \* Effective Dates \* \* \*

5 Sec. 6. EFFECTIVE DATES

6 ~~(a) Secs. 1 (health insurance), 2 (expenses for Speaker and President Pro~~  
7 ~~Tempore), and 3(b) (d) (legislator expenses for meals, lodging, and child,~~  
8 ~~dependent, and elder care) shall take effect on January 1, 2024.~~

9 ~~(b) Secs. 3(a) (adjournment compensation) and 4 (legislative leave from~~  
10 ~~employment) shall take effect on January 1, 2025.~~

11 ~~(c) Sec. 5 (Legislative Service Working Group) and this section shall take~~  
12 ~~effect on passage.~~

13 ~~(a) Secs. 4 (legislative leave from employment) and 5 (Legislative~~  
14 ~~Service Working Group) and this section shall take effect on passage.~~

15 ~~(b) The remaining sections shall take effect on January 1, 2025.~~

16  
17

18 (Committee vote: \_\_\_\_\_)

19  
20

\_\_\_\_\_  
Senator \_\_\_\_\_

21

FOR THE COMMITTEE