

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 * * * Compensation for Legislative Professional Development * * *

8 Sec. 1. 2 V.S.A. § 23 is amended to read: **(NEW)**

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

11 * * *

12 (b) For attending to official duties out of the State, **or for participating in**
13 **professional development activities in or out of the State that are directly**
14 **related to the member’s service in the General Assembly,** a member shall
15 be entitled to the same per diem compensation as provided for attendance at
16 sessions of the General Assembly. Reimbursement of necessary and actual
17 expenses for official duties out of the State **and for participation in**
18 **professional development activities** shall be made from the legislative
19 appropriation to any member of the General Assembly or its staff. Such
20 reimbursement and per diem compensation shall be in lieu of any other

1 expenses payable by the State to that person during the period ~~he or she~~ **the**
2 **person** is out of the State and shall be contingent upon:

3 (1) prior approval of the out-of-state **or professional development**
4 duties by the Speaker of the House in the case of a House member or employee
5 or by the President Pro Tempore of the Senate in the case of a Senator or
6 Senate employee; and

7 (2) certification of the expense voucher to the Commissioner of Finance
8 and Management by either the Speaker of the House or President Pro Tempore
9 of the Senate in the appropriate case or designee.

10 * * *

11 * * * Health Insurance Benefits * * *

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

13 § 631. GROUP INSURANCE FOR STATE EMPLOYEES; SALARY
14 DEDUCTIONS FOR INSURANCE, SAVINGS PLANS, AND
15 CREDIT UNIONS

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

21 * * *

1 (2)(A)(i) As used in this section, the term “employees” includes any
2 class or classes of elected or appointed officials, State’s Attorneys, sheriffs,
3 employees of State’s Attorneys’ offices whose compensation is administered
4 through the State of Vermont payroll system, except contractual and temporary
5 employees, and deputy sheriffs paid by the State of Vermont pursuant to
6 24 V.S.A. § 290(b). The term “employees” ~~shall~~ does not include ~~members of~~
7 ~~the General Assembly as such~~, any person rendering service on a retainer or
8 fee basis, members of boards or commissions, or persons ~~other than employees~~
9 ~~of the Vermont Historical Society, the Vermont Film Corporation, the~~
10 ~~Vermont State Employees’ Credit Union, Vermont State Employees’~~
11 ~~Association, and the Vermont Council on the Arts~~, whose compensation for
12 service is not paid from the State Treasury, or any elected or appointed official
13 ~~unless the~~ except as specifically provided pursuant to this subdivision
14 (a)(2)(A)(i). The term “employees” includes employees of the Vermont
15 Historical Society, the Vermont State Employees’ Credit Union, the Vermont
16 State Employees’ Association, the Vermont Council on the Arts, and any
17 elected or appointed official who is actively engaged in and devoting
18 substantially full-time to the conduct of the business of ~~his or her~~ the official’s
19 public office. The term “employees” also includes members of the General
20 Assembly as set forth in subdivision (iv) of this subdivision (a)(2)(A).

21 * * *

1 (iv) For purposes of group hospital-surgical-medical expense
2 insurance, **any employee assistance program offered to State employees,**
3 and any flexible spending account program offered to State employees for
4 health care or dependent care expenses, or both, the term “employees” includes
5 members of the General Assembly.

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

13 (ii) **Members of the General Assembly shall be required to pay**
14 **the same portion of the premium for group hospital-surgical-medical**
15 **expense insurance as is required of employees of the Executive Branch.**

