

**SENATE GOVERNMENT OPERATIONS COMMITTEE AMENDMENT TO S.224:
An act relating to compensation and benefits for members of the Vermont
General Assembly**

Purpose: This strike-all amendment to [S.224 \(an act relating to compensation and benefits for members of the Vermont General Assembly\)](#) will...

1. Enable legislators to participate in any flexible spending account program offered to State employees for health care and dependent care expenses, but *not* State health insurance.
2. Base legislators' compensation on the mean Vermont annual wage.
3. Provide annual compensation to the Speaker and Pro Tempore (and no longer to chairs of the standing committees of the House and Senate, and majority and minority leaders).
4. Allow legislators to choose whether to receive their payments for meals and lodging expenses as an allowance, which may be treated as income subject to tax for federal and State income tax purposes or as reimbursement of actual expenses, which may be excluded from income for federal and State income tax purposes.
5. Provide a stipend for members-elect to attend orientation programs.
6. Expand the legislative leave of absence law to allow members to take a leave of absence from any job, not only a full-time job, in order to serve in the General Assembly.
7. Create the temporary Legislative Service Working Group to consider and make recommendations on issues involving legislative compensation and benefits, staffing, administrative support, the length of the legislative session, and equalizing the number of members per legislative district in each House.

PART ONE: Flex Spending and Employee Assistance Programs. (Sec. 1)

Sec. 1 amends [3 V.S.A. § 631](#) ("Group Insurance For State Employees; Salary Deductions For Insurance, Savings Plans, And Credit Unions") to enable legislators to access any employee assistance program offered to State employees and any flexible spending account program offered to State employees for health care or dependent care expenses, or both. Legislators would *not* be eligible for the state health insurance plan.

- *This amendment makes no changes to Sec. 1 in S.224.*

PART TWO: Compensation and Expenses. (Sec. 2-3)

Sec. 2 amends [32 V.S.A. § 1051](#) ("Speaker of The House and President Pro Tempore of the Senate; Compensation and Expense Reimbursement") by:

Subsection (a) modifies compensation for the **Speaker** of the House and **President Pro Tempore** of the Senate:

- Annual Compensation is changed from a fixed sum (\$10,080 for the 2005 Biennial Session, adjusted annually) to *35% of the mean Vermont annual wage*. This amount would be adjusted annually consistent with the compensation increases provided to other elective officers of the Executive Department listed in [32 V.S.A. § 1003\(a\)](#).

- Regular session compensation is changed from a weekly rate of \$652 (for the 2005 Biennial Session, adjusted annually) to *1/52 of 110% of the mean Vermont annual wage*. This amount would be adjusted annually consistent with the compensation increases provided to other elective officers of the Executive Department listed in [32 V.S.A. § 1003\(a\)](#).
- Special session compensation is added and will be 1/5 portion of the regular session weekly adjusted compensation for each day of a special session.
- Expenses are unchanged.

- *This amendment modifies Sec. 2 by increasing the annual compensation for the Speaker and the Pro Tem from 30% to 35% of the mean Vermont annual wage and decreasing the regular session compensation from 130% to 110% of the mean Vermont annual wage. Both the annual and regular session compensation would be adjusted annually the same as Elected Executive Officers (Governor, etc.). It removes the additional compensation for 20 days during adjournment. It also removes the prior subsections (b) and (c) regarding compensation for Chairs of Standing Committees and Majority and Minority Leaders.*

Sec. 3 amends [32 V.S.A. § 1052](#) (“Members of the General Assembly; Compensation and Expense Reimbursement”) to modify compensation for **Representatives and Senators**.

Subsection (a) addresses compensation during regular sessions, special sessions, and adjournments.

- Regular session compensation is changed from a weekly rate of \$589.00 (for the 2005 Biennial Session, adjusted annually) to *1/52 of the mean Vermont annual wage*. This amount would be adjusted annually consistent with the compensation increases provided to other elective officers of the Executive Department listed in [32 V.S.A. § 1003\(a\)](#).
 - Note: The Speaker and Pro Temp cannot be compensated for both their position and as a regular legislator.
- Special session compensation is added and will be 1/5 portion of the regular session weekly adjusted compensation for each day of a special session.

