

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:

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 be  
15 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 shall be made from the legislative  
18 appropriation to any member of the General Assembly or its staff, and  
19 reimbursement of necessary and actual expenses for participation in  
20 professional development activities shall be made from the legislative  
21 appropriation to members of the General Assembly. Such reimbursement and

1 per diem compensation shall be in lieu of any other expenses payable by the  
2 State to that person during the period ~~he or she~~ the person is out of the State or  
3 participating in professional development activities and shall be contingent  
4 upon:

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

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

12 \* \* \*

13 \* \* \* Health Benefits \* \* \*

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

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

18 (a)(1) The Secretary of Administration may contract on behalf of the State  
19 with any insurance company or nonprofit association doing business in this  
20 State to secure the benefits of franchise or group insurance. Beginning on

1 July 1, 1978, the terms of coverage under the policy shall be determined under  
2 section 904 of this title, but it may include:

3 \* \* \*

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

1 public office. The term “employees” also includes members of the General  
2 Assembly as set forth in subdivision (iv) of this subdivision (a)(2)(A).

3 \* \* \*

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

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

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

19 \* \* \*



1 constitutional officers. In addition to the annual compensation, the Speaker  
2 and President Pro Tempore shall be entitled to receive:

3 (1) ~~\$652.00 a week for the 2005~~ \$1,340.00 a week for the first year of  
4 the 2025 Biennial Session and thereafter, to be paid in biweekly payments  
5 during the regular and adjourned sessions of the General Assembly, provided  
6 that, beginning on January 1, 2007, ~~the weekly compensation shall be adjusted~~  
7 ~~annually thereafter by the cost of living adjustment negotiated for State~~  
8 ~~employees under the most recent collective bargaining agreement, except that,~~  
9 ~~beginning on July 1, 2021~~ 2026 and annually thereafter on January 1, the  
10 weekly compensation shall be adjusted consistent with the compensation  
11 increases provided to other constitutional officers;

12 \* \* \*

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

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

2 § 1052. MEMBERS OF THE GENERAL ASSEMBLY; COMPENSATION  
3 AND EXPENSE REIMBURSEMENT

4 (a) Compensation.

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

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

21 (3) Adjournment compensation.

1           (A) During adjournment of the General Assembly, 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 (a), rounded up to  
4           the nearest dollar, for each week of the adjournment of the General Assembly.

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

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

15           (1) Mileage reimbursement. ~~Reimbursement~~ Each member shall receive  
16          reimbursement in an amount equal to the actual mileage traveled for each day  
17          of session in which the member travels between Montpelier and the member's  
18          home or from Montpelier or from the member's home to another site on  
19          officially sanctioned legislative business. Reimbursement of actual mileage  
20          traveled under this subdivision shall be at the rate per mile determined by the



1 federal Office of Government-wide Policy and published in the Federal  
2 Register for the year of the session.

3 (2) ~~Meals and lodging allowance.~~ Each member shall receive either a  
4 meals allowance or reimbursement of actual meals expenses. Each member  
5 shall inform the Office of Legislative Operations of the member's choice of a  
6 meals allowance or meals expense reimbursement annually prior to the  
7 convening of each regular and adjourned session, and the member's choice  
8 shall remain in effect through the remainder of that session unless the member  
9 notifies the Office, in writing, that the member needs to change that choice due  
10 to a change in circumstances or for another compelling reason.

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

16 (B) Meals reimbursement. A member who elects to receive  
17 reimbursement of expenses shall receive reimbursement equal to the actual  
18 amounts expended by the member for meals for each day that the House in  
19 which the member serves shall sit, as well as meals for the night preceding the  
20 first legislative day of each week during the legislative session. The amount of  
21 the daily reimbursement available pursuant to this subdivision shall not exceed

1 the daily amount for meals determined for Montpelier, Vermont, by the federal  
2 Office of Government-wide Policy and published in the Federal Register for  
3 the year of the session. The member shall provide meal receipts or otherwise  
4 substantiate the amounts expended to the Office of Legislative Operations in  
5 the form and manner prescribed by the Director of Legislative Operations.

6 (3) Lodging. Each member shall receive either a lodging allowance or  
7 reimbursement of actual lodging expenses. Each member shall inform the  
8 Office of Legislative Operations of the member's choice of a lodging  
9 allowance or lodging expense reimbursement annually prior to the convening  
10 of each regular and adjourned session, and the member's choice shall remain in  
11 effect through the remainder of that session unless the member notifies the  
12 Office, in writing, that the member needs to change that choice due to a change  
13 in circumstances or for another compelling reason.

