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H.281

Introduced by Representatives Mulvaney-Stanak of Burlington, Anthony of Barre City, Arsenault of Williston, Bos-Lun of Westminster, Burke of Brattleboro, Casey of Montpelier, Cina of Burlington, Cole of Hartford, Cordes of Lincoln, Dodge of Essex, Garofano of Essex, Graning of Jericho, Headrick of Burlington, LaMont of Morristown, Logan of Burlington, McCann of Montpelier, McGill of Bridport, Nicoll of Ludlow, Priestley of Bradford, Rachelson of Burlington, Rice of Dorset, Sims of Craftsbury, Small of Winooski, Stebbins of Burlington, Stone of Burlington, Surprenant of Barnard, Waters Evans of Charlotte, Whitman of Bennington, and Williams of Barre City

Referred to Committee on

Date:

Subject: Salaries and fees; General Assembly; health insurance; legislator compensation and benefits

Statement of purpose of bill as introduced: This bill proposes to make members of the General Assembly eligible for the State employees' health benefit plan at no cost. It would provide members with an annual salary in an amount equal to one-half of the statewide annual average wage, with higher amounts for the Speaker of the House and the President Pro Tempore of the

1 Senate. The bill would provide members with reimbursement for child and
2 dependent care expenses and would reimburse overnight parking costs for
3 legislators with mobility limitations. The bill would also provide per diem
4 compensation and expense reimbursement for members-elect who attend
5 certain pre-session trainings and meetings.

6 An act relating to increased compensation and expanded benefits for
7 members of the General Assembly

8 It is hereby enacted by the General Assembly of the State of Vermont:

9 Sec. 1. 2 V.S.A. § 23 is amended to read:

10 § 23. STANDING COMMITTEES; AUTHORITY TO MEET; OUT-OF-
11 STATE BUSINESS

12 (a) During adjournment of the General Assembly, any standing committee
13 or subcommittee of a standing committee may with the appropriate approval of
14 the Speaker or the President Pro Tempore meet at the call of its chair to
15 conduct legislative business within the State. For attendance at such a meeting
16 or for attendance at a meeting of a special committee or joint committee, a
17 committee member shall be entitled to ~~per diem compensation and~~ expense
18 reimbursement as follows:

19 (1) ~~daily compensation at the rate then in effect for members of the~~
20 ~~General Assembly during a special session; [Repealed.]~~

- 1 (2) actual mileage traveled at the rate paid State employees;
- 2 (3) receipted lodging costs and actual meal costs;
- 3 (4) child and dependent care costs in accordance with 32 V.S.A.
- 4 § 1052(b); and
- 5 (5) other actual expenses, as reasonable and necessary.

6 (b) ~~For attending to official duties out of the State, a member shall be~~

7 ~~entitled to the same per diem compensation as provided for attendance at~~

8 ~~sessions of the General Assembly.~~ Reimbursement of necessary and actual

9 expenses for official duties out of the State shall be made from the legislative

10 appropriation to any member of the General Assembly or its staff. Such

11 reimbursement ~~and per diem compensation~~ shall be in lieu of any other

12 expenses payable by the State to that person during the period ~~he or she~~ that

13 the person is out of the State and shall be contingent upon:

14 (1) prior approval of the out-of-state duties by the Speaker of the House

15 in the case of a House member or employee or by the President Pro Tempore

16 of the Senate in the case of a Senator or Senate employee; and

17 (2) certification of the expense voucher to the Commissioner of Finance

18 and Management by either the Speaker of the House or President Pro Tempore

19 of the Senate in the appropriate case or designee.

20 (c) All ~~per diem and~~ expense claims for attendance at authorized committee

21 meetings shall be submitted with the approval of the committee chair.