Subsection (b) addresses expenses.

- Mileage is unchanged.
- Meals are altered so that legislators may opt to receive either a meals allowance *or* reimbursement of actual meal expenses. The allowance is the default.
 - o Meals allowance is unchanged.
 - o Meals reimbursement option is added. Legislators who opt-in may receive reimbursement for actual expenses capped at per diem rates.
- Lodging is altered so that legislators may opt to receive either a lodging allowance *or* reimbursement of actual lodging expenses. The allowance is the default.
 - o Lodging allowance is unchanged.
 - o Lodging reimbursement option is added. Legislators who opt-in may receive reimbursement for actual expenses capped at per diem rates.

- Absence accommodations are added. If a legislator is absent for reasons other than sickness or legislative business for one or more entire days while in session, the legislator shall *not* receive or be reimbursed for mileage, meals, or lodging expenses incurred during the period of that absence, *except* that lodging expenses associated with a lease or rental agreement may be received or reimbursed upon approval of either the Speaker or Pro Temp.

Subsection (c) creates an orientation stipend for **members-elect** and will be 1/5 portion of the regular session weekly adjusted compensation for each day of attendance at an orientation program for new legislators organized by the General Assembly and its staff.

- *This amendment modifies Sec. 3 by setting the regular session compensation to be adjusted annually the same as Elected Executive Officers (Governor, etc.). It removes the additional compensation for 20 days during adjournment. It also requires members to opt by a date determined by the Office of Legislative Operations for an allowance for meals and lodgings or receive reimbursement for these expenses*

PART THREE: Legislative Leave from Employment. (Sec. 4)

Sec. 4 amends [21 V.S.A. § 496](#) (“Legislative Leave”) so that a person leaving any position—no longer just a full-time position—to serve as a legislator shall be entitled to a temporary or partial leave of absence. That employee would now provide notice within 14 days of being elected, rather than within 10 days after filing to run in a primary or general election.

- *This amendment makes **no changes** to Sec. 4 in S.224.*

PART FOUR: Legislative Service Working Group. (Sec. 5)

Sec. 5 creates a “Legislative Service Working Group” that will consider and make recommendations on issues involving legislative compensation and benefits, staffing, administrative support, and the length of the legislative session, including:

- (1) the current compensation and benefits offered to legislators, including:
 - (A) whether current salaries and benefits, including those added or increased by this act, are sufficient and, if not, how they should be increased;
 - (B) whether there should be additional compensation for chairs and leaders and compensation for legislative work performed during the adjournment;
 - (C) the impact of current salaries and benefits, including those added or increased by this act, on recruiting and retaining members from diverse backgrounds and life experiences;
 - (D) an implementation plan and proposed budget to make members eligible for State health plans; and
 - (E) whether members should be offered additional benefits, including reimbursement of health, child, dependent, and elder care expenses;
- (2) whether changes to staffing are necessary, such as increasing the number of legislative staff in existing staff offices, expanding the types of legislative staff services available

to members, adding caucus staff, and adding personal staff or providing members with an allowance to hire their staff;

- (3) how to increase the administrative support available to members to increase their effectiveness and ability to respond efficiently to the needs of their constituents;
 - (4) whether changes should be made to the length or structure of the legislative session;
 - (5) whether the number of members in each House should be decreased to offset increases in compensation, benefits, and staffing; and
 - (6) how to better balance the constituent services obligations and workloads of members.
- *This amendment modifies Sec. 5 by modifying its charges (specifically, in (1)(B) and (6)). It also will require the report to be submitted by December 15, 2024, and for there to be two co-chairs.*

PART FIVE: Effective Dates. (Sec. 6)

Sec. 6. The effective date is January 1, 2025, for all portions of the bill, except Sec. 5 regarding the Working Group) will take effect on passage.

- *This amendment makes **no changes** to Sec. 6 in S.224.*