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

19 (B) Lodging reimbursement. A member who elects to receive  
20 reimbursement of expenses shall receive reimbursement equal to the actual  
21 amounts expended by the member for lodging for each day that the House in

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

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

11 (A) Each member whose federal taxable household income is at or  
12 below \$75,000.00 shall be eligible to receive reimbursement of up to \$1,600.00  
13 of the actual amounts expended by the member in each year of the biennial  
14 session for child care, dependent care, or elder care services in this State, or a  
15 combination, that is necessary to facilitate the member's service in the General  
16 Assembly.

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

20 (C) Each Legislative Branch employee whose federal taxable  
21 household income is at or below \$75,000.00 shall also be eligible for

1 reimbursement of up to \$1,600.00 for actual amounts expended by the  
2 employee annually for child care, dependent care, or elder care expenses  
3 pursuant to this subdivision (4).

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

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

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

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

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

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

6       ~~[Repealed.]~~ Members-elect; stipend. Each member-elect of the General  
7       Assembly who is not an incumbent shall receive a stipend in an amount equal  
8       to one-fifth of the annually adjusted weekly compensation set forth in  
9       subdivision (a)(1) of this section, rounded up to the nearest dollar, for each day  
10       of attendance at an orientation program for new legislators organized by the  
11       General Assembly and its staff.

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

16                   \* \* \* Legislative Leave from Employment \* \* \*

17       Sec. 6. 21 V.S.A. § 496 is amended to read:

18       § 496. LEGISLATIVE LEAVE

19       (a) Any person who, in order to serve as a member of the General  
20       Assembly, must leave a ~~full-time~~ position in the employ of any employer, shall  
21       be entitled to a temporary or partial leave of absence for the purpose of

1 allowing such employee to perform any official duty in connection with ~~his or~~  
2 ~~her~~ the person's elected office.

3 (b) An employee who intends to seek election to the General Assembly and  
4 to invoke, if elected, ~~his or her~~ the right to a leave of absence pursuant to  
5 subsection (a) of this section, shall notify ~~his or her~~ the employee's employer  
6 of those intentions in writing within ~~10~~ 14 days after ~~filing the primary election~~  
7 ~~nominating petition required by 17 V.S.A. § 2353 or of taking any other action~~  
8 ~~required by 17 V.S.A. chapter 49, to place his or her name on a primary or~~  
9 ~~general election ballot~~ being elected. An employee who fails to give notice to  
10 ~~his or her~~ the employee's employer as required by this section shall be deemed  
11 to have waived ~~his or her~~ the right to a leave of absence under subsection (a) of  
12 this section.

13 \* \* \*

14 \* \* \* Legislative Service Working Group \* \* \*

15 Sec. 7. LEGISLATIVE SERVICE WORKING GROUP

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

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

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

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

6           (c) Powers and duties. The Working Group shall consider and make  
7           recommendations on issues involving legislative compensation and benefits,  
8           staffing, administrative support, and the length of the legislative session,  
9           including:

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

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

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

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

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

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

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

10          (2) whether changes to staffing are necessary, such as increasing the  
11          number of legislative staff in existing staff offices, expanding the types of  
12          legislative staff services available to members, adding caucus staff, and adding  
13          personal staff or providing members with an allowance to hire their own  
14          personal staff;

15          (3) how to increase the administrative support available to members to  
16          increase their effectiveness and ability to respond efficiently to the needs of  
17          their constituents; and

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

20          (d) Assistance. The Working Group shall have the administrative,  
21          technical, and legal assistance of the Office of Legislative Operations, the



1 Office of Legislative Counsel, the Office of Human Resources, and the Joint  
2 Fiscal Office.

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

9 (f) Meetings.

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

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

14 (3) A majority of the membership of the Working Group shall constitute  
15 a quorum.

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

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

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\*\*\* Appropriation \*\*\*

Sec. 8. APPROPRIATION

The sum of \$875,000.00 is appropriated from the General Fund to the Legislature in fiscal year 2024 for the new and expanded benefits for legislators set forth in Secs. 2 (health benefits), 4 (expenses for Speaker and President Pro Tempore), and 5 (legislator expenses) of this act.

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

Sec. 9. EFFECTIVE DATES

(a) Secs. 6 (legislative leave from employment) and 7 (Legislative Service Working Group) and this section shall take effect on passage.

(b) Sec. 8 (appropriation) shall take effect on July 1, 2023.

(c) Secs. 2 (health benefits), 4(a)(3) (expenses for Speaker and President Pro Tempore), and 5(b)–(d) (legislator expenses) shall take effect on January 1, 2024.

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

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

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

\_\_\_\_\_  
Senator \_\_\_\_\_  
FOR THE COMMITTEE