16 * * *

17 * * * Compensation and Expenses * * *

18 Sec. 3. 32 V.S.A. § 1051 is amended to read:

19 § 1051. SPEAKER OF THE HOUSE AND PRESIDENT PRO TEMPORE
20 OF THE SENATE; COMPENSATION AND EXPENSE
21 REIMBURSEMENT

1 (a) The Speaker of the House and the President Pro Tempore of the Senate
2 shall be entitled to receive annual compensation of ~~\$10,080.00 for the 2005~~
3 **\$20,716.00** for the first year of the 2025 Biennial Session and thereafter, to be
4 paid in biweekly payments, ~~provided that, beginning on January 1, 2007, the~~
5 ~~annual compensation shall be adjusted annually thereafter by the cost of living~~
6 ~~adjustment negotiated for State employees under the most recent collective~~
7 ~~bargaining agreement, except that, beginning on July 1, 2021.~~ Beginning on
8 January 1, 2026 and annually thereafter on January 1, the annual compensation
9 shall be adjusted consistent with the compensation increases provided to other
10 constitutional officers. In addition to the annual compensation, the Speaker
11 and President Pro Tempore shall be entitled to receive:

12 (1) ~~\$652.00 a week for the 2005~~ **\$1,340.00** a week for the first year of
13 the 2025 Biennial Session and thereafter, to be paid in biweekly payments
14 during the regular and adjourned sessions of the General Assembly, provided
15 that, beginning on January 1, 2007, ~~the weekly compensation shall be adjusted~~
16 ~~annually thereafter by the cost of living adjustment negotiated for State~~
17 ~~employees under the most recent collective bargaining agreement, except that,~~
18 ~~beginning on July 1, 2021~~ 2026 and annually thereafter on January 1, the
19 weekly compensation shall be adjusted consistent with the compensation
20 increases provided to other constitutional officers;

21 * * *

1 (3) an allowance for or reimbursement of expenses for mileage; meals;
2 and lodging expenses; and child, dependent, and elder care as provided to
3 members of the General Assembly under subsection 1052(b) of this title during
4 the biennial, adjourned, and special sessions of the General Assembly and in
5 addition such other actual and necessary expenses incurred while engaged in
6 duties imposed by law.

7 Sec. 4. 32 V.S.A. § 1052 is amended to read:

8 § 1052. MEMBERS OF THE GENERAL ASSEMBLY; COMPENSATION
9 AND EXPENSE REIMBURSEMENT

10 (a) Compensation.

11 (1) Session compensation. Each member of the General Assembly,
12 other than the Speaker of the House and the President Pro Tempore of the
13 Senate, is entitled to a weekly salary of ~~\$589.00 for the 2005~~ \$1,210.00 for the
14 first year of the 2025 Biennial Session and thereafter, provided that, beginning
15 on January 1, ~~2007~~, ~~the weekly compensation shall be adjusted annually~~
16 ~~thereafter by the cost of living adjustment negotiated for State employees~~
17 ~~under the most recent collective bargaining agreement, except that, beginning~~
18 ~~on July 1, 2021~~ 2026 and annually thereafter on January 1, the weekly
19 compensation shall be adjusted consistent with the compensation increases
20 provided to other constitutional officers. The salary of members shall be paid
21 in biweekly installments.

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

6 (3) Adjournment compensation.

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

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

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

1 (1) Mileage reimbursement. ~~Reimbursement~~ Each member shall receive
2 reimbursement in an amount equal to the actual mileage traveled for each day
3 of session in which the member travels between Montpelier and the member’s
4 home or from Montpelier or from the member’s home to another site on
5 officially sanctioned legislative business. Reimbursement of actual mileage
6 traveled under this subdivision shall be at the rate per mile determined by the
7 federal Office of Government-wide Policy and published in the Federal
8 Register for the year of the session.

9 (2) Meals ~~and lodging allowance~~. Each member shall receive either a
10 meals allowance or reimbursement of actual meals expenses. Each member
11 shall inform the Office of Legislative Operations of the member’s choice of a
12 meals allowance or meals expense reimbursement **annually** prior to the
13 **beginning of each biennium convening of each regular and adjourned**
14 **session**, and the member’s choice shall remain in effect through the remainder
15 of **the biennium that session** unless the member notifies the Office, **in writing,**
16 that the member ~~wishes to make a change~~ **needs to change that choice due to**
17 **a change in the circumstances or for another compelling reason.**

18 (A) Meals allowance. ~~An~~ A member who elects to receive a meals
19 allowance ~~in~~ shall receive an amount equal to the daily amount for meals ~~and~~
20 lodging determined for Montpelier, Vermont, by the federal Office of

1 Government-wide Policy and published in the Federal Register for the year of
2 the session; for each day the House in which the member serves shall sit.