1 Sec. 2. 3 V.S.A. § 631 is amended to read:

2 § 631. GROUP INSURANCE FOR STATE EMPLOYEES; SALARY
3 DEDUCTIONS FOR INSURANCE, SAVINGS PLANS, AND
4 CREDIT UNIONS

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

10 * * *

11 (2)(A)(i) As used in this section, the term “employees” includes any
12 class or classes of elected or appointed officials, State’s Attorneys, sheriffs,
13 employees of State’s Attorneys’ offices whose compensation is administered
14 through the State of Vermont payroll system, except contractual and temporary
15 employees, and deputy sheriffs paid by the State of Vermont pursuant to
16 24 V.S.A. § 290(b). The term “employees” ~~shall~~ does not include ~~members of~~
17 ~~the General Assembly as such~~, any person rendering service on a retainer or
18 fee basis, members of boards or commissions, or persons ~~other than employees~~
19 ~~of the Vermont Historical Society, the Vermont Film Corporation, the~~
20 ~~Vermont State Employees’ Credit Union, Vermont State Employees’~~
21 ~~Association, and the Vermont Council on the Arts~~, whose compensation for

1 service is not paid from the State Treasury, or any elected or appointed official
2 ~~unless the~~ except as specifically provided pursuant to this subdivision
3 (a)(2)(A)(i). The term “employees” includes employees of the Vermont
4 Historical Society, the Vermont State Employees’ Credit Union, the Vermont
5 State Employees’ Association, the Vermont Council on the Arts, and any
6 elected or appointed official who is actively engaged in and devoting
7 substantially full-time to the conduct of the business of his or her the official’s
8 public office. The term “employees” also includes members of the General
9 Assembly as set forth in subdivision (iv) of this subdivision (a)(2)(A).

10 * * *

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

15 (B)(i) The premiums for extending insurance coverage to employees
16 shall be paid in full by the Vermont Historical Society, ~~the Vermont Film~~
17 ~~Corporation~~, the Vermont State Employees’ Association, the Vermont State
18 Employees’ Credit Union, the Vermont Council on the Arts, or their respective
19 retirees. Nothing herein creates a legal obligation on the part of the State of
20 Vermont to pay any portion of the premiums required to extend insurance
21 coverage to this group of employees.

1 (1) Each member of the General Assembly, other than the Speaker of
2 the House and the President Pro Tempore of the Senate, is entitled to a weekly
3 salary of \$589.00 for the 2005 Biennial Session and thereafter, provided that,
4 beginning on January 1, 2007, the weekly compensation shall be adjusted
5 annually thereafter by the cost of living adjustment negotiated for State
6 employees under the most recent collective bargaining agreement, except that,
7 beginning on July 1, 2021 and annually thereafter on January 1, the weekly
8 compensation shall be adjusted consistent with the compensation increases
9 provided to other constitutional officers. The salary of members shall an
10 annual salary in an amount equal to one-half of the State annual average wage,
11 as determined by the Vermont Department of Labor, Employment and Labor
12 Market Information Division for the most recent complete year for which
13 information is available, to be paid in biweekly installments.

14 (2) ~~During a special session, a member is entitled to an amount equal to~~
15 ~~one-fifth of the annually adjusted weekly compensation set forth in subdivision~~
16 ~~(1) of this subsection, rounded up to the nearest dollar, for each day of a~~
17 ~~special session on which the House of which he or she is a member shall sit~~

18 (A) Each member-elect of the General Assembly who is not an incumbent
19 shall receive per diem compensation for each day of attendance at an
20 orientation program for new legislators organized by the General Assembly

1 and its staff. Members-elect shall receive reimbursement of mileage and child
2 and dependent care expenses in accordance with subsection (b) of this section.

3 (B) Each member-elect who is not an incumbent shall receive per
4 diem compensation, and all members and members-elect shall receive
5 reimbursement of mileage, meals, and child and dependent care expenses in
6 accordance with subsection (b) of this section and 2 V.S.A. § 23, for
7 attendance at a meeting of the General Assembly held prior to the beginning of
8 a biennium to which all members of the General Assembly and members-elect
9 are invited.

10 (C) The amount of the per diem compensation to be provided under
11 this subdivision (2) shall be equal to one-tenth of the amount of the biweekly
12 compensation to be paid to the member pursuant to subdivision (1) of this
13 subsection (a), rounded up to the nearest dollar, and, for a member-elect, shall
14 be included in the first paycheck following the commencement of the
15 legislative session.

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

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

1 officially sanctioned legislative business. Reimbursement of actual mileage
2 traveled under this subdivision shall be at the rate per mile determined by the
3 federal Office of Government-wide Policy and published in the Federal
4 Register for the year of the session.

5 (2) Meals and lodging allowance. ~~An~~ Each member shall receive an
6 allowance in an amount equal to the daily amount for meals and lodging
7 determined for Montpelier, Vermont, by the federal Office of Government-
8 wide Policy and published in the Federal Register for the year of the session,
9 for each day the House in which the member serves shall sit.

10 (3) Child and dependent care reimbursement.

11 (A) Each member shall be eligible to receive reimbursement equal to
12 the actual amounts expended by the member for child care or dependent care
13 services in this State, or both, as set forth in this subdivision (3) for each day
14 the House in which the member serves shall sit. A member shall also be
15 eligible to receive the reimbursement for each day of a special session that the
16 House in which the member serves shall sit and for each day during
17 adjournment of the General Assembly on which the member attends an official
18 meeting of a special committee or joint committee to which the member was
19 appointed by the Speaker of the House or the Senate Committee on
20 Committees, as applicable.

1 (B) The amount of the daily reimbursement available under this
2 subdivision (3) shall not exceed the following amounts for child care or
3 dependent care for each qualifying child and each individual who requires
4 dependent care:

5 (i) for a child under five years of age, an amount equal to one-fifth
6 of the statewide average weekly rate at the 75th percentile averaged across the
7 infant, toddler, and preschool age groups, based on the most recent child care
8 market rate survey published by the Department for Children and Families,
9 Child Development Division;

10 (ii) for a child who is at least five but less than 13 years of age, an
11 amount equal to one-fifth of the statewide average weekly rate at the 75th
12 percentile for the school age group, as determined by the most recent child care
13 market rate survey published by the Department for Children and Families,
14 Child Development Division; and

15 (iii) for a child 13 years of age or older or another family member
16 who requires dependent care, an amount equal to the daily Medicaid
17 reimbursement rate for providers of adult day services, as determined by the
18 Department of Disabilities, Aging, and Independent Living, Adult Services
19 Division.

20 (C) As used in this subdivision (3), “child care” and “dependent care”
21 mean care provided to a member’s child who is under 13 years of age at the

1 end of the taxable year or to another individual who would be a qualifying
2 individual for purposes of the federal child and dependent care tax credit.

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

8 (5) Absences. If a member is absent for reasons other than sickness or
9 legislative business for one or more entire days while the house in which the
10 member sits is in session, the member shall notify the Office of Legislative
11 Operations of that absence, and ~~expenses received shall not include the amount~~
12 ~~that the legislator specifies was not~~ the member shall not be reimbursed for
13 expenses incurred during the period of that absence.

14 (c) ~~For attending a meeting of the Joint Fiscal Committee when a member~~
15 ~~is not receiving compensation as a member of the General Assembly, a~~
16 ~~member of the Joint Fiscal Committee shall be entitled to the same per diem~~
17 ~~compensation and reimbursement for necessary expenses as provided members~~
18 ~~of the General Assembly for attendance at sessions of the General Assembly.~~

19 [Repealed.]

20 (d) Death of a member. If a member of the General Assembly dies while
21 the General Assembly is in session, the estate of the deceased member shall be

1 entitled to receive compensation for the entire pay period in which the death
2 occurred.

3 Sec. 5. EFFECTIVE DATE

4 This act shall take effect on January 1, 2025.