



STATE OF VERMONT
OFFICE OF LEGISLATIVE COUNCIL

MEMORANDUM

To: Stephen Klein, Chief Legislative Fiscal Officer
From: BetsyAnn Wrask, Legislative Counsel
Date: April 3, 2015
Subject: Summary of draft re: legislative compensation; draft 1.8

Below please find a summary of the provisions of the draft regarding legislative compensation, draft 1.8. The comments field of the draft provides additional details, and poses questions for other potential revisions. Please do not hesitate to contact me if you have any questions or concerns. Thank you.

Sec. 1 (pgs. 1-3): This section about legislative meetings during adjournment is in the Legislative Council chapter of Title 2, so it would be moved.

- Subsection (a) re: the ability to meet during adjournment would be placed in the General Assembly chapter of Title 2 (*see* Sec. 2).
- Subsection (b) re: legislative pay during adjournment would be moved to the legislative pay statute in Title 32 (*see* Sec. 4).
- The provisions of both subsections have been revised.

Sec. 2 (pg. 3): This is the authority for legislative committees to meet during adjournment.

- Added language would allow special and joint committees to meet during adjournment with the approval of the Speaker for House committees; the President *Pro Tempore* for Senate committees; or both, for joint committees. The law is currently silent on those two types of committees meeting during adjournment.

Sec. 3 (pgs. 4 and 5): This is re: Speaker and President *Pro Tempore* compensation and expense reimbursement. Amendments address the following issues for these two officers *that current law is silent on*:

- Allowing them to get per diem compensation during adjournment for attending meetings of committees they're members of;

- Allowing them to get mileage reimbursement; and
- Allowing them to be reimbursed for expenses “for attending to other official duties, including during adjournment.”

Sec. 4 (pgs. 5-10): This is re: all other legislators’ compensation and expense reimbursement. This section:

- Allows special session pay to be adjusted for COLA. Current law doesn’t provide for this adjustment.
- Provides that a member can only get reimbursed for mileage if he or she drove or had another person drive the member’s car.
- Provides that a member can only be reimbursed for meals when the member actually attended session. Current law just says that a member can obtain meal reimbursement for each day the General Assembly is in session, which could mean that a member could claim a meal even if he or she was not in Montpelier.
- Similar to the above, provides that a member can only be reimbursed for lodging for each day during session that the member paid for lodging.
- In subsection (c), provides for:
 - adjournment compensation and expense reimbursement for committee members;
 - off-site expense reimbursement during session, which is not currently provided for in law; and
 - compensation and expense reimbursement for official duties pre-approved by the Speaker or President *Pro Tempore*.

Sec. 5 (pg. 10): This section takes the requirement in 2 V.S.A. § 406(b)(1) — which would be repealed under Sec. 1. of this draft — that House and Senate staff need prior approval for out-of-state duties they’ll want to expense, and places it here.

Sec. 6 (pg. 11): This is the base salary for the Sergeant at Arms. Current law does not provide for this salary to be adjusted for COLA. This section:

- This section:
 - adjusts this salary for COLA, as is provided for legislators; and
 - provides what the salary would be as of January 1, 2015, if COLA had been provided each year (based on the table you provided to me).
- The language in the section itself and in the effective date section specifically provide that this base salary is effective retroactively as of January 1, 2015.

Secs. 7-35 (pgs. 11-29): These sections are just updating current law's cross-references to 2 VSA § 406 (repealed under Sec. 1 of the draft) to the new applicable provision of law, 32 VSA § 1052(c). Technical corrections are also made. In lieu of including these sections, the General Assembly could direct Legislative Council to use its statutory revision authority to correct the cross-references, but the other technical corrections could not be made.

Sec. 36 (pg. 29): The effective date section provides that these changes would take effect on passage, except for the Sergeant at Arms salary section, which would take effect retroactively as of January 1, 2015.