3 (B) Meals reimbursement. A member who elects to receive
4 reimbursement of expenses shall receive reimbursement equal to the actual
5 amounts expended by the member for meals for each day that the House in
6 which the member serves shall sit, as well as meals for the night preceding the
7 first legislative day of each week during the legislative session. The amount of
8 the daily reimbursement available pursuant to this subdivision shall not exceed
9 the daily amount for meals determined for Montpelier, Vermont, by the federal
10 Office of Government-wide Policy and published in the Federal Register for
11 the year of the session. The member shall provide meal receipts or otherwise
12 substantiate the amounts expended to the Office of Legislative Operations in
13 the form and manner prescribed by the Director of Legislative Operations.

14 (3) Lodging. Each member shall receive either a lodging allowance or
15 reimbursement of actual lodging expenses. Each member shall inform the
16 Office of Legislative Operations of the member's choice of a lodging
17 allowance or lodging expense reimbursement **annually** prior to the **beginning**
18 **of each biennium convening of each regular and adjourned session**, and the
19 member's choice shall remain in effect through the remainder of **the biennium**
20 **that session** unless the member notifies the Office, **in writing**, that the

1 member ~~wishes to make a change~~ **needs to change that choice due to a**
2 **change in the circumstances or for another compelling reason.**

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

8 (B) Lodging reimbursement. A member who elects to receive
9 reimbursement of expenses shall receive reimbursement equal to the actual
10 amounts expended by the member for lodging for each day that the House in
11 which the member serves shall sit, as well as lodging for the night preceding
12 the first legislative day of each week during the legislative session. The
13 amount of the daily reimbursement available pursuant to this subdivision shall
14 not exceed the daily amount for lodging determined for Montpelier, Vermont,
15 by the federal Office of Government-wide Policy and published in the Federal
16 Register for the year of the session. The member shall provide lodging
17 receipts or otherwise substantiate the amounts expended to the Office of
18 Legislative Operations in the form and manner prescribed by the Director of
19 Legislative Operations.

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

1 (A) Each member **whose federal taxable household income is at or**
2 **below \$75,000.00** shall be eligible to receive reimbursement ~~equal to the actual~~
3 ~~amounts expended~~ **of up to \$1,600.00 of the actual amounts expended** by the
4 member **in each year of the biennial session** for child care, dependent care, or
5 elder care services in this State, or a combination, that is necessary to facilitate
6 the member’s service in the General Assembly. ~~The total amount of the~~
7 ~~reimbursement available pursuant to this subdivision (4) shall not exceed the~~
8 ~~federal maximum annual household contribution limit for a dependent care~~
9 ~~flexible spending account.~~

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

13 (C) **Each Legislative Branch employee whose federal taxable**
14 **household income is at or below \$75,000.00 shall also be eligible for**
15 **reimbursement of up to \$1,600.00 for actual amounts expended by the**
16 **employee annually for child care, dependent care, or elder care expenses**
17 **pursuant to this subdivision (4).**

18 (D) As used in this subdivision (4):

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

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

3 (5) 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 (6) 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 incurred~~ the member shall not be
13 reimbursed for mileage, meals, or lodging expenses incurred during the period
14 of that absence.

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

20 ~~[Repealed.]~~ **Members-elect; stipend. Each member-elect of the General**
21 **Assembly who is not an incumbent shall receive a stipend in an amount**

1 **equal to one-fifth of the annually adjusted weekly compensation set forth**
2 **in subdivision (a)(1) of this section, rounded up to the nearest dollar, for**
3 **each day of attendance at an orientation program for new legislators**
4 **organized by the General Assembly and its staff.**

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

9 * * * Legislative Leave from Employment * * *

10 Sec. 5. 21 V.S.A. § 496 is amended to read:

11 § 496. LEGISLATIVE LEAVE

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

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

1 ~~required by 17 V.S.A. chapter 49, to place his or her name on a primary or~~
2 ~~general election ballot being elected.~~ An employee who fails to give notice to
3 ~~his or her~~ the employee's employer as required by this section shall be deemed
4 to have waived ~~his or her~~ the right to a leave of absence under subsection (a) of
5 this section.

6 * * *

7 * * * Legislative Service Working Group * * *

8 Sec. 6. LEGISLATIVE SERVICE WORKING GROUP

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

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

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

16 and

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

19 (c) Powers and duties. The Working Group shall consider and make
20 recommendations on issues involving legislative compensation and benefits.

1 staffing, administrative support, and the length of the legislative session,

2 including:

3 (1) the current compensation and benefits offered to members of the
4 General Assembly, including:

5 (A) whether current salaries and benefits are sufficient and, if not,
6 how they should be increased;

7 (B) the impact of current salaries and benefits on recruiting and
8 retaining members from diverse backgrounds and life experiences;

9 (C) whether members should be offered additional benefits,
10 including reimbursement of child, dependent, and elder care expenses up
11 to the amount of the federal maximum annual household contribution
12 limit for a dependent care flexible spending account;

13 (D) whether members should have the option to receive a
14 prorated salary throughout the calendar year instead of receiving their
15 full salary amount during the months that the General Assembly is in
16 session;

17 (E) whether supplemental compensation should be provided to
18 members who hold leadership positions in addition to the Speaker of the House
19 and Senate President Pro Tempore, including caucus leaders and committee
20 chairs; and

1 (F) how the salaries, benefits, and compensation structure in the
2 Vermont General Assembly compare to those of other state legislatures;

3 (2) whether changes to staffing are necessary, such as increasing the
4 number of legislative staff in existing staff offices, expanding the types of
5 legislative staff services available to members, adding caucus staff, and adding
6 personal staff or providing members with an allowance to hire their own
7 personal staff;

8 (3) how to increase the administrative support available to members to
9 increase their effectiveness and ability to respond efficiently to the needs of
10 their constituents; and

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

13 (d) Assistance. The Working Group shall have the administrative,
14 technical, and legal assistance of the Office of Legislative Operations, the
15 Office of Legislative Counsel, **the Office of Human Resources**, and the Joint
16 Fiscal Office.

17 (e) Report. On or before January 15, 2024, the Working Group shall report
18 its findings and recommendations, including any recommendations for
19 legislative action, to the Speaker of the House, the Senate President Pro
20 Tempore, and the House Committee on Government Operations and Military

1 Affairs and the Senate Committee on Government Operations. Drafts of the
2 Working Group’s report shall be confidential unless publicly released.

3 (f) Meetings.

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

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

8 (3) A majority of the membership of the Working Group shall constitute
9 a quorum.

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

11 (g) Compensation and reimbursement. For attendance at meetings during
12 adjournment of the General Assembly, a legislative member of the Working
13 Group shall be entitled to per diem compensation and reimbursement of
14 expenses pursuant to 2 V.S.A. § 23 for not more than eight meetings. These
15 payments shall be made from monies appropriated to the General Assembly.

16 *** Appropriation ***

17 Sec. 7. APPROPRIATION **(NEW)**

18 The sum of \$XXX,XXX.00 is appropriated from the General Fund to the
19 Legislature in fiscal year 2024 for the new and expanded benefits for
20 legislators set forth in Secs. 2–4 of this act.

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* * * Effective Dates * * *

Sec. 8. EFFECTIVE DATES

(a) Secs. 5 (legislative leave from employment) and 6 (Legislative Service Working Group) and this section shall take effect on passage.

(b) Sec. 7 (appropriation) shall take effect on July 1, 2023.

(c) Secs. 2 (health insurance), 3(a)(3) (expenses for Speaker and President Pro Tempore), and 4(b)–(d) (legislator expenses) shall take effect on January 1, 2024.

(c) Sec. 1 (compensation for legislative professional development) shall take effect on July 1, 2024.

(d) The remaining sections shall take effect on January 1, 2025.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE