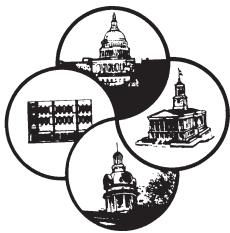


Report of the Tennessee Advisory Commission on Intergovernmental Relations



Legislative Compensation: Comparing Tennessee to Contiguous and Peer States

December 2016



TACIR

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Report of the Tennessee Advisory Commission on Intergovernmental Relations

Legislative Compensation: Comparing Tennessee to Contiguous and Peer States

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Recommended citation:

Tennessee Advisory Commission on Intergovernmental Relations. 2016. *Legislative Compensation: Comparing Tennessee to Contiguous and Peer States*.



Tennessee Advisory Commission on Intergovernmental Relations. This document was produced as an Internet publication.



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December 5, 2016

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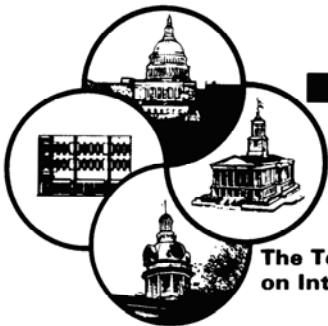
Ladies and Gentlemen:

Transmitted herewith is the Commission's report on Senate Joint Resolution 463 by Beavers, which passed in 2016. The resolution directed the Commission to conduct a survey of Tennessee's surrounding states and compare their 2015-16 legislative compensation to that of Tennessee's General Assembly to determine whether Tennessee legislators are adequately compensated and fully reimbursed for expenses. The report was approved by the Commission on December 5, 2016, and is hereby submitted for your consideration.

Respectfully yours,

Senator Mark Norris
Chairman

Cliff Lippard
Executive Director



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MEMORANDUM

TO: Commission Members

FROM: Cliff Lippard *Cliff*
Executive Director

DATE: 5 December 2016

SUBJECT: Legislative Compensation: Comparing Tennessee to Contiguous and Peer States

The attached commission report is submitted for your approval. The report responds to Senate Joint Resolution 463 by Beavers, which directs the Commission to conduct a survey of Tennessee's surrounding states and compare the 2015-16 legislative compensation to that of Tennessee's General Assembly to determine whether Tennessee legislators are adequately compensated and fully reimbursed for expenses. The resolution directs the Commission's executive director to report the results to the Speakers of the Senate and House and the Finance, Ways, and Means Committees by January 1, 2017.

The final report recommends allowing legislators to decline all or part of their travel expense reimbursements so that they do not incur a tax liability for reimbursements they do not wish to receive. Even though state law requires that legislators be compensated, not all legislators choose to keep the compensation they receive for travel expenses. Some members choose to return their travel reimbursements to the state, but still must pay federal taxes on them.

The report also discusses the possibility of paying larger office expenses to legislators serving geographically large districts, using Metropolitan Nashville-Davidson County's boundary as the delineating factor for travel reimbursement instead of a 50-mile criterion, and mitigating the effect of inadequate travel expenses in large districts by compensating legislators for intra-district travel expenses as is done in at least three states. Finally, the report raises the option of creating an independent legislative compensation commission that would recommend or determine fair and appropriate compensation. In states with such commissions, they generally fill member positions with unpaid private citizens appointed by the governor and speakers of the house and senate.

Contents

Tennessee's Legislative Compensation is Similar to That in its Peer States.....	1
Tennessee's legislative compensation falls near middle of comparison states.....	2
District office allowance is another source of taxable income.....	3
Reimbursement for lodging and meals expenses, but not mileage, is tied to federal rate....	3
The Role of State Legislatures	7
How are states and their legislatures alike and different?	9
What are the responsibilities of a legislator?	11
Tennessee's legislative compensation is rooted in its Constitution.	15
There have been few statutory changes to legislative compensation.....	16
Periodic adjustments based on state employee salary increases began in 2005.....	16
What constitutes compensation?	18
References.....	43
Persons Contacted.....	45
Appendix A. Senate Joint Resolution 463	47
Appendix B. Number of Cities and Counties per Tennessee Senator, 2016	49
Appendix C. Number of Cities and Counties per Tennessee Representative, 2016	51
Appendix D. Previous Legislation, 1995-2016	53
Appendix E. National Conference of State Legislatures 50 State Survey: Questions, 2016...67	
Appendix F. 2016 National Conference of State Legislatures Survey Results	69
Appendix G. Distance Tennessee General Assembly Members Report Living from the Capitol.....	95

Tennessee's Legislative Compensation is Similar to That in its Peer States

The late Alan Rosenthal, author of *Heavy Lifting: The Job of the American Legislature*, sorts legislative responsibilities into three overall categories: representing, lawmaking, and balancing executive power. To fulfill these three broad functions, legislators perform a myriad of tasks, including meeting regularly with constituents and interest groups, travelling back and forth to the capital city and around their districts, responding to correspondence, speaking to various organizations, drafting legislation, and studying and reacting to policy. Although elected to represent their districts, they must also learn many things about other parts of the state and consider what is best for all. Some legislators assume even more responsibility when they are chosen to serve as leaders or committee chairs within the General Assembly. Recognizing these efforts, most states compensate legislators with a salary plus reimbursement for expenses, such as lodging, meals, mileage, and sometimes for maintaining district offices. And legislators in many states can participate in state retirement and insurance programs.

Holding elected office is a voluntary act of public service, but salaries or other kinds of compensation should be sufficient to attract qualified candidates representing a variety of diverse backgrounds and experiences. Otherwise, only people who have significant income from other sources could afford to serve, thus eliminating many people from candidacy, and reducing the representativeness of the legislature.

From time to time, questions arise about the adequacy of Tennessee's legislative salaries. Since 1995, legislators introduced 72 bills seeking to adjust salary, expense allowances, benefits, or the methods of changing legislative compensation, but only seven bills were enacted into law. Three of those concerned retirement, one adjusted insurance eligibility in retirement for appointed members, and one dealt with office expense reimbursements for members receiving early retirement from social security. Another tied legislators' salary increases to that of state employees and raised their monthly district office expense allowance, and another created a 50-mile restriction on eligibility for lodging reimbursements. Most recently, the General Assembly passed Senate Joint Resolution 463 in 2016, calling for a comparison of Tennessee's legislative compensation to that of its contiguous states.

Determining whether Tennessee's legislative compensation is adequate or fair relative to other states is difficult because no two states are identical in their cultures, topography, or history, and while their legislatures are mostly similar in their structures, processes, composition, and

Holding elected office is a voluntary act of public service, but salaries or other kinds of compensation should be sufficient to attract qualified candidates representing a variety of diverse backgrounds and experiences.

According to NCSL, in general, full-time legislatures receive higher salaries and office allowances than do hybrid or part-time ones.

responsibilities, they do vary in a number of ways. The National Conference of State Legislatures (NCSL) assesses the state legislatures' similarities and differences and has grouped them into five categories according to staff size, compensation amounts, and time spent on legislative work, including time in session, constituent service, interim committee work, and election campaigns. NCSL considers California's, Pennsylvania's, and New York's legislatures to be full-time, much like Congress, while legislatures in Montana, New Hampshire, North Dakota, South Dakota, Utah, and Wyoming are considered mostly volunteer bodies in which members spend less time on legislative work than their counterparts in other states. Tennessee's General Assembly falls somewhere between these extremes, and is classified by NCSL as "hybrid." According to NCSL, in general, full-time legislatures receive higher salaries and office allowances than do hybrid or part-time ones.

Although no two states are exactly alike, Tennessee's eight contiguous states, along with Indiana and Louisiana, are sufficiently similar to Tennessee to use for comparison purposes. Eight of the ten states' legislatures are considered hybrids; Mississippi and Georgia are considered part-time. With a total of 132 members, Tennessee has the smallest legislature of the ten comparison states. Georgia has the largest at 236 members. Tennessee's General Assembly meets in session annually and is limited to 90 paid legislative days over a two-year period. North Carolina has no restrictions on the number of days that its legislature can meet, while all other contiguous and similar states limit the session length.

Comparisons of legislative compensation amounts for Tennessee and its contiguous and similar states should be made with caution because categories of compensation and reimbursement vary by state. Some states choose to pay higher salaries but provide less or no compensation in other categories, such as district office expenses, travel reimbursements, insurance or retirement benefits. Alabama, for example, recently increased its legislators' salary amount and tied it to that state's median household income but eliminated legislators' district office expense allowances. And some states reimburse only for documented expenses, while others including Tennessee, pay a standard amount.

Tennessee's legislative compensation falls near middle of comparison states.

On most aspects of legislative compensation, Tennessee is similar to its comparison states and falls close to the middle. If Tennessee's 2016 salary and office expenses are combined and compared to that of its ten comparison states, four states—Alabama, Arkansas, Louisiana, and Missouri—are higher, five states—Georgia, Indiana, Kentucky, Mississippi,

North Carolina—are lower, and Virginia is about the same. Tennessee's legislators in the 109th General Assembly received a \$20,884 annual salary, and speakers of the House and Senate received a salary that is three times that of the other members, or \$62,652. Salaries in the ten comparison states ranged from \$10,000 in Mississippi to \$42,830 in Alabama.

Tennessee and its contiguous and similar states are either hybrid or part-time, and the compensation for each state reflects that. In addition to whether the legislature is volunteer, full-time, or part-time, the other factors that appear to play a role in determining legislative compensation include whether the members are in a leadership position, how they are reimbursed for travel, and the distance they live from the Capitol.

Like Tennessee, all of the comparison states pay one or both presiding officers more than their rank-and-file members. In Tennessee, only the speakers receive additional salary or expense supplements, but five of Tennessee's comparison states also pay additional amounts to the majority and minority leaders in one or both chambers, and three states pay supplements to committee chairs.

District office allowance is another source of taxable income.

Tennessee's legislators receive \$12,000 per year for district office expenses, which is taxable as income. In 2016, the speakers were authorized to receive an additional district office allowance supplement of \$5,700 to cover office expenses in their county of residence, in addition to the cost of operating offices in the Capitol. Of the comparison states, Louisiana's and Virginia's district office allowances are higher than Tennessee's, at \$24,000 and \$15,000 per year for rank-and-file legislators; Virginia has a \$21,000 district office allowance for its speakers. Rank-and-file legislators in Alabama, Arkansas, and Indiana receive no allowance for district office expenses, but Arkansas's committee officers receive an office supplement. **Tennessee could, as is done in Oregon, choose to recognize the additional expenses that can be incurred representing geographically large districts by paying legislators in those districts more.** Oregon's office allowance includes additional amounts ranging from \$450 to \$750 per month depending on the district's land area.

Reimbursement for lodging and meals expenses, but not mileage, is tied to federal rate.

All Tennessee legislators receive reimbursement for meals and incidentals for each legislative day, defined by Tennessee Code Annotated, Section 3-1-106, as each day that the general assembly, or either house thereof,

In addition to whether the legislature is volunteer, full time, or part time, the other factors that appear to play a role in determining legislative compensation include whether the members are in a leadership position, how they are reimbursed for travel, and the distance they live from the Capitol.

Fourteen states, including Tennessee, reimburse legislators differently for lodging and meals, depending on where they live.

officially convenes for the transaction of business, or for each day in attendance at any such other approved meeting. General Assembly members are to be compensated for legislative sessions, committee meetings, and such other official endeavors as approved by the speakers, both in-state and out-of-state. Tennessee, like Arkansas, Indiana, Louisiana, Mississippi, and Missouri, ties the amount of payment for both lodging and meals to the expenditure reimbursement granted to federal employees visiting the state's capital city. During the 2015-16 General Assembly, the reimbursement rate per day for lodging in Nashville was \$145 and \$59 for meals and incidentals. Effective October 1, 2016, the federal lodging reimbursement rate for Nashville increased to \$161.

Tennessee's legislators are reimbursed for miles traveled to and from the Capitol at a rate established by the Commissioner of Finance and Administration and published in the *State of Tennessee Comprehensive Travel Regulations*, which is \$0.47 per mile in 2016. As in most other states, Tennessee legislators receive no compensation for intra-district mileage expenses. Most of the comparison states reimburse mileage to and from their Capitols at an amount equal to the federal rate—\$0.54 per mile in 2016—which is adjusted each year and maintained by the US General Services Administration. Of these states, only Missouri and North Carolina choose to reimburse mileage at rates set by their state governments, both of which are lower than the federal rate.

Even though state law requires that legislators be compensated, not all legislators choose to keep the compensation they receive for travel expenses. Some members choose to return their travel reimbursements to the state, but still must pay federal taxes on them. **Tennessee should consider, as is done in Colorado and Wyoming, allowing legislators to decline all or part of the travel expense reimbursement so that they do not incur tax liability for reimbursements they do not wish to receive.**

The 50-mile limit

Most states reimburse all legislators for lodging and meals using a standard amount per day, regardless of where they live, but 14 states, including Tennessee, reimburse legislators differently for lodging and meals, depending on where they live. Since November 2014 in Tennessee, members living more than 50 miles from the Capitol receive reimbursement for lodging, while members living closer do not, although speakers can approve exceptions if members are unable to return home at the conclusion of a legislative day. All legislators receive the same amount for meals, but those who live within the 50-mile radius are required by the Internal Revenue Service to pay taxes on their meal reimbursements, while those living beyond 50 miles are not. Alabama, Arkansas, Colorado and Nebraska also use a 50-mile restriction for determining travel reimbursements.

Mileage reimbursements in Tennessee differ not only depending on the distance legislators live from the Capitol, but also depending on whether the legislature is in session. When in session, members who live more than 50 miles from the Capitol can be reimbursed for one round-trip per week; those who live 50 miles or less are entitled to a maximum of four round-trips per week. When the General Assembly is not in session, reimbursement for all representatives' trips is reduced to one round-trip per week while senators who live 50 miles or less from the Capitol continue to be reimbursed for up to four trips per week. There appears to be no reason to make this distinction.

In a hypothetical comparison, a legislator who lived 40 miles from the Capitol in 2016 would have received an estimated \$5,981 less than one who lived 60 miles away because legislators who live within 50 miles cannot receive lodging reimbursement and their meals are taxed, even though mileage reimbursement for more trips is permitted. During the 109th General Assembly, 35 legislators lived 50 miles or less from the Capitol. **Instead of using a 50-mile criterion, at least eight other states use the capital city's or county's boundary as the delineating factor for travel reimbursement. If Tennessee were to do likewise for lodging, the only legislators not eligible for lodging reimbursements would be the 15 who reside in Davidson County.**

Massachusetts uses yet a third method to address proximity to the capital city, providing lump sum amounts ranging from \$10 to \$100 per day for lodging, meals, and mileage, depending on the city where a legislator lives.

Intra-district Travel

Although Tennessee's district office allowance may be generally sufficient to cover costs associated with intra-district travel, it may not be enough in large districts where a senator or representative has to drive long distances to meet with constituents and officials of several widely-dispersed local governments. **Tennessee could mitigate this effect by compensating legislators for intra-district travel expenses as is done in at least three states including comparison state Louisiana.** According to the NCSL, Louisiana provides all legislators with a \$1,500 supplement for "vouchered office expenses, rent, and travel mileage in district." Beyond the comparison states, Maryland offers a \$750 annual allowance to all members for in-district travel as taxable income, which members may decline, and Minnesota provides a capped intra-district travel supplement for all members plus additional reimbursements for those members whose districts exceed 1,000 square miles.

In a hypothetical comparison, a legislator who lived 40 miles from the Capitol in 2016 would have received an estimated \$5,981 less than one who lived 60 miles away.

Compensation Commissions

To encourage participation in public office and provide an adequate level of compensation for the expenses incurred to serve in the state legislature, factors such as those discussed above—leadership positions, size of districts, distances from the Capitol, mileage reimbursement—and others, could be applied to determine whether compensation should be revised. This could be done by the legislature itself, or as in 21 states, including Arkansas and Missouri, by creating an independent legislative compensation commission that would recommend or determine fair and appropriate compensation. These commissions generally comprise unpaid private citizens appointed by the governor and speakers of the house and senate.

The Role of State Legislatures

State legislatures are a fundamental component of state government, designed to represent the citizens in the formulation of laws and provide a check on the executive and judicial branches. Alan Rosenthal, a legislative scholar, interviewed by Morgan Cullen for a 2011 article in *State Legislatures*, remarked, “Legislators essentially serve as boards of directors for multibillion dollar organizations that are our state governments. We owe it to ourselves to ensure they have the means to make responsible decisions with our money.”¹ Legislators write and amend laws that affect Tennessee’s citizens every day, whether through road quality, nursing home regulations, school funding, or tax policy.

What lawmakers are paid almost certainly affects who runs for the General Assembly. Although becoming a state legislator in Tennessee is considered part-time and an act of public service, if legislative compensation is too low, portions of the population may not be represented because only those with alternate sources of income can afford to run for a position that requires them to be away from home and other employment for significant periods of time. Cullen writes, “Salaries should be enough to attract highly qualified candidates with a variety of diverse backgrounds and experiences, while also ensuring that everyone—rich or poor—can afford to serve.”² In the same article, Cullen also quotes Peverill Squire of the University of Missouri, who has researched the demographic makeup of the nations’ legislatures: “It’s clear that with higher salaries you get a broader range of people serving in the legislature that more accurately reflects the population as a whole. Both Democrats and Republicans understand that, for people to run and be elected, they need to be fairly compensated. Salary increases also encourage people with higher educational attainment and professional expertise.”

Ideally, voters have choices when deciding who will represent them, but if salaries are too low, the pool of candidates is reduced. Morris Fiorina, cited by Gary Moncrief et al., writing in *Who Runs for the Legislature?* notes that “Salary is an especially important component that can alter the recruitment landscape.”³ Moncrief notes further that campaigning for and serving in the state legislature requires commitment of time that not many Americans are willing to devote. He states, “. . . if the legislature does not provide an adequate salary (and most do not), many potential candidates simply cannot make the financial sacrifice to run and serve.” And although compensation is only one of several factors affecting competitiveness, the number of uncontested races for state legislative seats has been increasing.

“Legislators essentially serve as boards of directors for multibillion dollar organizations that are our state governments. We owe it to ourselves to ensure they have the means to make responsible decisions with our money.”

Alan Rosenthal, cited by Morgan Cullen, *State Legislatures*, “Pay Problem,” 2011

¹ Cullen 2011.

² Ibid.

³ Moncrief et al. 2001.

Carl Klarner, writing for *Ballotpedia.org*, which analyzed voting trends from 1972 through 2014, notes that in 2014, “the percentage of people living in uncontested state house districts was higher than any other year, while that percentage in state senate districts came close.”⁴

Because questions arise from time to time about the adequacy and comparability of Tennessee’s legislative salaries, in 2016 the General Assembly passed Senate Joint Resolution 463 directing the Commission to survey Tennessee’s surrounding states and compare the 2015-16 legislative compensation to that of Tennessee’s General Assembly to determine whether Tennessee legislators are being adequately compensated and fully reimbursed for expenses. See appendix A.

Compensation for members of Tennessee’s General Assembly includes a salary and a district office expense allowance, both of which are fully taxable. In addition, members receive reimbursement for the expenses they incur to travel from their homes to Nashville, while the legislature is in session, and at other times as approved by the speakers. In addition to these amounts, the Speakers of the House and Senate receive a salary that is three times⁵ that of the members, as well as a higher district office expense allowance.⁶ Legislators have the option of participating in the state’s retirement and insurance plans. See table 1.

Table 1. Tennessee General Assembly Compensation, Expense Reimbursement, and Benefits, 2016

Type of Compensation	General Assembly Members	Speakers of the House and Senate
Salary	\$20,884 per year	\$62,652 per year*
District Office Expense Allowance	\$12,000 per year	\$17,700 per year**
Ex-officio Services Allowance	n/a	\$750 per year
Total	\$32,884	\$81,102
Daily Expense Reimbursement		
Lodging	\$145 per day (Only Available for Members living >50 Miles from the Capitol)	
Meals and Incidentals	\$59 per day***	
Mileage	<u>\$0.47 per mile</u> >50 miles One Round-trip per week ≤50 miles Up to 4 Round-trips per week**** 	Speakers assigned state trooper with a vehicle for security. Speakers do not receive mileage reimbursement.
Benefits		
Retirement	Eligible to participate in the Tennessee Consolidated Retirement System	
Insurance (Health, Dental, Vision, and Life)	Eligible to participate in the Tennessee State Insurance Plan	

Source: Tennessee Code Annotated Title 3, Chapter 1; Title 8, Chapters 27, 34, and 35; Public Acts of 2016, Chapter 758.

*Speakers receive three times the salary of rank-and-file members.

**In 2016, speakers received appropriations of \$5,700 for additional district office expenses and \$750 for ex officio duties.

***Only members living 50 miles or less from the Capitol pay taxes on this amount.

****During the interim, all House members are limited to one reimbursed round-trip per week.

⁴ Klarner 2015.

⁵ Tennessee Code Annotated, Section 3-1-107.

⁶ Public Acts of 2016, Chapter 758.

How are states and their legislatures alike and different?

Determining whether Tennessee's legislative compensation is adequate or fair relative to other states is difficult because no two states are identical in their cultures, topography, or history, and their state legislatures are similarly varied. According to the National Conference of State Legislatures (NCSL), a few state legislatures are considered full-time, like Congress, while a few other states view their legislatures as mostly volunteer bodies. Tennessee's General Assembly falls somewhere between these extremes.

Except for Nebraska,⁷ which has only one chamber, state legislatures resemble the United States Congress, each having an upper and lower chamber. Within each chamber are rank-and-file members, committee chairs, and various leaders. Beyond that basic structure, however, the state legislatures differ in size, frequency and duration of sessions, as well as in the methods of compensating their members.

Comparing Tennessee's legislative compensation to that of its contiguous states implies similarity but fails to consider that some contiguous states may be less like Tennessee than states that are located elsewhere. Consequently, commission staff compared all 50 states on the attributes of per capita income, geographic area per legislator, constituents per senator, constituents per house member, and average state government wage, to determine which states are similar to Tennessee and subsequently chose to add Indiana and Louisiana for purposes of this analysis.

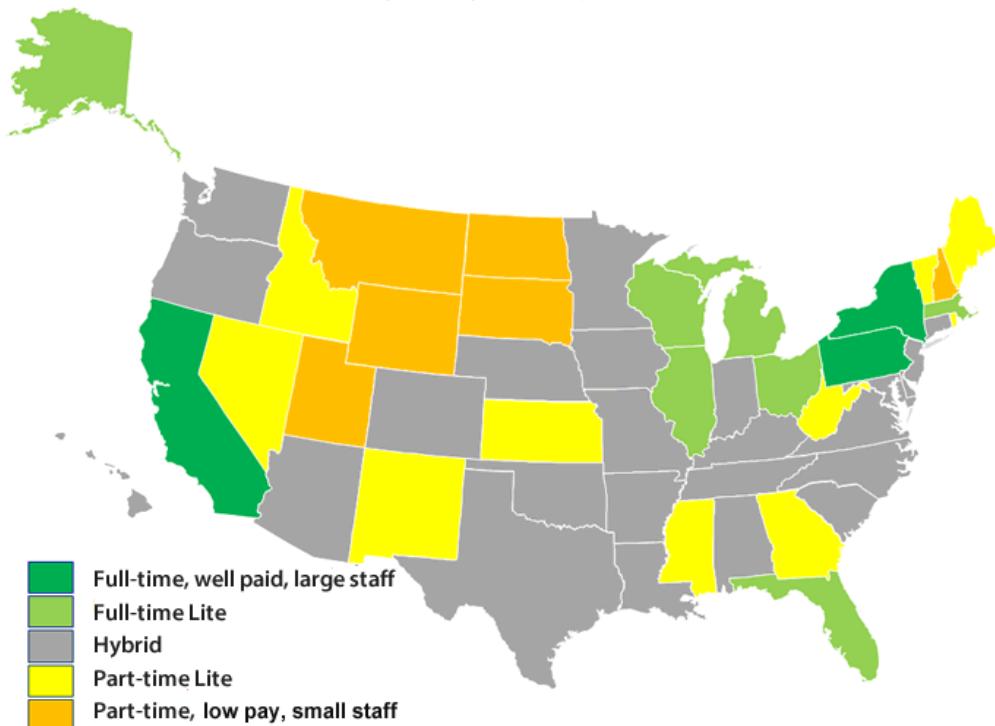
Full-time/Part-time Legislatures

NCSL assesses the state legislatures' similarities and differences and has grouped them into five categories according to staff size, compensation amounts, and time spent on legislative work, including time in session, constituent service, interim committee work, and election campaigns. See map 1. The categories are full-time, full-time lite, hybrid, part-time lite, and part-time. In general, full-time legislatures receive greater compensation than do hybrid or part-time ones. On one end of the spectrum, Montana, New Hampshire, North Dakota, South Dakota, Utah, and Wyoming, have legislatures that are considered mostly volunteer bodies; members spend less time on legislative work than their counterparts in other states. California, Pennsylvania, and New York each represent the other end of the spectrum with legislators who are essentially full-time and have large staffs. Tennessee falls between these two extremes and is considered a "hybrid" state. Legislators from hybrid states report spending about two-

Determining whether Tennessee's legislative compensation is adequate or fair relative to other states is difficult because no two states are identical in their cultures, topography, or history, and their state legislatures are similarly varied.

⁷ Nebraska Legislature.

Map 1. Types of Legislatures



Source: National Conference of State Legislatures

thirds of their time on legislative work. Two of Tennessee's comparison states—Mississippi and Georgia—are considered “part-time lite” but the remaining eight, including Indiana and Louisiana, are considered hybrid. None falls within the extreme ends of the spectrum, either full-time or part-time.⁸

Size of Legislative Body

According to NCSL, state legislatures range in size from New Hampshire's General Court with 424 members to Nebraska's unicameral legislature with 49 members. Tennessee with 132 members is the smallest of its comparison state group; Georgia is the largest with 236 members.⁹

Frequency and Duration of Sessions

Both the frequency and length of legislative sessions vary across the country. According to 2010 NCSL data, four state legislatures meet every other year and the rest meet annually. Only eleven states, including North Carolina, do

⁸ <http://www.ncsl.org/research/about-state-legislatures/full-and-part-time-legislatures.aspx>

⁹ <http://www.ncsl.org/research/about-state-legislatures/number-of-legislators-and-length-of-terms.aspx>

not restrict session length. The remaining states, including Tennessee and all of its other contiguous and similar states, have established some limits on session length.¹⁰ Tennessee's limit restricts expense reimbursement to a maximum of 90 days per legislative session. Tennessee's constitution, Article II, Section 23 provides that "no member shall be paid expenses, nor travel allowances for more than ninety legislative days of a regular session,¹¹ excluding the organizational session, nor for more than thirty legislative days of any extraordinary session."

What are the responsibilities of a legislator?

Alan Rosenthal, in *Heavy Lifting: The Job of the American Legislature*, groups legislative responsibilities into three overall categories: representing, lawmaking, and balancing executive power.¹² Tennessee's Constitution, Article II, spells out some of the General Assembly's responsibilities in each of these areas: Sections 18 through 22 direct how laws are to be made, Section 24 addresses appropriation of funds, and Sections 28 and 29 address taxation and extension of taxing authority to local governments. Article XI, Section 12, charges the General Assembly with responsibility for public education. In addition, Article V addresses the General Assembly's powers of impeachment against the governor or members of the judiciary.

Article II, Section 3 of Tennessee's Constitution provides that members of the House of Representatives in Tennessee are elected for two-year terms, and Senators are elected for four years. Lawmakers are required to be present in Nashville whenever the General Assembly is called into session beginning in January of each year, and any other time that the governor or speakers of both Houses, at the written request of two-thirds of the members of each House, call a special legislative session.¹³ The regular legislative session usually lasts until late April or May. During that time, members typically travel to the Capitol for three nights per week during January, February, March, and April. Legislators also meet with constituents and interest groups, as well as respond to correspondence, speak to various organizations, and study policy.

Tennessee's constitution and laws do not specify how much time legislators must spend on legislative responsibilities. Within the representing, lawmaking, and balancing functions, individual legislators may choose to carry out their responsibilities in a variety of ways. Some are selected by their leadership or their peers to assume greater roles of responsibility

"Legislative responsibilities can be grouped into three overall categories: representing, lawmaking, and balancing executive power."

Alan Rosenthal, *Heavy Lifting, the Job of the American Legislature*, 2004

¹⁰ <http://www.ncsl.org/research/about-state-legislatures/legislative-session-length.aspx>

¹¹ Note that "session" in Tennessee is interpreted to be the two-year general assembly.

¹² Rosenthal 2004.

¹³ Tennessee Constitution, Article II, Section 8.

Legislators are an important connector between the electorate and the state government.

within the legislature itself. And some may become interested in working with other states' legislators to address common problems.

Representing

Many tasks of legislators are associated with representing their districts. Meeting with local officials, speaking at community events and communicating with their constituents are all necessary parts of a legislator's responsibilities. Rosenthal notes that "representation works at two levels: the individual level, in which legislators relate to the districts from which they are elected, and the collective level, in which the legislature itself serves and reflects statewide interests and preferences."¹⁴ In the individual role, legislators might listen to concerns of their neighbors or city officials, but when they carry those concerns to meet with their counterparts from other areas of the state, they shift into the collective role of representation. Legislators are an important connector between the electorate and the state government.

All legislative districts in the US, however, are not the same. The number of citizens represented by each legislator and the geographic size of the districts varies widely across the fifty states. Some districts are densely populated, while others have wide expanses of land or water where few people live. Senators in California have the most populous senate districts nationwide with an average of 931,349 constituents, while North Dakota has the least populous districts averaging only 13,726. House districts also vary greatly. California has the most populous, averaging 465,674 constituents, and New Hampshire has the smallest at 3,291.¹⁵

Tennessee's Senate has 33 members with an average population of 192,306 per Senate district, and its House of Representatives has 99 members with an average population of 64,102 per House district.¹⁶ Although the population represented in each Senate district is roughly equivalent, their geographic size ranges from 79 square miles in Senate District 30 to 4,185 square miles in Senate District 26. House districts overall are smaller than Senate districts, ranging from 15 square miles in House District 93 to 1,742 square miles in House District 71.¹⁷ Maps 2 and 3 illustrate the geographic variation in district size.

Lawmakers living in large rural districts may have to drive long distances to meet with their constituents, sometimes on mountainous roads or avoiding topographical features such as lakes or national forests. Urban legislators,

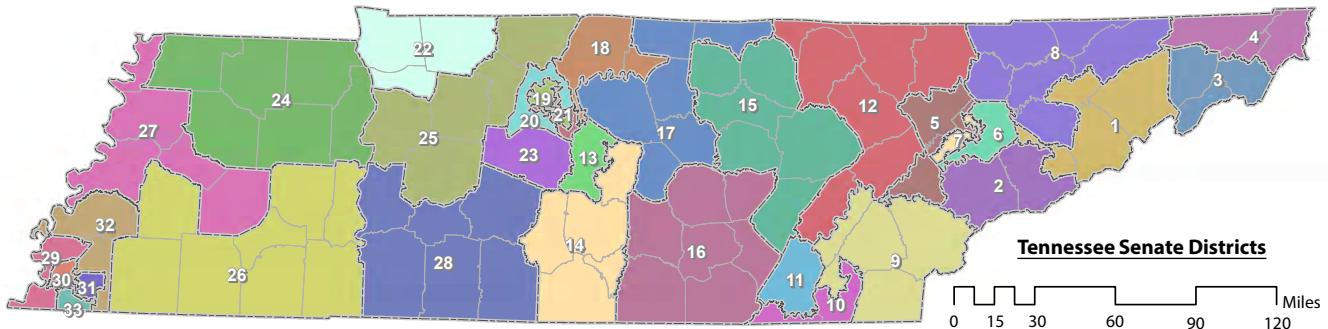
¹⁴ Rosenthal 2004.

¹⁵ <http://www.ncsl.org/research/about-state-legislatures/2010-constituents-per-state-legislative-district.aspx>

¹⁶ Ibid.

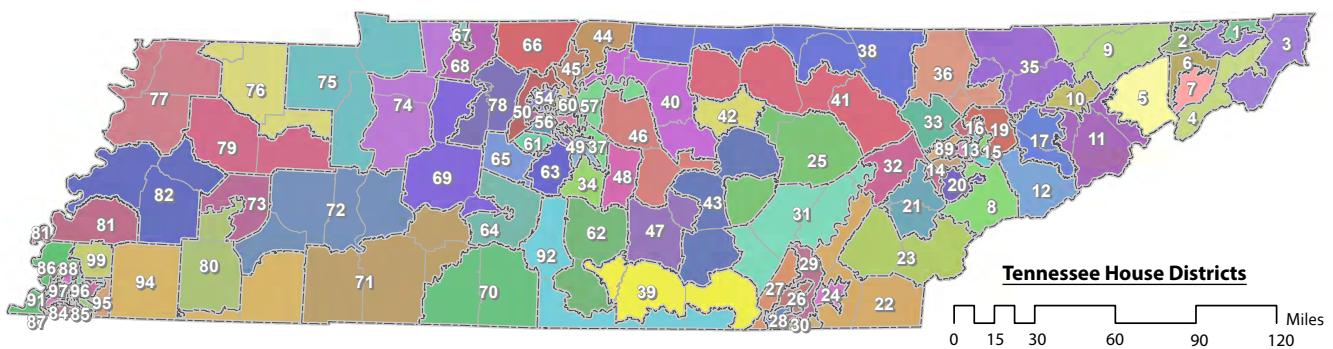
¹⁷ United States Census Bureau 2015.

Map 2. Tennessee Senate Districts



Source: US Census Bureau 2015.

Map 3. Tennessee House of Representatives Districts



Source: US Census Bureau 2015.

although having shorter distances to travel than their rural counterparts, may face greater challenges from traffic and congestion. Legislators representing large rural districts may have many local governments to represent, whereas those in urban settings may have one or just a few. The large number of widely dispersed city and county governments means the legislators representing large rural districts have more local officials in their jurisdictions and must travel more miles to meet with them. One of Tennessee's senators, for example, represents 41 municipalities and 8 counties. See appendixes B and C.

Lawmaking

Lawmaking is the most apparent activity of legislators. In order to make laws, members attend meetings in Nashville during regular legislative sessions, both standing and special committee meetings, and meetings of the General Assembly as a whole. To prepare for those meetings, legislators draft their own legislation and study legislation drafted by their colleagues.

Lawmakers living in large rural districts may have to drive long distances to meet with constituents, while urban legislators, although having shorter distances to travel, may face greater challenges from traffic and congestion.

The Tennessee General Assembly's website states:

In general, the functions of the Legislature are to enact, amend, and repeal the laws of Tennessee. Some of the specific powers granted to the General Assembly by the state Constitution include the appropriation of all money to be paid out of the state treasury, the levy and collection of taxes, and the right to authorize counties and incorporated towns to levy taxes.¹⁸

Balancing Executive Power

Tennessee's government, like the US government, has three independent branches. Article II, Sections 1 and 2 of the state constitution describe this distribution of powers: "The powers of the government shall be divided into three distinct departments: legislative, executive, and judicial. No person or persons belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases herein directed or permitted."

The General Assembly implements its role as a balance against the executive branch in a variety of ways, such as its authority to override a governor's veto and its authority to amend and approve the executive budget. The Senate also would sit as a court of impeachment for any proceedings against a governor or members of the judiciary. Throughout the year, Tennessee's General Assembly exercises its oversight of executive departments and programs through the audits and reviews conducted by the Comptroller of the Treasury, a constitutional officer elected by the legislature.

The Legislator as Candidate

Sometimes the tasks associated with holding office, such as speaking engagements and meetings with constituents, may be difficult to separate from those of candidacy, since constituents frequently are also voters. State legislators are selected through popular election, and as such, they engage in campaign activities in addition to their official responsibilities, such as fundraising, public speaking, and general oversight of their election activities. State law, however, prohibits public funds from being spent for campaign activities, but legislators may spend campaign funds for duties related to office holding. Drew Rawlins, Executive Director of the Tennessee Bureau of Ethics and Campaign Finance, indicates that legislators frequently use campaign funds to handle costs of travel within their districts. Although this practice reduces concerns about spending taxpayer dollars for political activities, it may give legislators with large

¹⁸ Tennessee General Assembly 2016a.

campaign accounts extra resources to spend in other ways. Legislators with smaller campaign funds, perhaps because of closely-contested races, or representing less affluent districts, lack this additional resource.

Tennessee's legislative compensation is rooted in its Constitution.

In the earliest days of Tennessee's statehood, the state constitution was the sole authority on lawmakers' pay, specifying both a daily amount of compensation and a separate one for travel. Tennessee's 1796 constitution stated simply, "No member of the legislature shall receive more than one dollar and seventy-five cents per day, nor more for every twenty-five miles he shall travel in going to and from the general assembly." Since then, both the methods of setting legislative compensation, and determining the amounts, have evolved into a system that derives from constitutional, statutory, and administrative directives.

The 1834 constitution, Article II, Section 23, raised legislators' compensation to "a sum of four dollars per day, and four dollars for every twenty-five miles travelling to and from the Seat of Government . . ." The constitution was further amended, though, to permit the compensation of succeeding legislatures to be changed by law, rather than changes in the constitution, provided that "no law increasing the compensation of the members shall take effect until the commencement of the next regular session after such law shall be enacted," a provision that survives today.

Although the 1834 Constitution authorized the General Assembly to pass laws to change members' compensation, they never exercised that option and in 1870 the constitution was amended to remove the language authorizing the legislature to make changes to its compensation. In its place were provisions continuing the amounts of \$4 per day, and \$4 for every 25 miles traveling to and from Nashville, but establishing a limit of 75 days for each regular session of the General Assembly and 20 days per special session for which legislators could be compensated for travel expenses. Payments were also prohibited for any days a legislator was absent from his seat, unless "physically unable to attend."

In 1953 the 1870 Constitution was amended to increase compensation to \$10 per day, and include a third amount of \$5 per day for expenses. The travel reimbursement of \$4 per day for every 25 miles travelled to and from the seat of government remained the same. Provisions were added allowing the General Assembly to reduce compensation and allowance for expenses in a regular session, and to increase them in two consecutive regular sessions.¹⁹

In the earliest days of Tennessee's statehood, the state constitution was the sole authority on lawmakers' pay, specifying both a daily amount of compensation and a separate one for travel.

¹⁹ Tennessee Constitution, Article II, Section 23 (1953).

Since 1995, legislators introduced 72 bills seeking to adjust salary, expense allowances, benefits, or the methods of changing legislative compensation, but only seven bills were enacted.

In 1966 the 1870 Constitution was again amended to expand the General Assembly's authority to pass laws to increase or decrease its members' compensation and allowance for expenses by eliminating the requirement that increases must be passed in two consecutive regular sessions. The amendment also replaced the \$10 per day with an annual salary of \$1,800 per year payable in equal monthly installments, and "such other allowances for expenses in attending sessions or committee meetings as may be provided by law." In addition to these changes, the number of days for which legislators can be compensated for expenses or travel allowances was increased from 75 to 90 for regular sessions and from 20 to 30 for special sessions.²⁰

Of Tennessee's contiguous and similar states, Arkansas and Alabama establish the method of compensating legislators in their constitutions, while the other eight states have statutory authority to change either the amount or the methods for determining compensation.²¹

There have been few statutory changes to legislative compensation.

Although the state constitution has authorized Tennessee's General Assembly to pass laws affecting its compensation since 1953, members have not exercised that option often. Since 1995, legislators introduced 72 bills seeking to adjust salary, expense allowances, benefits, or the methods of changing legislative compensation, but only seven bills were enacted. See appendix D. Three of the bills addressed retirement; one bill addressed insurance eligibility in retirement for appointed members; one bill addressed office expense reimbursement for members receiving early retirement from social security; one tied legislators' salary increases to that of state employees and raised the monthly district office expense allowance; and one created a 50-mile restriction on eligibility for lodging reimbursements.

Periodic adjustments based on state employee salary increases began in 2005.

In 2004, the General Assembly passed Public Chapter 955, codified as Tennessee Code Annotated, Section 3-1-107, authorizing periodic adjustments to legislative salaries, to begin in 2005. Tennessee Code Annotated, Section 3-1-107(c), requires that legislators' base salary be adjusted to reflect "the average percentage pay increase provided for state employees by the general appropriations act." Because of Article II, Section

²⁰ Tennessee Constitution, Article II, Section 23 (1966).

²¹ TACIR staff review of state constitutions and statutes.

23 of the Tennessee Constitution, adjustments during a term of the general assembly cannot take effect until the following term. The Comptroller of the Treasury is required to certify the amount, although the Department of Finance and Administration, through its Division of Budget, actually calculates any increases.²² This change in statute allows lawmakers to receive periodic incremental adjustments to their salaries without passing laws. Although this method helps keep legislators' salaries more up-to-date, it likely also lessens transparency and public awareness of changes in legislative pay.

Of Tennessee's contiguous and similar states, three²³ provide for automatic adjustments of legislators' salaries. Like Tennessee, adjustments to Georgia's²⁴ legislators' salaries are tied to increases given to state employees, albeit in the succeeding General Assembly to adhere to constitutional requirements that seek to prevent any given General Assembly from adjusting its own compensation. Alabama's legislative salaries are adjusted periodically to reflect the median household income of that state.²⁵

Methods of changing legislative compensation are rooted in state constitutions and statutes. Legislative compensation, however, is often politically controversial, and a topic that legislators themselves hesitate to discuss. William Snodgrass, who served as Comptroller of the Treasury from 1955 to 1999, wrote

Obviously, the issue of public official compensation is a difficult one. There are strong differences of opinion among the public regarding governmental leaders and how they should be paid. Some believe that public service should be "contributed," while others believe that public sector decision makers should be compensated like their private sector counterparts. Most people's opinion, I think, would fall somewhere between these extremes. . .²⁶

Several states have completely removed legislative involvement by transferring responsibility for legislative pay recommendations to independent bodies such as compensation commissions. According to information compiled by NCSL and commission staff, 21 states have amended their constitutions or passed laws designating an entity outside

Several states have completely removed legislative involvement by transferring responsibility for legislative pay recommendations to independent bodies such as compensation commissions.

²² Interview with Connie Ridley, Director, Office of Legislative Administration, Tennessee General Assembly, May 9, 2016.

²³ Alabama, Georgia, and Indiana.

²⁴ Official Code of Georgia Annotated, Section 45-7-4.

²⁵ Constitution of Alabama, 1901. Amendment 871, ratified. <http://alisondb.legislature.state.al.us/alison/codeofalabama/constitution/1901/CA-2531339.htm>

²⁶ Snodgrass 1998, transmittal letter.

Tennessee considered legislation in 1997 to establish an independent advisory body to make recommendations about legislative compensation, but the legislation did not pass.

the legislature to review and make recommendations about legislative compensation. See table 2. In some states, these commissions address compensation for several state offices, while in others the purview is limited to legislative pay. In some states, the recommendation of the commission is advisory only and the legislature has to approve any changes. In other states, though, including Arkansas, the compensation commission's recommendations are final. In yet a fourth model, used in Missouri, the recommendation of the independent agency stands unless the legislature votes to disapprove it. Most states do not allow legislators or state employees to serve on the compensation commissions, and six states have provisions that require representation of certain interest groups or those with compensation or payroll experience. Tennessee considered legislation in 1997 to establish an independent advisory body to make recommendations about legislative compensation, but the legislation did not pass.²⁷

What constitutes compensation?

The Merriam-Webster Dictionary defines compensation as

- “something that is done or given to make up for damage, trouble, etc.
- something good that acts as a balance against something bad or undesirable, or
- payment given for doing a job.”²⁸

For many private market professions, adequacy of compensation is driven by market forces. With state legislatures, however, the pool of comparison is necessarily limited to the other states, and even those are not always similar. Morgan Cullen, writing in *State Legislatures*, notes:

One of the great challenges to setting legislator salaries is that there is no precise way of determining fair market value. In the private sector, employers can establish an adequate pay scale by comparing the salaries of similar positions. The way legislatures operate can differ greatly among states, each requiring varying degrees of experience, time commitment and professional expertise. This can make the process of setting reasonable legislative salaries extremely difficult.²⁹

²⁷ House Bill 1193 by Kerr, Senate Bill 1277 by Koella (1997).

²⁸ <http://www.merriam-webster.com/dictionary/compensation>

²⁹ Cullen 2011.

Table 2. States with Legislative Compensation Commissions, 2016

State and Name of Commission	Source of Authority	Year Enacted	How Often are They Required to Meet?	Membership of Commissions		Recommendations		
				Who Appoints and How Many?	Certain Members Required?	Who Cannot Serve on the Commission?	Authority to Enact	Scope
<u>Alaska</u> State Officers Compensation Commission	Statute	2008	Every 2 years	<u>5 Members</u> Five - Governor One - Chosen from a list submitted by President of Senate One - Chosen from a list submitted by Speaker of the House	No	State Employees University of Alaska Employees State Board Members State or Local Office Holders	Recommendations become law unless rejected by General Assembly	Salary Per Diem Mileage Benefits
<u>Arizona</u> Commission on Salaries For Elective State Officers	Constitution	1970	Every 2 years	<u>5 Members</u> Two - Governor One - Pres. of Senate One - Speaker of House One - Chief Justice	No	n/a	Referendum Approval	Salary
<u>Arkansas</u> Independent Citizens Commission	Constitution	2014	Every year	<u>7 Members</u> Two - Governor Two - Pres. Pro Temp. of Senate Two - Speaker of House One - Chief Justice	No (or the immediate family member of any of the above)	State Employees State or Local Office Holders Lobbyists	Commission Recommendations Final	Salary Per Diem Mileage
<u>California</u> Citizens Compensation Commission	Constitution	1990	Every year	<u>7 Members</u> Seven - Governor	Yes	State Employees (current or former) State or Local Office Holders (held or ran for in last 12 months) Lobbyists (prior 12 months)	Commission Recommendations Final	Salary Benefits

Table 2. States with Legislative Compensation Commissions, 2016

State and Name of Commission	Source of Authority	Year Enacted	How Often are They Required to Meet?	Membership of Commissions		Recommendations		
				Who Appoints and How Many?	Certain Members Required?	Who Cannot Serve on the Commission?	Authority to Enact	Scope
<u>Connecticut</u> Compensation Commission For Elected State Officers and General Assembly Members	Statute	1971	Every 2 years	<u>11 Members</u> Three - Governor Two - Pres. Pro Temp. of Senate Two - Speaker of House Two - Minority Leader of Senate Two - Minority Leader of House	No	State Employees State or Local Office Holders Employees of State Funded Agencies or Institutions (state funds comprising more than 10% of gross annual income)	General Assembly Approval	Salary Per Diem Mileage Benefits
<u>Delaware</u> Compensation Commission	Statute	1984	Every 4 Years	<u>6 Members</u> Two - Governor One - Pres. Pro Temp. of Senate One - Speaker of House One - President of Delaware Round Table ^b	No	State Employees State or Local Office Holders	Recommendations become law unless rejected by General Assembly	Salary Per Diem Mileage Benefits
<u>Hawaii</u> Commission on Salaries	Constitution	2006	Every 6 years	<u>7 Members</u> Two - Governor Two - Pres. Of Senate Two - Speaker of House One - Chief Justice	No	n/a	Recommendations become law unless rejected by General Assembly	Salary
<u>Idaho</u> Citizens' Committee on Legislative Compensation	Constitution	1976	Every 2 years	<u>6 Members</u> Three - Governor Three - Supreme Court	No	Anyone affected by recommendations	Recommendations become law unless rejected by General Assembly	Salary Per Diem Mileage Benefits

Table 2. States with Legislative Compensation Commissions, 2016

State and Name of Commission	Source of Authority	Year Enacted	How Often are They Required to Meet?	Membership of Commissions			Authority to Enact	Scope	Recommendations
				Who Appoints and How Many?	Certain Members Required?	Who Cannot Serve on the Commission?			
Kansas Compensation Commission	Statute	1998	Every 2 years	One - Governor One - Pres. of Senate One - Speaker of House One - Majority Leader of Senate One - Majority Leader of House One - Minority Leader of Senate One - Minority Leader of House	No	State Office Holders (or previous member within past two years) Lobbyists	General Assembly Approval	Salary Per Diem Mileage	
Maine State Compensation Commission	Statute	1997	Every 2 years	Two - Pres. of Senate Two - Speaker of House One - Majority of Appointed Members (serves as chair)	No	State Office Holders	General Assembly Approval	Salary Per Diem Mileage	
Maryland General Assembly Compensation Commission	Constitution	1970	Every 4 years	Five - Governor Two - Pres. of Senate Two - Speaker of House	No	State Employees State and Local Office Holders	Recommendations become law unless rejected by General Assembly	Salary Per Diem Mileage Benefits	
Michigan State Officers Compensation Commission	Constitution	1968	Every 2 years	Seven - Governor Seven - Governor	No	No employee or member of the legislative, judicial, or executive branch is eligible	General Assembly Approval	Salary Per Diem Mileage	

Table 2. States with Legislative Compensation Commissions, 2016

State and Name of Commission	Source of Authority	Year Enacted	How Often are They Required to Meet?	Membership of Commissions		Who Cannot Serve on the Commission?	Authority to Enact	Scope	Recommendations
				Who Appoints and How Many?	Certain Members Required?				
<u>Missouri</u> Citizens Commission on Compensation for Elected Officials	Constitution	1994	Every 2 years	<u>21 Members</u> Twelve - Governor Eight - Secretary of State (one) from each Congressional District (Random Selection) One - Supreme Court (a retired judge is selected)	Yes ^c	State or Local Employees State Board Members State and Local Office Holders Judges Lobbyists	Recommendations become law unless rejected by General Assembly	Salary Per Diem Mileage	
<u>New Jersey</u> Public Officers Salary Review Commission	Statute	1999	Every 4 years	<u>7 Members</u> Two - Governor One - Pres. of Senate One - Minority Leader of Senate One - Speaker of the General Assembly One - Minority Leader of General Assembly One - Chief Justice	No	Anyone whose salary is affected by recommendations	General Assembly Approval	Salary	
<u>New York</u> Commission on Legislative, Judicial, & Executive Compensation	Statute	2015	Every 4 years	<u>7 Members</u> Three - Governor One - Pres. Pro Temp. of Senate One - Speaker of Assembly Two - Chief Judge	Yes ^d	n/a	Commission Recommendations Final	Salary Per Diem Mileage Benefits	

Table 2. States with Legislative Compensation Commissions, 2016

State and Name of Commission	Source of Authority	Year Enacted	How Often are They Required to Meet?	Membership of Commissions			Authority to Enact	Scope	Recommendations
				Who Appoints and How Many?	Certain Members Required?	Who Cannot Serve on the Commission?			
Oklahoma Board on Legislative Compensation	Constitution	1968	Every 2 years	9 Members Five - Governor Two - Pres. Pro Temp. of Senate Two - Speaker of House	Yes ^e	State Legislators	Commission Recommendations Final	Salary	
Oregon Public Officials Compensation Commission	Statute	1983	Every 2 years	11 Members Two - Governor One - Chief Justice One - Pres. of Senate One - Speaker of House Six - Secretary of State (chosen at random)	No	Anyone whose salary is affected by recommendations (or their relatives or members of household)	General Assembly Approval	Salary	
Texas Ethics Commission	Constitution	1991	n/a	8 Members Four - Governor (two each from list supplied by Senate and House) Two - Speaker of House (chosen from list provided by members of House) Two - Lieutenant Governor (chosen from list provided by members of House)	No	n/a	Referendum Approval	Salary Per Diem	
Utah Legislative Compensation Commission	Constitution	1999	Every 2 years	7 Members Seven - Governor	Yes ^f	Any employee or member of the legislative, judicial, or executive branch	Recommendations become law unless rejected by General Assembly	Salary	

Table 2. States with Legislative Compensation Commissions, 2016

State and Name of Commission	Source of Authority	Year Enacted	How Often are They Required to Meet?	Membership of Commissions		Recommendations	
				Who Appoints and How Many?	Certain Members Required?	Who Cannot Serve on the Commission?	Authority to Enact
Washington Citizens' Commission on Salaries for Elected Officials	Constitution	1986	Every 2 years	<u>16 Members</u> Nine - Secretary of State (randomly selected from each congressional district) Seven - Speaker of House and Pres. of Senate, Jointly	Yes ^g	State Officials State Employees Lobbyists Immediate family members of the members mentioned above	Commission Recommendations Final Salary
West Virginia Citizens Legislative Compensation Commission	Constitution	1970	Every 4 years	<u>7 Members</u> Seven - Governor	No	State Legislators State and Local Employees and Officers	Salary Per Diem Mileage Benefits

(a) California - Groups represented: expert in compensation, nonprofit organization, general public, corporate business, small business, and a labor organization.

(b) Delaware - The Director of the Office of Management and Budget of the State (an ex-officio member and nonvoting member).

(c) Missouri - Groups represented: expert in personnel management, organized labor, small business, chief executive officer of a large business, health care industry, agriculture, over the age of sixty years, and diverse county representation.

(d) New York - Groups represented: executive compensation, human resource administration, or financial management.

(e) Oklahoma - Groups represented: religious organizations, communications media, nonstate-supported educational institutions, labor organizations, retail business, agricultural, labor, and religious organizations, civic organizations, manufacturing, and professional fields not otherwise specified.

(f) Utah - Groups represented: major geographic areas of the state, occupational, professional, employee, and management interests.

(g) Washington - Groups represented: private institutions of higher education, business, personnel management, legal profession, and organized labor.

Source: TACIR staff review of state constitutions and statutes, August 2016.

The most comprehensive data available on legislative compensation is compiled every year by NCSL using a survey sent to each state's legislative branch. (See appendix E for survey questions and appendix F for the survey results.) With the exception of New Mexico, which does not pay a salary to its state legislators, all of the states use a combination of categories to compensate their lawmakers. These usually include a salary plus allowances or reimbursement for office and travel expenses. Many states also permit, and sometimes require, their legislators to participate in state-run health insurance plans and retirement systems. Although the categories of compensation themselves are similar among states, the amounts within them are not.

Tennessee is like most other states in using a combination of categories to compensate its legislators. Tennessee Code Annotated, Section 3-1-106, provides that members of the General Assembly are to be compensated for legislative sessions, committee meetings, and such other official endeavors as approved by the speakers, both in-state and out-of-state. Today's legislators receive a salary, a stipend for district office expenses, reimbursement for travel expenses, and may participate in the state's retirement and insurance plans. If Tennessee's 2016 salary and office expenses are combined (\$32,884) and compared to that of its ten comparison states, it is lower than Missouri (\$44,315), Alabama (\$42,830), Louisiana (\$40,800), and Arkansas (\$39,400). Tennessee's is higher than the combined amounts in Indiana (\$24,671), Kentucky (\$24,571³⁰), Georgia (\$24,342), Mississippi (\$23,500), and North Carolina (\$20,659). Tennessee is about the same as Virginia, which pays Senate members \$33,000 and House members \$32,640. Tennessee provides extra compensation only to its speakers, while five of its peer states give supplements to majority or minority leaders;³¹ three states pay one or more committee chairs an additional amount.³²

Comparisons of legislative compensation amounts for Tennessee and its contiguous and similar states should be made with caution, however, because categories of compensation and reimbursement vary by state. Alabama, for example, recently increased its salary and tied it to that state's median household income, but eliminated a district office expense allowance.³³ Some states reimburse only for documented expenses, while others including Tennessee, pay a standard amount. And some states offer no retirement benefits, while others do. See table 3 for a comparison of Tennessee and its contiguous and similar states.

Tennessee legislators receive a salary, a stipend for district office expenses, and reimbursement for travel expenses, and may participate in the state's retirement and insurance plans.

³⁰ Salary for Kentucky is based on an average of two years.

³¹ Georgia, Indiana, Kentucky, Missouri, and North Carolina.

³² Kentucky, Indiana, and Louisiana.

³³ Constitution of Alabama 1901. Amendment 871, ratified.

Table 3. Contiguous and Similar States' Salary, Office and Daily Expense Reimbursement, 2016

State	Salary and Office Expense Allowance			Daily Expense Reimbursement		
	Salary a	Home Office Expense b	Total a+b	Lodging and Meals	Mileage	
Contiguous States						
Alabama	\$42,830 (a)	None (c)	\$42,830	\$75*	\$0.54/mile	
Arkansas	\$39,400	None (c)	\$39,400	\$150 (V)**	\$0.54/mile	
Georgia	\$17,342	\$7,000 per year	\$24,342	\$173 (U)	\$0.54/mile	
Kentucky	\$188.22 per day (maximum of \$5,646.60 in odd years and \$11,293 in even years)	\$1,789 per month while not in session	\$24,571***	\$154 (U)	\$0.54/mile	
Mississippi	\$10,000	\$1,500 per month while not in session	\$23,500****	\$140 (U)	\$0.54/mile	
Missouri	\$35,915	Up to \$700 per month (\$8,400 per year)	\$44,315	\$112 (U)	\$0.375/mile	
North Carolina	\$13,951	\$559/month General Assembly (c) (\$6,708 per year)	\$20,659	\$104 (U)	\$0.29/mile	
Tennessee	\$20,884	\$1,000 Per Month (\$12,000 per year) (c)	\$32,884	\$204 (U)**	\$0.47/mile	
Virginia	\$18,000 - Senate; \$17,640 - House	\$56,100 a year staffing allowance, \$1,250 a month office expense allowance (\$15,000 per year) (c)	Senate - \$33,000 House - \$32,640	\$185 (U)	\$0.54/mile	
Other Similar States						
Indiana	\$24,671(b)	None	\$24,671	\$161 (U)	\$0.54/mile	
	\$16,800	\$500 per month (\$6,000 per year); \$1,500 a month (\$18,000 per year) supplemental allowance for vouchered office expenses, rent and travel mileage in district. \$2,000-\$3,000 a month (\$24,000-\$36,000 per year) staff allowance.	\$40,800	\$157 (U)	\$0.54/mile	
Louisiana						

(a) Tied to State Median Household Income

(b) Salary is 18% of a judge's salary, which is adjusted.

(c) Certain leaders receive a higher amount

(V) Vouchered

(U) Unvouchered

* State rate used and vouchered; Alabama Code 36-7-20; Alabama Legislative Tax Guide; only available when traveling further than 50 miles from home.

** Legislators living 50 miles or less receive \$59 a day for meals, no lodging is provided.

*** Kentucky's legislature must conclude its session by April 15 in even years and March 30 in odd years. March 30 is used to determine the number of months considered interim.

**** Assumes that the Mississippi legislature is out of session for nine months per year.

Source: TACIR staff reviewed NCSL survey data from 2016, state constitutions, and statutes.

Salary

Tennessee Code Annotated, Section 3-1-107, provides for a base annual salary to be paid to members of the General Assembly in twelve monthly installments. The law further provides that beginning in fiscal year 2005 and each subsequent fiscal year, the base salary shall be adjusted to reflect the average percentage pay increase provided for state employees by the general appropriations act. As of the 2015-16 General Assembly, Tennessee's members received \$20,844 per year in salary. The Speakers of the House and Senate each make three times the members' amount or \$62,652 in 2016. Speakers also receive an additional \$750 per year for ex officio duties, granted in the appropriations bill.³⁴

According to NCSL data, of Tennessee's contiguous and similar states, Tennessee's salary for rank-and-file members falls close to the middle. Alabama has the highest salary of the comparison states at \$42,830. Tennessee's legislative salary is lower than those in Arkansas (\$39,400) Missouri (\$35,915) and Indiana (\$24,671), but higher than Virginia (\$18,000 for Senators and \$17,640 for Representatives), Georgia (\$17,342), Louisiana (\$16,800), North Carolina (\$13,951), Mississippi (\$10,000), and Kentucky³⁵ (maximum of \$5,647 in odd years and \$11,293 in even years).

Leadership Salary and Expense Supplements

Legislative leadership positions may include offices such as speakers of the house and senate, speaker/president pro tempore, majority and minority leaders, and caucus chairs. Some states also pay standing committee chairs more than rank-and-file members. NCSL data indicates that in all states except Nebraska, New Mexico, South Dakota, and Texas, at least one speaker receives a higher salary than rank-and-file members. Twenty-five states pay other leaders a supplement and 17 states pay at least some committee chairs a higher amount. Table 4 shows additional salary for Tennessee and its contiguous and similar states.

Speakers—Tennessee, as well as all of its comparison states pay one or both presiding officers more than their rank-and-file members. (Note: Alabama, Arkansas, Georgia, Indiana, Mississippi, Missouri, North Carolina, and Virginia have publicly elected Lieutenant Governors who preside over the Senate but are not paid through the legislative branch.) Georgia's Speaker of the House has the highest annual compensation at \$99,074, while Indiana's House Speaker makes \$31,671. Tennessee Code

According to NCSL data, of Tennessee's contiguous and similar states, Tennessee's salary for rank-and-file members falls close to the middle.

³⁴ Public Chapter 758, Acts of 2016.

³⁵ Kentucky pays legislators by the day rather than the year. This amount has been estimated based on the daily amount of \$188.22 times the average days in session each year, which is 30 days in odd years and 60 days in even years.

Table 4. Additional Salary for Leadership Positions in Comparison States, as of 2016

State	Regular Members' Salary	Speakers	Speaker or President Pro Tempore	Additional Salary					
				House	Senate	Majority Leaders	Minority Leaders	Committee Chairs	Other
Tennessee	\$20,884		\$41,768						
Alabama	\$42,830	\$18,000							
Arkansas	\$39,400	\$5,600	Lt. Gov. Holds Position	None	\$5,600			None	
Georgia	\$17,342	\$81,732							
Kentucky (a)			Maximum of \$5,646.60 in odd years and \$11,293 in even years	Maximum of \$1,421 in odd years and \$2,841 in even years	None	Maximum of \$1,122 in odd years and \$2,244 in even years		Maximum of \$561.3 in odd years and \$1,122.6 in even years	Maximum of \$859.8 in odd years and \$1,720 in even years Majority and Minority Caucus Chairs and Whips
Mississippi	\$10,000	\$50,000			\$5,000			None	
Missouri	\$35,915	\$2,500	Lt. Gov. Holds Position	None	\$1,500	None	\$1,500	None	None
North Carolina	\$13,951	\$24,200		\$7,788	\$38,151	\$3,097	\$17,048	\$17,048	\$21,739 for Deputy Pro Tempore
Virginia	\$18,000 - Senate; \$17,640 - House	\$18,681	None					None	
Other Similar States									
Indiana	\$24,671	\$7,000	Lt. Gov. Holds Position	\$5,000	\$7,000	\$5,500	\$6,000	\$1,500- \$5,500 (b)	\$1,000- \$5,500 (c)
Louisiana	\$16,800	\$15,200		\$7,700	None	None	None	\$11,200	None

(a) Kentucky pays by the day for the following positions: Regular Members \$188.22; Speakers \$47.35; Majority and Minority Leaders \$37.40; Committee Chairs \$18.71; Majority and Minority Caucus Chairs; and Majority and Minority Caucus Whips \$28.66.

(b) Indiana House: Leadership - Majority Caucus Chair \$5,500; Minority floor leader, Minority caucus chair \$4,500; Majority Whip \$4,000; Assistant Majority Floor Leaders \$3,500; Minority Whip \$3,000; Deputy Speaker Pro Tempore, Assistant Majority Caucus Chairs, and Assistant Majority Whips \$2,000; Assistant Minority Leader, Assistant Minority Floor Leader, Assistant Minority Caucus Chair, and Assistant Minority Whip \$1,500. Committee Chairs - Chair, Ways and Means \$5,500; Vice Chair, Ways and Means \$4,000; Ranking Minority Member, Ways and Means \$3,500, Subcommittee Chair, Ways and Means \$3,000; Subcommittee Chairs, Ways and Means K-12 and higher ed. \$1,500; and All other committee chairs \$1,000.

(c) Indiana Senate: Leadership - Majority Caucus Chair \$5,500; Minority Caucus Chair \$5,500; Majority Floor Leader \$5,000; Majority Whip \$4,000; Assistant Majority Floor Leader \$3,500; Assistant Minority Floor Leader \$3,500; Minority Caucus Chairs \$1,500; Minority Whip \$1,000. Committee Chairs: Chair, Appropriation, Tax and Policy \$5,500; Appropriation Ranking Majority Member, Tax and Policy Ranking Majority Member \$2,000; and All Other Committee Chairs \$1,000.

Source: National Conference of State Legislatures Survey Results from 2016. See also appendix F.

Annotated, Section 3-1-107(b) provides that both of Tennessee's speakers make three times the members' salary. In 2016 each speaker's salary was \$62,652.

Speaker/President Pro Tempore—Arkansas, Georgia, Indiana, Louisiana, Mississippi, and North Carolina each pay an additional amount to the speaker/president pro tempore of both houses; Tennessee does not.

Majority and Minority Leaders—Twenty-five states pay majority or minority leaders a supplementary salary in one or both houses; Tennessee does not. Of Tennessee's comparison states, Georgia, Indiana, Kentucky, and North Carolina give an additional supplement to the majority and minority leaders; Missouri provides a supplement to leaders in the House, but not the Senate.

Committee Chairs—Seventeen states pay committee chairs in one or both houses more than other members; Tennessee does not. Of its comparison states, Indiana and Kentucky pay all standing committee chairs a supplement. Louisiana pays the senate joint finance chair and vice-chair an additional amount.

Home Office Expenses

Tennessee Code Annotated, Section 3-1-106(f), states that "Each member of the general assembly shall be paid a monthly expense allowance of one thousand dollars (\$1,000), to provide for expenses necessitated in connection with the member's official duties when away from the seat of government including, but not limited to, telecommunications, office, secretarial and other assistance or incidental expenses." The law provides an exception for members who are receiving early retirement benefits from social security, who may decline, in whole or in part, any such authorized expense and may instead apply to the appropriate speaker for reimbursement of actual monthly documented expenses.

The \$12,000 that legislators receive annually for district expenses is paid and taxed as income. Legislators are not required to document how the money is spent. Tennessee's Speakers of the House and Senate receive an additional amount through each year's appropriations bill to cover office expenses in their county of residence, in addition to the cost of operating offices in the Capitol. In 2016, that amount was \$5,700.³⁶

³⁶ Public Chapter 758, Acts of 2016.

Forty-five states reimburse legislators for travel expenses, such as lodging, meals, and mileage.

Most states provide a district office allowance for all legislators³⁷ with seven states providing different amounts for senators and representatives.³⁸ Seventeen states do not provide an office allowance.

Of Tennessee's contiguous and similar states, seven—Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, and Virginia—offer rank-and-file legislators an office allowance. Among these states, Louisiana has the highest at \$24,000 per year with an additional \$2,000 to \$3,000 a month staff allowance. Georgia has the lowest at \$7,000 per year. Kentucky and Mississippi offer the allowance only while the legislature is not in session. Georgia and Louisiana require receipts for reimbursement. Alabama, Arkansas, and Indiana do not offer a district office allowance to rank-and-file members, but an allowance may be provided to speakers in Alabama³⁹ and is provided to certain committee officers in Arkansas. Of those comparison states for which NCSL reports a separate speakers' office expense allowance, Virginia has the highest at \$21,000 per year.

Travel Expenses

Ideally, legislators should be reimbursed for reasonable expenses incurred in carrying out the responsibilities of their office. Forty-five states reimburse legislators for travel expenses, such as lodging, meals, and mileage. New Jersey does not pay travel expenses, while Connecticut, Delaware, New Hampshire, Ohio, and Rhode Island reimburse only mileage expenses.

The laws affecting travel reimbursement primarily focus on travel to and from Nashville during the legislative session. Because legislators receive no compensation for travel within their districts, however, those who represent districts with expansive land areas may have to absorb more local travel expense than their counterparts in more densely populated areas.

Tennessee state law requires legislators to be compensated for their travel expenses, which include lodging, meals, and incidentals while attending session in Nashville and mileage to and from their homes, as well as other trips with the approval of the speakers. Tennessee Code Annotated, Section 3-1-106(a), provides that

. . . each member of the general assembly shall be paid for the member's expenses in attending legislative sessions and legislative committee meetings, and such conferences, symposiums, workshops, assemblages, gatherings and other official meetings and endeavors

³⁷ Note that some states may provide a staffing allowance in addition to a district office allowance.

³⁸ Alaska, Connecticut, Florida, Hawaii, Illinois, Michigan, and Wisconsin.

³⁹ Constitution of Alabama, Section 49.01(3)(b)(3).

concerning state business and the duties of a legislator, held within or without the state of Tennessee, as are attended by members of the general assembly with the approval or at the direction of the speaker of either house or both houses. . . .

Tennessee, like the contiguous and similar states of Arkansas, Indiana, Louisiana, Mississippi, and Missouri, ties the amount of lodging and meal reimbursement to the expenditure reimbursement granted to federal employees in the capital city. Legislators may receive these payments for each legislative day, defined as each day that the general assembly, or either house thereof, officially convenes for the transaction of business, or for each day in attendance at any such other approved meeting. Legislators traveling in Tennessee are not expected to produce receipts for their hotel stays or their meals. Legislators traveling out-of-state with speaker approval are reimbursed for the actual receipted hotel amount in addition to the regular travel expense reimbursement for meals and incidentals.⁴⁰ Some members choose to return their travel reimbursement to the state, but because statutes state that members "shall be paid" they cannot just decline it and still must pay federal taxes on it. The legislature's website indicates that for the 109th General Assembly, six Tennessee legislators had returned their travel reimbursement to the state government; one had donated it to charitable organizations.⁴¹ Some states have statutes that allow legislators to decline all or part of the expense reimbursement, which could simplify this process.⁴²

Lodging

During the 2015-2016 General Assembly, legislators living further than 50 miles from the capitol received reimbursement for lodging of \$145 per day when they traveled from their home to Nashville for official business,⁴³ an amount based on federal reimbursement rates. Effective October 1, 2016, the lodging amount increased to \$161 per day.⁴⁴ Since November 4, 2014, members whose principal residence is 50 miles from the capitol or less are not permitted to receive a lodging reimbursement, except if such member is unable to return home at the conclusion of a legislative day, and with the

Since 2014, members whose principal residence is 50 miles from the capitol or less are not permitted to receive a lodging reimbursement, except if such member is unable to return home at the conclusion of a legislative day, and with the express approval of the speaker of such member's house.

⁴⁰ According to an interview with Connie Ridley, Director, Office of Legislative Administration, Tennessee General Assembly, May 9, 2016, in situations where legislators are reimbursed for the receipted lodging expense, the regular travel reimbursement is taxable.

⁴¹ Tennessee General Assembly. 2016c.

⁴² See, for example, Colorado Revised Statutes Section 2-2-317(1)(e) and Wyoming Legislative Handbook.

⁴³ Current as of August 2016. <http://www.gsa.gov/portal/category/100120?perdiemSearchVO.year=2016&perdiemSearchVO.city=Nashville&perdiemSearchVO.state=Tennessee&perdiemSearchVO.zip=&resultName=getPerdiemRatesBySearchVO¤tCategory.categoryId=100120&x=44&y=13>

⁴⁴ Effective as of October 1, 2016. <http://www.gsa.gov/portal/category/100120>

express approval of the speaker of such member's house. (Tennessee Code Annotated, Section 3-1-106(3)).

To compensate legislators for expenses incurred for travel during session, 32 states provide a single amount to cover lodging, meals, and incidentals; 10 of these require receipts or some other form of verification of expenditures. When receipts are not required, as in Tennessee, legislators collect the total payments regardless of the cost for lodging, whether they split the cost with other legislators, or do not stay in a hotel. The amount is often the same as the federal travel reimbursement rate for the capital city within a state and according to NCSL at least 11 states, including Tennessee, set their travel allowance to equal the federal rate.

Among Tennessee's contiguous and similar states, two—Georgia and North Carolina—offer less than the federal travel rate for their capital city and one state—Virginia—offers an amount equal to the federal amount, Five states—Arkansas, Indiana, Louisiana, Mississippi and Missouri—are tied to the federal per diem amount for their capital cities, and one state—Kentucky—sets its travel allowance to 110% of the federal amount.

NCSL reports that at least nine states provide a different lodging allowance depending on the distance a legislator lives from the capitol. Other sources identify five more states, including Tennessee. There are three basic models for such differentiation:

- Provide lodging only to members living more than 50 miles from the capitol or seat of government—Tennessee, Alabama, Arkansas, Colorado, and Nebraska.
- Provide no lodging reimbursement to members living in the capital city or county, or provide them a lesser amount—Alaska, Arizona, Hawaii, Idaho, Iowa, Wisconsin, West Virginia, and Wyoming.
- Provide a single allowance for travel, which includes lodging, meals, and mileage, based on legislator's city of residence—Massachusetts.⁴⁵

Tennessee and two of its contiguous states, Alabama and Arkansas, are among the states that reimburse only legislators living further than 50 miles from the capitol for lodging. Unlike Tennessee, however, those two states also require vouchers in order to receive a reimbursement.

During the 2015-16 General Assembly the federal rate of \$145 per day used for legislators' lodging reimbursement may not have been adequate to cover actual expenses incurred by legislators to stay in downtown

⁴⁵ \$10-\$100 a day depending on distance from the Capitol. (See Annotated Laws of Massachusetts, General Laws, Chapter 3, Section 9B.)

Nashville hotels. Lizzy Alfs, in a 2015 *Tennessean* article titled “Nashville Hotel Room Costs Grow at Fastest Rate in US,” notes that in 2014 Nashville ranked as the 14th most expensive place in the US to book a hotel. The article cites a Hotels.com survey indicating an average price of \$164 per night in Nashville. The article also cites Butch Spyridon, CEO of the Nashville Area Visitors’ Bureau, who said that Nashville had experienced 50 consecutive months in year-over-year growth in the number of hotel rooms sold. Tennessee’s state travel regulations for 2016 permit department heads and board members up to \$155 per night of lodging. The increased federal lodging rate of \$161 for Nashville, effective October 1, 2016, may help address the increasing costs of Nashville lodging.

Meals and Incidentals

Tennessee provides all legislators reimbursement for meals and incidentals at the federally established reimbursement rate. As of July 1, 2016, this amount was \$59 per day—\$54 for meals and \$5 for incidentals.

Although some states—Connecticut, Delaware, New Hampshire, New Jersey, Ohio, and Rhode Island—do not offer a reimbursement for meals while the legislature is in session, most states do. Tennessee and Arkansas both provide a meal reimbursement to every member of the legislature but separate it from lodging for members living less than 50 miles from the capital. Another contiguous state, Alabama, does not provide a meal reimbursement for members living less than 50 miles from the capital. Legislators eligible for meal reimbursements in Alabama or Arkansas must submit a voucher or receipts, something the other contiguous and similar states do not require.

Mileage

Since legislators come from all parts of their states and most drive to attend session, nearly every state provides a mileage reimbursement—New Jersey is the only exception. According to NCSL data, most states have an amount that is tied to or equal to the federal rate, which is adjusted each year and maintained by the US General Services Administration. Among Tennessee’s contiguous and similar states, reimbursements range from \$0.29 per mile in North Carolina to an amount equal to the federal rate of \$0.54 per mile in Alabama, Arkansas, Georgia, Indiana, Kentucky, Mississippi, Virginia, and Louisiana. Tennessee, Missouri, and North Carolina are the only states with reimbursements below the federal rate.

Tennessee uses the mileage reimbursement rate established by the *State of Tennessee Comprehensive Travel Regulations*, approved by the Commissioner

Tennessee provides all legislators reimbursement for meals and incidentals at the federally established reimbursement rate.

of Finance and Administration.⁴⁶ In 2016, this amount is \$0.47 per mile. Legislators who live outside the 50-mile radius of the capitol may claim one round-trip from their home to Nashville per week during session, while those living 50 miles or less from the capitol are allowed four round-trips each week (Monday through Thursday) during the legislative session. During the interim, reimbursement for all House members' trips is reduced to one round-trip per week⁴⁷ while senators continue to be reimbursed for up to four round-trips per week. In lieu of driving, legislators who reside more than 100 miles from Nashville may be reimbursed the cost of one-round-trip coach-class airline ticket per week during session, or for committee meetings, if approved by the speaker.⁴⁸

Most states, like Tennessee, reimburse legislators only for expenses they incur to drive to and from the capitol during session and not for any travel within their districts.

Of Tennessee's comparison states, seven reimburse all members for only one round-trip per week while the legislature is in session. Similar to Tennessee, Arkansas reimburses members living 50 miles or less from the Capitol differently than those living greater than 50 miles, providing for 5 round-trips per week. Virginia reimburses only members living further than 50 miles from the seat of government. Two states, Alabama and Mississippi, do not reimburse mileage expenses to members whose districts lie within the capital city or county. During the interim, three states have the same mileage reimbursement policy as during session and the seven other comparison states reimburse by the day if the member is travelling for legislative business. See Table 5.

Intra-district Travel

Most states, like Tennessee, reimburse legislators only for expenses they incur to drive to and from the capitol during session and not for any travel within their districts. Of Tennessee's comparison states, only Louisiana addresses intra-district travel. That state allows legislators to claim vouchered travel mileage within their districts as part of a \$1,500 per month district office allowance. Two other states—Maryland and Minnesota—however, specifically address intra-district travel for all or some members. Maryland offers a \$750 annual lump sum to all members “intended to cover the costs of traveling to meetings with local government officials and constituents and other appropriate functions within a member's legislative district.”⁴⁹ NCSL indicates that Maryland's in-district travel allowance is considered taxable income, which members may decline. Minnesota provides a capped intra-district travel supplement for all members plus additional reimbursements for those members whose districts exceed 1,000 square miles. According to Minnesota's 2015-16 House Rules:

⁴⁶ Tennessee Code Annotated, Section 3-1-106(c) and <https://www.tn.gov/assets/entities/finance/attachments/policy8.pdf>

⁴⁷ Tennessee Code Annotated, Section 3-1-106(g).

⁴⁸ Tennessee Code Annotated, Section 3-1-106(d).

⁴⁹ Maryland Legislator's Handbook 2014.

Table 5. Mileage Reimbursement Policy of Comparison States, 2016

State	Who Sets the Rate?	Rate	How Many Trips per Week Do Members Receive Reimbursement?		
			During Session		During Interim
			Contiguous		
Alabama	State	\$0.54/mile	Up to 5 round-trips per week*		Same as during session
Arkansas	Federal	\$0.54/mile	Up to 5 round-trips per week	1 round-trip per week	Same as during session
Georgia	State	\$0.54/mile		1 round-trip per week	May be reimbursed for each day traveling for legislative business
Kentucky	Federal	\$0.54/mile		1 round-trip per week	May be reimbursed for each day traveling for legislative business
Mississippi	Federal	\$0.54/mile		1 round-trip per week*	Same as during session but with cap on total trips**
Missouri	State	\$0.375/mile		1 round-trip per week	May be reimbursed for each day traveling for legislative business
North Carolina	Federal	\$0.29/mile		1 round-trip per week	May be reimbursed for each day traveling for legislative business
Tennessee	State	\$0.47/mile	Up to 4 round-trips per week	1 round-trip per week	Senators - Same as during session; House - 1 round-trip per week
Virginia	State ***	\$0.54/mile	No mileage reimbursement	1 round-trip per week	May be reimbursed for each day traveling for legislative business
Other Similar States					
Indiana	Federal	\$0.54/mile		1 round-trip per week	May be reimbursed for each day traveling for legislative business
Louisiana	Federal	\$0.54/mile		1 round-trip per week	May be reimbursed for each day traveling for legislative business

* Legislators with districts in the capital city or county do not receive a mileage reimbursement.

** Up to 4, 5, or 6 round trips per year for committee meetings during interim depending on position.

***Set in appropriations act. See Virginia Code Annotated, Section 2.2-2823.

Source: Correspondence with administrators in each comparison state. See Persons Contacted section. See also the following: Alabama Constitution Article IV, Section 49.01(b)(1); Official Code of Georgia Annotated, Section 28-1-8; Kentucky Revised Statutes, Section 6.190; North Carolina General Statutes, Section 120-3.1; Tennessee Code Annotated, Section 3-1-306; Burns Indiana Code Annotated, Section 24.31.1; Louisiana Revised Statutes, Section 2-3-1-4; Louisiana Revised Statutes, Section 30-19.15, 2.2-2923, and 2.2-2825.

The passage of the 50-mile restriction that became effective in November 2014, may have unintentionally compounded the negative financial effect on legislators who live within the 50-mile radius, but represent large rural districts.

Each member of the House may receive, upon written request, travel reimbursement for constituent service travel within the member's legislative district, within any county that is in any part of the member's legislative district, up to a monthly maximum amount based upon the actual size of the district. The maximum reimbursement must be computed at the standard federal mileage rate per square mile per month, with minimum allowable amount of \$100 and a maximum allowable amount of \$850 per month. Members may receive an additional \$100 monthly travel reimbursement in excess of the maximum for each increment of 1,000 square miles for which their district size exceeds 1,000 square miles. Reimbursements must be for the actual miles travelled and at the federal mileage rate.⁵⁰

Oregon also addresses travel expenses in legislative districts of different sizes, but in the district office expense allowance, rather than through travel reimbursements.⁵¹ Oregon legislators receive additional lump sum compensation of \$450 to \$750 per month depending on district size; the additional amount is intended in part to reflect greater travel expenses associated with larger districts.⁵²

Relation of Travel Reimbursement to Travel Expenses

The passage of the 50-mile restriction that became effective in November 2014, may have unintentionally compounded the negative financial effect on legislators who live within the 50-mile radius, but represent large rural districts. Recordings of the legislative committee discussions about the legislation indicate intent to reduce the burden on Tennessee's taxpayers for those legislators who can stay at home while the General Assembly is in session; the fiscal note for the legislation estimated a net reduction in state expenditures of \$253,616.⁵³ In addition, because the Internal Revenue Service requires that members in the 50-mile radius pay federal income taxes on lodging and meals,⁵⁴ but not mileage, the elimination of a lodging reimbursement, with the addition of a greater mileage reimbursement, was seen as a way to reduce the taxes paid by the members to the federal government. Legislators living beyond the 50-mile limit are not taxed for lodging and meal reimbursements. Based on the distances that legislators reported for mileage reimbursement on the General Assembly's website, the application of the "50-mile" rule affected 35 legislators in the

⁵⁰ Minnesota House Committee on Rules and Legislative Administration.

⁵¹ Oregon Revised Statutes, Section 171.072(8).

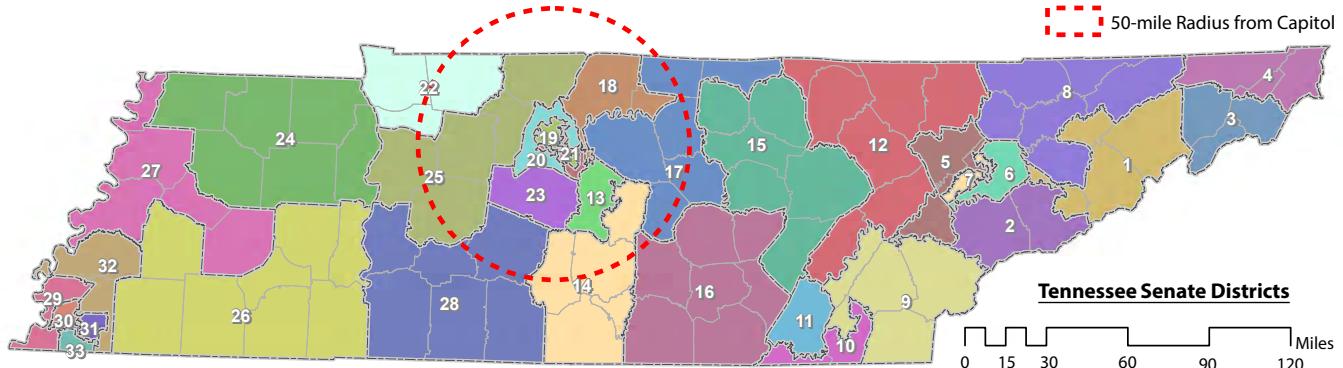
⁵² Email from Shirley Alt, Employee Services and Payroll, Office of Legislative Administration, Oregon Legislative Assembly, August 12, 2016.

⁵³ Tennessee General Assembly 2016b. Fiscal Note for House Bill 80 and Senate Bill 107, 2013.

⁵⁴ 26 US Code, Section 162(h)

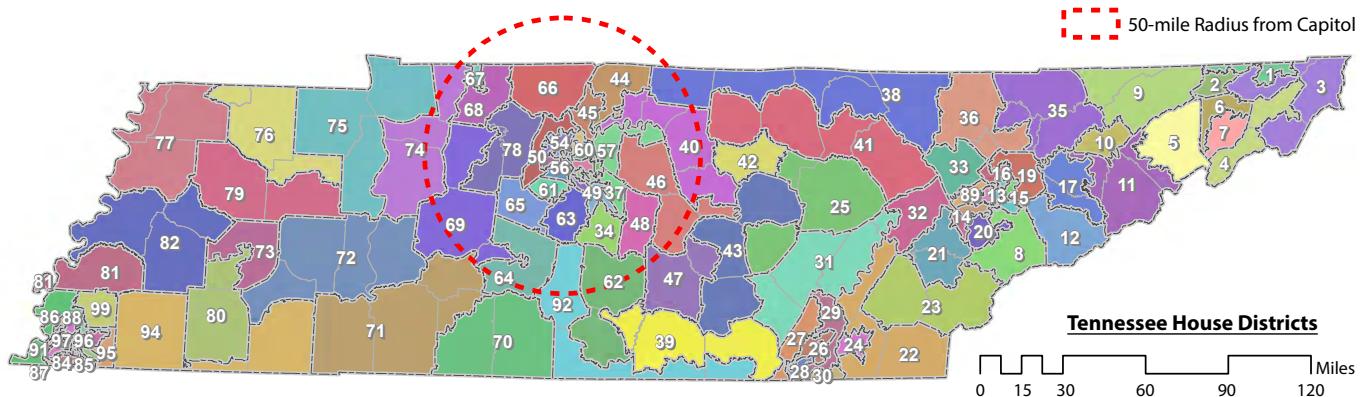
109th General Assembly. See appendix G. Maps 4 and 5 illustrate the approximate location of the 50-mile radius.

Map 4. Area affected by 50-mile rule-Senate



Source: US Census Bureau 2015.

Map 5. Area affected by 50-mile rule-House of Representatives



Source: US Census Bureau 2015.

Table 6 illustrates the financial effect that the change in law had on two hypothetical legislators, Legislator A, who lives 40 miles from the state capitol and Legislator B who lives 60 miles from the state capitol. Because legislators cannot be compensated for more than 90 days in each two-year term, the analysis assumes that the General Assembly meets 45 days per year. Assuming legislators spend three nights a week in Nashville during session, 45 days would be the equivalent of 15 weeks.

The analysis illustrates the extent to which members who live beyond 50 miles from Nashville receive greater total compensation. Legislator A receives a total of \$26,192 after taxes, while Legislator B receives \$32,173, a difference of \$5,981. All legislators must pay taxes on salary and office expenses, but Legislator A, who lives 40 miles from the Capitol, is required to pay \$867 in taxes on the \$2,655 meal reimbursement that Legislator B is not.

Table 6. Effect of 50-Mile Rule on Tennessee Legislators' Compensation, 2016

Legislator A lives 40 miles from the Capitol					
Type of Compensation	Compensation Before Taxes	Taxes			Net Compensation
		FICA (7.65%)	WH (25%)	Total Taxes	
Salary	\$20,884	\$1,598	\$5,221	\$6,819	\$14,065
Office Expense	\$12,000	\$918	\$3,000	\$3,918	\$8,082
Lodging (\$145 per day for 45 days)	n/a	n/a	n/a	n/a	n/a
Meals (\$59 per day for 45 days)	\$2,655	\$203	\$664	\$867	\$1,788
Mileage (.47 per mile for four round-trips per week for 15 weeks)	\$2,256	n/a	n/a	n/a	\$2,256
Total	\$37,795	\$2,719	\$8,885	\$11,603	\$26,192

Legislator B lives 60 miles from the Capitol					
Type of Compensation	Compensation Before Taxes	Taxes			Net Compensation
		FICA (7.65%)	WH (25%)	Total Taxes	
Salary	\$20,884	\$1,598	\$5,221	\$6,819	\$14,065
Office Expense	\$12,000	\$918	\$3,000	\$3,918	\$8,082
Lodging (\$145 per day for 45 days)	\$6,525	n/a	n/a	n/a	\$6,525
Meals (\$59 per day for 45 days)	\$2,655	n/a	n/a	n/a	\$2,655
Mileage (.47 per mile for one round-trip per week for 15 weeks)	\$846	n/a	n/a	n/a	\$846
Total	\$42,910	\$2,516	\$8,221	\$10,737	\$32,173

Note: FICA-Federal Insurance Contributions Act; WH-Federal Income Tax Withholding.

Source: Staff review of 2016 House and Senate Members Per Diem and Travel Reimbursements. Office of Legislative Administration. <http://www.capitol.tn.gov/joint/staff/administration/>; Tennessee Code Annotated, 3-1-106; and 3-1-107.

Current law addresses travel to the capitol during session, and travel to official meetings in the interim, but does not address other kinds of travel. The apparent intent of the 50-mile restriction was to eliminate lodging reimbursements to legislators who travel back home at night during the legislative session. However, using a legislator's house and its distance from Nashville as the only basis for all legislative travel reimbursement neglects other kinds of official travel expenses, which are likely greater for legislators who represent geographically large districts than for those with smaller more densely-populated districts. Legislators who have geographically large districts and live within the 50-mile limit are disadvantaged by having to drive greater unreimbursed distances, and by having to pay taxes that others do not. Although legislators who live close to Nashville can return home more easily during the legislative session, eliminating the lodging portion of their travel reimbursement, likely also reduced one financial resource for serving their districts.

Legislators who live long distances from Nashville need the lodging reimbursement to cover their expenses for overnight stays in the Nashville area, but those who live closer may not. Some reportedly have found other housing options in addition to hotels to reduce expenses, including rental accommodations shared with other members. Some who are entitled to and receive the lodging reimbursement still choose to drive home each night, thus incurring additional unreimbursed mileage expense, but eliminating costs of lodging. Providing a standard amount without receipts or vouchers gives members flexibility to address their own circumstances and preferences, but also makes it difficult to relate the reimbursement to actual expenses incurred. Because legislators are not required to spend the lodging reimbursement for lodging or the meals reimbursement for food, legislators who are able to reduce or eliminate their lodging and/or meal costs, can use those funds for other purposes, whether covering other kinds of expenses associated with their office or ones that are not.

Insurance

Except for those legislators who have been appointed to fill a vacancy or unexpired term, Tennessee's legislators may participate in the state's group health insurance plan. The state pays 80% of the total premium and the member pays 20%.⁵⁵ For active members of the General Assembly, insurance benefits mirror those of state employees. Tennessee also pays for a basic life insurance plan, with additional amounts available at the legislator's expense. Legislators may participate in the state government's dental and vision plans at the member's expense.

Legislators elected on or after July 1, 2015, with no prior service, are not eligible to participate in the state's health insurance plan after they leave the General Assembly,⁵⁶ but those who were first elected before July 1, 2015, may continue in the state's plan for life with the state contributing premium support based on the member's years of service.⁵⁷ Tennessee Code Annotated, Section 8-27-208, however, provides that no member or former member of the general assembly may elect to retain health benefits pursuant to this section if that person is convicted in any state or federal court of a felony arising out of that person's official capacity as a member of the general assembly after November 2, 2010. In addition, unlike retired state employees who must go on Medicare when they become eligible, legislators can stay in the state's insurance plan as a secondary policy.⁵⁸

Except for those legislators who have been appointed to fill a vacancy or unexpired term, Tennessee's legislators may participate in the state's group health insurance plan.

⁵⁵ Tennessee Code Annotated, Section 8-27-203.

⁵⁶ Tennessee Code Annotated, Section 8-27-208(a)(2).

⁵⁷ Interview with Scott McAnally, Senior Manager of Policy and Research and Legislative Affairs, Office of Benefits Administration, Department of Finance and Administration, June 28, 2016, and Office of the Attorney General of Tennessee, Opinion No. 78-396.

⁵⁸ Interview with Scott McAnally, Senior Manager of Policy and Research and Legislative Affairs, Office of Benefits Administration, Department of Finance and Administration, June 28, 2016.

Tennessee's legislators may participate in the Tennessee Consolidated Retirement System (TCRS) described in Tennessee Code Annotated, Title 8, Chapters 34 through 37.

According to NCSL data, of Tennessee's contiguous and similar states, all provide a health insurance option for legislators. Arkansas, Georgia, Kentucky, Indiana, Louisiana, Missouri, Tennessee, and Virginia, each provide health insurance with a combination of payments by the state and the legislator. In Mississippi and North Carolina the state pays 100% of legislators' premiums, while in Alabama, legislators must pay 100% of the premium if they choose to participate in the state's plan. See appendix F.

Retirement

Tennessee's legislators may participate in the Tennessee Consolidated Retirement System (TCRS) described in Tennessee Code Annotated, Title 8, Chapters 34 through 37. Participation requirements and benefits for all state employees, including members of the General Assembly, changed in 2014, with the passage of Public Chapter 659. Legislators elected before July 1, 2014, are part of the state's Legacy System, a non-contributory retirement plan, whereas those elected July 1, 2014, and after with no other state service, must participate in the Hybrid system. Table 7 compares the two plans.

Table 7. Comparison of General Assembly Retirement Plans

Legacy Plan	Hybrid Plan
Defined Benefit	
1.5% benefit formula	1.0% benefit formula
Eligibility to Retire	
55 years old and vested 4 year vesting (If term of office began prior to July 1, 1976, members are eligible to retire with less than 4 years of service.)	60 years old and vested 4 year vesting
Employee Contributions	
0%	5%
Employer Contributions	
Determined by actuary	4%
Defined Contribution	
Optional contributions	5% employer contribution made to an employee's account and not subject to any matching employee contribution
	2% employee contribution; automatically enrolled but may opt-out

Source: Email from Jill Bachus, Director, Tennessee Consolidated Retirement System, August 9, 2016, and Lillard and Bachus 2014.

Under either plan members are allowed to claim military service that interrupted state employment as creditable service toward retirement benefits, and have the same access to disability benefits and the same survivor benefits. Members of the General Assembly who had any prior service as a state employee or teacher in the Legacy system and did not lose membership would continue in the Legacy system. If, however, membership was lost, he/she would start in the Hybrid system. Membership could have been lost by leaving the system before vesting and being gone for seven or more years, or by leaving the system and taking a refund of contributions. This could affect only members employed by a member employer before 1981. If a legislator had prior service in a local government legacy system, that person would get credit for the service time, but would have to go in the Hybrid system.⁵⁹

Legacy System (members elected before 7-1-14)

Legislators who are members of the Legacy System become vested (eligible to receive a retirement benefit) in the system at four years, which equates to two terms for a representative or one term for a senator. Legislators who are members of the Legacy system are eligible to retire at age 55. Any prior TCRS service is counted in vesting, service, or benefits. If a member participates in the retirement system based on two positions, earnings from both positions can be used to determine his/her benefit, although members cannot count more than 12 months service in 12 months.

Hybrid System (members elected 7-1-14 and after)

The Hybrid System has a defined benefit component and a defined contribution component. Legislators who choose to participate in the Hybrid System must contribute 5% of their salaries toward the defined benefit portion of the plan. They are also automatically enrolled to contribute 2% of their salaries to the defined contribution portion of the plan, but can opt out. The state contributes 4% of the member's compensation to the defined benefit portion of the plan and 5% of the member's compensation to the defined contribution component. Members of the Hybrid System become vested after 4 years.^{60, 61}

Under the Hybrid system, legislators must be 60 years old to qualify for retirement benefits. As of July 1, 2016, the guaranteed monthly benefit is $\$56.11 \times \text{years of service}^{62}$. Tennessee Code Annotated, Section 8-35-124 provides that any legislator convicted of a felony arising out of that

⁵⁹ Email from Jill Bachus, Director, Tennessee Consolidated Retirement System, August 9, 2016.

⁶⁰ Hybrid Pension Plan for General Assembly Members, http://www.treasury.state.tn.us/tcrs/PDFs/HybridBrochure_GA.pdf

⁶¹ Interview with Jill Bachus, Director of Tennessee Consolidated Retirement System, June 21, 2016.

⁶² Ibid.

person's official capacity, constituting malfeasance of office, loses his/her retirement benefit; however, beneficiaries are still eligible.

Of the 50 states, ten including Alabama and Louisiana, currently offer no retirement system participation for their legislators. In the 40 states that offer a legislative retirement benefit, as of 2016, participation is optional in 23 states, and mandatory in 17 states. Most require that the member contribute some portion of salary to participate, although not all. Of Tennessee and its comparison states that offer a retirement benefit for legislators, participation is optional in Arkansas, Georgia, Kentucky, and Tennessee. Participation is mandatory in Indiana, Mississippi, Missouri, North Carolina, and Virginia.

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Appendix A. Senate Joint Resolution 463



State of Tennessee

SENATE JOINT RESOLUTION NO. 463

By Beavers

A RESOLUTION relative to the compensation of members of the General Assembly.

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) is directed to conduct a survey on salary, per diem reimbursement rates, mileage reimbursement rates, and other expenses paid to members of legislative bodies in states bordering Tennessee during fiscal year 2015-2016 and compare such data to like categories of compensation and reimbursement paid to members of the Tennessee General Assembly during that same period for the purpose of determining if Tennessee legislators are being adequately compensated and fully reimbursed for expenses.

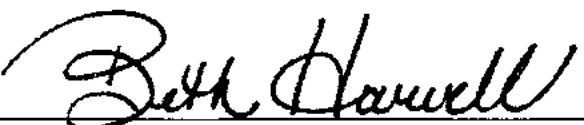
BE IT FURTHER RESOLVED, that the executive director of TACIR shall report the results of such survey and analysis to the Speaker of the Senate, the Speaker of the House of Representatives, and the Finance, Ways and Means committees of the Senate and House of Representatives prior to January 1, 2017.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the executive director of TACIR.

SENATE JOINT RESOLUTION NO. 463

ADOPTED: April 4, 2016


RON RAMSEY
SPEAKER OF THE SENATE


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 12th day of April 2016


BILL HASLAM, GOVERNOR

Appendix B. Number of Cities and Counties per Tennessee Senator, 2016

District Number	First Name	Last Name	Number of Cities	Number of Counties	Names of Counties
1	Steve	Southerland	9	4	Cocke, Greene, Hamblen, Sevier
2	Doug	Overbey	9	2	Blount, Sevier
3	Rusty	Crowe	6	3	Carter, Unicoi, Washington
4	Ron	Ramsey	6	3	Carter, Johnson, Sullivan
5	Randy	McNally	11	3	Anderson, Knox, Loudon
6	Becky Duncan	Massey	1	1	Knox
7	Richard	Briggs	2	1	Knox
8	Frank	Niceley	22	6	Claiborne, Grainger, Hancock, Hawkins, Jefferson, Union
9	Mike	Bell	15	5	Bradley, McMinn, Meigs, Monroe, Polk
10	Todd	Gardenhire	7	2	Bradley, Hamilton
11	Bo	Watson	7	1	Hamilton
12	Ken	Yager	22	7	Campbell, Fentress, Morgan, Pickett, Rhea, Roane, Scott
13	Bill	Ketron	4	1	Rutherford
14	Jim	Tracy	13	5	Bedford, Lincoln, Marshall, Moore, Rutherford
15	Paul	Bailey	12	6	Bledsoe, Cumberland, Jackson, Overton, White, Putnam
16	Janice	Bowling	27	7	Coffee, Franklin, Grundy, Marion, Sequatchie, Van Buren, Warren
17	Mae	Beavers	15	6	Cannon, Clay, DeKalb, Macon, Smith, Wilson
18	Ferrell	Haile	10	3	Davidson, Sumner, Trousdale
19	Thelma	Harper	1	1	Davidson
20	Steven	Dickerson	8	1	Davidson
21	Jeff	Yarbro	3	1	Davidson
22	Mark	Green	5	3	Houston, Montgomery, Stewart
23	Jack	Johnson	6	1	Williamson
24	John	Stevens	38	6	Benton, Carroll, Gibson, Henry, Obion, Weakley
25	Kerry	Roberts	25	5	Cheatham, Dickson, Hickman, Humphreys, Robertson
26	Delores	Gresham	41	8	Chester, Decatur, Fayette, Hardeman, Hardin, Haywood, Henderson, McNairy
27	Ed	Jackson	18	5	Crockett, Dyer, Lake, Lauderdale, Madison
28	Joey	Hensley	19	6	Giles, Lawrence, Lewis, Maury, Perry, Wayne
29	Lee	Harris	2	1	Shelby
30	Sara	Kyle	1	1	Shelby
31	Brian	Kelsey	5	1	Shelby
32	Mark	Norris	14	2	Shelby, Tipton
33	Reginald	Tate	1	1	Shelby

Source: Data received from the Tennessee Municipal League and Tennessee County Services Association.

Appendix C. Number of Cities and Counties per Tennessee Representative, 2016

District Number	First Name	Last Name	Number of Cities	Number of Counties	Names of Counties
1	Jon	Lundberg	2	1	Sullivan
2	Bud	Hulsey	1	1	Sullivan
3	Timothy	Hill	5	3	Carter, Johnson, Sullivan
4	John B.	Holsclaw, Jr.	4	2	Carter, Unicoi
5	David B.	Hawk	4	1	Greene
6	James (Micah)	Van Huss	2	1	Washington
7	Matthew	Hill	2	1	Washington
8	Art	Swann	5	1	Blount
9	Gary	Hicks	7	2	Hancock, Hawkins
10	Tilman	Goins	1	1	Hamblen
11	Jeremy	Faison	7	3	Cocke, Greene, Jefferson
12	Dale	Carr	4	1	Sevier
13	Eddie	Smith	1	1	Knox
14	Jason	Zachary	2	1	Knox
15	Joseph	Armstrong	1	1	Knox
16	Bill	Dunn	1	1	Knox
17	Andrew	Farmer	4	2	Jefferson, Sevier
18	Martin	Daniel	1	1	Knox
19	Harry	Brooks	1	1	Knox
20	Bob	Ramsey	4	1	Blount
21	Jimmy	Matlock	7	2	Loudon, Monroe
22	Dan	Howell	6	3	Bradley, Meigs, Polk
23	John	Forgety	8	2	McMinn, Monroe
24	Kevin	Brooks	1	1	Bradley
25	Cameron	Sexton	5	3	Cumberland, Putnam, Van Buren
26	Gerald	McCormick	3	1	Hamilton
27	Patsy	Hazelwood	6	1	Hamilton
28	Joanne	Favors	2	1	Hamilton
29	Mike	Carter	2	1	Hamilton
30	Marc	Gravitt	3	1	Hamilton
31	Ron	Travis	6	4	Bledsoe, Rhea, Roane, Sequatchie
32	Kent	Calfee	6	2	Loudon, Roane
33	John D.	Ragan	4	1	Anderson
34	Rick	Womick	3	1	Rutherford
35	Jerry	Sexton	9	3	Claiborne, Grainger, Union
36	Dennis	Powers	10	3	Anderson, Campbell, Union
37	Dawn	White	3	1	Rutherford
38	Kelly	Keisling	9	5	Clay, Fentress, Macon, Pickett, Scott
39	David	Alexander	10	3	Franklin, Marion, Moore
40	Terri Lynn	Weaver	10	4	Dekalb, Smith, Sumner, Trousdale
41	John Mark	Windle	6	4	Fentress, Jackson, Morgan, Overton
42	Ryan	Williams	3	1	Putnam
43	Kevin	Dunlap	11	3	Grundy, Warren, White
44	William	Lamberth	5	1	Sumner
45	Courtney	Rogers	4	1	Sumner
46	Mark	Pody	5	3	Cannon, Dekalb, Wilson
47	Judd	Matheny	5	2	Coffee, Warren
48	Bryan	Terry	1	1	Rutherford

Legislative Compensation: Comparing Tennessee to Contiguous and Peer States

District Number	First Name	Last Name	Number of Cities	Number of Counties	Names of Counties
49	Mike	Sparks	3	1	Rutherford
50	Bo	Mitchell	1	1	Davidson
51	Bill	Beck	2	1	Davidson
52	Mike	Stewart	1	1	Davidson
53	Jason	Powell	2	1	Davidson
54	Brenda	Gilmore	1	1	Davidson
55	John Ray	Clemonns	1	1	Davidson
56	Beth Halteman	Harwell	4	1	Davidson
57	Susan	Lynn	2	1	Wilson
58	Harold M.	Love, Jr.	2	1	Davidson
59	Sherry Stoner	Jones	1	1	Davidson
60	Darren	Jernigan	1	1	Davidson
61	Charles	Sargent	2	1	Williamson
62	Pat	Marsh	6	2	Bedford, Lincoln
63	Glen	Casada	5	1	Williamson
64	Sheila	Butt	3	1	Maury
65	Jeremy	Durham	4	3	Bedford, Lincoln, Williamson
66	Sabi	Kumar	11	1	Robertson
67	Joe	Pitts	1	1	Montgomery
68	Curtis G.	Johnson	1	1	Montgomery
69	David	Shepard	6	3	Dickson, Hickman, Maury
70	Barry	Doss	10	2	Giles, Lawrence
71	David	Byrd	10	4	Harden, Lawrence, Lewis, Wayne
72	Steve	McDaniel	10	4	Chester, Decatur, Henderson, Perry
73	Jimmy A.	Eldridge	4	1	Madison
74	Jay	Reedy	6	3	Houston, Humphreys, Montgomery,
75	Tim	Wirgau	9	3	Benton, Henry, Stewart
76	Andrew	Holt	11	3	Carroll, Obion, Weakley
77	Bill	Sanderson	13	3	Dyer, Lake, Obion
78	Mary	Littleton	7	2	Cheatham, Dickson
79	Curtis	Halford	14	2	Carroll, Gibson
80	Johnny W.	Shaw	9	2	Hardeman, Madison
81	Debra	Moody	8	1	Tipton
82	Craig	Fitzhugh	11	3	Crockett, Haywood, Lauderdale
83	Mark	White	3	1	Shelby
84	Joe	Towns, Jr.	1	1	Shelby
85	Johnnie	Turner	1	1	Shelby
86	Barbara	Cooper	1	1	Shelby
87	Karen	Camper	1	1	Shelby
88	Larry J.	Miller	2	1	Shelby
89	Roger	Kane	2	1	Knox
90	John J.	Deberry, Jr.	1	1	Shelby
91	Raumesh	Akbari	1	1	Shelby
92	Billy	Spivey	8	4	Franklin, Lincoln, Marion, Marshall
93	G.A.	Hardaway	1	1	Shelby
94	Jamie	Jenkins	22	3	Fayette, Hardeman, McNairy
95	Curry	Todd	2	1	Shelby
96	Steve	McManus	2	1	Shelby
97	Jim	Coley	2	1	Shelby
98	Antonio	Parkinson	2	1	Shelby
99	Ron	Lollar	4	1	Shelby

Source: Data received from the Tennessee Municipal League and Tennessee County Services Association.

Appendix D. Previous Legislation, 1995-2016

Assembly	Year	Bill Number	Sponsor(s)	Action Taken on Bill			Summary
				Did the bill pass?	Public Chapter	House	
99 th	1995-1996	SB1412	Gilbert	No	n/a	n/a	Withdrawn
99 th	1995-1996	HB0036/SB0067	Kent/Haun	No	n/a	Referred to Finance, Ways, and Means	Specifies circumstances and conditions under which members may receive per diem payments when the general assembly is not in session.
99 th	1995-1996	HB0275/SB0325	Newton/Fowler	No	n/a	Taken off notice for calendar in subcommittee of State Government	Authorizes dual membership in TCRS if minimum 20 years of service as teacher and ten years of service as member of general assembly.
99 th	1995-1996	HB0894/SB0474	Rhinehart/Atchley	Yes	PC 41	Bill passed	Prohibits members of general assembly elected after July 1, 1995 from participating in TCRS based on legislative service.
99 th	1995-1996	HB1161/SB1411	Duer/Gilbert	No	n/a	Failed in subcommittee of State Government	Allows members of the general assembly taking office between March 10, 1993 and March 10, 1995, to continue TCRS benefits received prior to taking office.
99 th	1995-1996						Increases eligible retirement age to 60; requires five years of service for eligibility; limits pension to 75 percent of average final compensation; requires forfeiture of pension for conviction of felony arising out of state employment.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill			Summary
					House	Senate		
99 th	1995-1996	HB1493/SB0655	Joyce/Jordan	No	n/a	Assigned to General subcommittee of State Government of State and Local Government	Assigned to subcommittee of Finance, Ways, and Means	Requires prior approval of respective speaker to receive per diem allowance for legislative office work performed in Nashville.
99 th	1995-1996	HB1498/SB1572	Jones U (Shelby)/Ford J	No	n/a	Action deferred in subcommittee of State Government of State and Local Government	Caption bill, held on desk pending amendment	Changes reimbursement of home office expenses from monthly to bi-weekly.
99 th	1995-1996	HB1964/SB2010	Westmoreland/ Carter	No	n/a	Action deferred in Calendar & Rules	Withdrawn	Only one member may be reimbursed for mileage if members choose to carpool.
99 th	1995-1996	HB1992/SB2243	Stamps/Gilbert	No	n/a	Assigned to subcommittee of State and Local Government	Referred to Calendar Committee	Establishes compensation and expense commission to make recommendations once and then it ceases to exist.
99 th	1995-1996	HB2702/SB2893	Miller L/Dixon	No	n/a	Assigned to subcommittee of State Government of State and Local Government	Caption bill, held on desk pending amendment	Directs the office of legislative administration to notify members when federal per diem rates change.
99 th	1995-1996	HB2866/SB3126	Turner (Shelby)/Dixon	No	n/a	Taken off notice for calendar in subcommittee of State and Local Government	Referred to Finance, Ways, and Means	Increases retirement benefits for members of general assembly from \$840 times number of years of service to \$1,200.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill			Summary
					House	Senate		
100 th	1997-1998	HB2372	Kernell	No	n/a	Assigned to subcommittee of State Government of State and Local Government	No companion	Sets member salary equal to average state employee salary.
100 th	1997-1998	HB0167/SB0377	Rhinehart/Atchley	Yes	PC 21	Bill passed	Bill passed	Allows members of general assembly to continue to receive retirement allowance while in office if such benefit is based on service other than as member of general assembly.
100 th	1997-1998	HB0420/SB0576	Kernell/Gilbert	No	n/a	Assigned to subcommittee of State Government of State and Local Government	Assigned to General subcommittee of Government Operations	Creates commission to recommend compensation and expense reimbursement for members of general assembly.
100 th	1997-1998	HB0423/SB1312	Kernell/Ford J	No	n/a	Failed in subcommittee of State Government of State and Local Government	Assigned to General subcommittee of Finance, Ways, and Means	Permits members of general assembly traveling more than 50 miles for state business to be reimbursed for hotel expenses.
100 th	1997-1998	HB1193/SB1277	Kerr/Koella	No	n/a	Passed in the House, transmitted to Senate, Amendment 1 withdrawn.	Comprehensive House Bill substituted	Creates commission to recommend compensation and expense reimbursement for members of general assembly.
100 th	1997-1998	HB1471/SB0963	Jones U (Shelby)/Ford J	No	n/a	Taken off notice for calendar in State and Local Government	Rejected by Senate	Creates commission to study the compensation for members of general assembly.

Assembly	Year	Bill Number	Sponsor(s)	Public Chapter	Action Taken on Bill		Summary
					House	Senate	
100 th	1997-1998	HB1583/SB1906	Turner (Shelby)/Dixon	No	n/a	Re-referred to Calendar & Rules and Sponsor(s) withdrawn	Assigned to General subcommittee of Finance, Ways, and Means
100 th	1997-1998	HB2376/SB2487	Haltzman Harwell/Rochelle	No	n/a	Assigned to subcommittee of State Government of State and Local Government	Permits members of general assembly who live within 50 miles of capitol to decline per diem payments.
100 th	1997-1998	HB2538/SB2833	Kennell/Ford J	No	n/a	Action deferred in State and Local Government	Assigned to General subcommittee of State and Local Government
100 th	1997-1998	HB3345/SB2824	Stamps/Williams	No	n/a	Taken off notice for calendar in State and Local Government	Requires annual salary of general assembly members to be equal to average salary paid to state employees.
101 st	1999-2000	HB0661/SB1021	Kennell/Ford J	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Limits to 21 number of paid office days during interim between sessions for members of the general assembly.
101 st	1999-2000						Requires annual salary of general assembly members to be equal to average salary paid to state employees.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill			Summary
					House	Senate		
101 st	1999-2000	HB0670/SB1168	Kennell/Ford J	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Assigned to General subcommittee of Finance, Ways and Means	Permits members of general assembly traveling more than 50 miles for legislative business to be reimbursed for hotel expenses.
102 nd	2001-2002	HB0148/SB0210	Miller L/Dixon	No	n/a	Taken off notice for calendar in subcommittee of Budget of Finance, Ways, and Means	Assigned to General subcommittee of State and Local Government	Fixed salary to be adjusted to reflect the average increase provided for state employees.
102 nd	2001-2002	HB0763/SB0959	Kennell/Ford J	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Placed on calendar for State and Local Government	Establishes a \$250 communications expense allowance for cellular phones, voice mail, facsimile machines, computers, modems, pagers, and other such items.
102 nd	2001-2002	HB0764/SB0958	Kennell/Ford J	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Placed on calendar for State and Local Government	Requires, on biennial basis, that annual salary of general assembly members be adjusted to equal average salary paid to state employees during prior fiscal year.
102 nd	2001-2002	HB0765/SB0960	Kennell/Ford J	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Placed on calendar for State and Local Government	Entitles members of general assembly traveling more than 50 miles for legislative business to be reimbursed for hotel expenses.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		Summary
					House	Senate	
102 nd	2001-2002	HB1714/SB1812	Rhinehart/Atchley	Yes	PC 879 Bill passed	Bill passed	Allows members of the general assembly to continue employment in another position covered by TCRS, draw retirement benefits based on general assembly service while employed in other positions, and then draw recomputed retirement benefits based on both positions.
102 nd	2001-2002	HB3192/SB3068	Hargrove/Burks	No	n/a	Referred to Finance, Ways, and Means	Changes effective date for a change in retirement to 30 days instead of being effective at the beginning of the following month.
103 rd	2003-2004	HB2418	Kernell	No	n/a	Withdrawn	No companion
103 rd	2003-2004	HB2420	Kernell	No	n/a	Assigned to subcommittee State Government of State and Local Government	Makes member salary equal to the average state employee salary; members may elect to switch to the state employee retirement system.
103 rd	2003-2004	HB0851/SB0816	Kernell/Ford	No	n/a	Taken off notice for calendar in subcommittee State Government of State and Local Government	Increases members' salary from \$16,500 to \$19,140; increases members' monthly expense allowance from \$525 to \$609.
103 rd	2003-2004					Referred to State and Local Government	Increases monthly expense allowance by \$100; creates an additional allowance of \$100 per month for legislative-related expenses such as communication devices and office equipment.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		Summary
					House	Senate	
103 rd	2003-2004	HB0852/SB0815	Kernell/Ford	No	n/a	Assigned to subcommittee State Government of State and Local Government	Withdrawn
103 rd	2003-2004	HB2320/SB2363	Hargett/Person, Curtis	No	n/a	Assigned to subcommittee State Government of State and Local Government	Referred to State and Local Government
103 rd	2003-2004	HB2369/SB3046	Tidwell/ Jackson	Yes	PC 638	Bill passed	Limits general assembly members to \$5,000 for out-of-state travel to conferences, gatherings, and other similar group events in any calendar year.
103 rd	2003-2004	HB3189/SB3277	Kernell/Kyle	Yes	PC 955	Bill passed	Makes member salary equal to the average state employee salary; members may elect to switch to the state employee retirement system.
103 rd	2003-2004						Permits member of general assembly who is receiving early retirement benefits from social security to submit actual expenses for reimbursement of office expenses in lieu of being paid set amount as long as reimbursement does not exceed the statutorily authorized expense.
103 rd	2003-2004						Legislators' fixed salary to be adjusted to reflect the average increase provided for state employees; final bill also increased monthly expense account to \$1,000 for district office expenses.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		Summary
					House	Senate	
104 th	2005-2006	SB1813	Herron	No	n/a	No companion	Assigned to General subcommittee of State and Local Government
104 th	2005-2006	SB2416	Ramsey	No	n/a	No companion	Permits members to be paid mileage for attending matters of state and local concern held more than 25 miles from the members home but within their district.
104 th	2005-2006	SB2759	Cohen	No	n/a	No companion	Any members or governor convicted of a felony arising out of that official's employment or official capacity, constituting malfeasance, are excluded from the state health insurance program.
104 th	2005-2006	HB1590/SB0585	McMillan/Cohen	Yes	PC 476	Bill passed	Referred to State and Local Government
104 th	2005-2006	HB1678/SB1987	Eldridge/Bryson	No	n/a	Action deferred in subcommittee of Budget of Finance, Ways, and Means	Any members convicted of a felony arising out of service in the general assembly must pay 100% of premium for state health insurance.
104 th	2005-2006						Members who are appointed are not eligible to retain insurance after retirement.
							Requires public reporting of reimbursed costs concerning out-of-state travel.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		Summary
					House	Senate	
104 th	2005-2006	HB3729/SB3018	Harwell/Bryson	No	n/a	Referred to State and Local Government	Removes reimbursement for members for costs of hotel and intra-city transportation while attending conference, symposium, workshop or other official meeting outside of Tennessee.
104 th	2005-2006	HB3920/SB3419	Maddox/Jackson	No	n/a	Referred to State and Local Government Committee	Specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee.
105 th	2007-2008	HB2194	Kernell	No	n/a	Assigned to subcommittee State Government	Permits members of general assembly traveling more than 50 miles for legislative business to be reimbursed for hotel expenses.
105 th	2007-2008	HB1588/SB1769	Fitzhugh/Kyle	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee.
105 th	2007-2008	HB2568/SB2670	Curtiss/Tracy	No	n/a	Re-referred to Judiciary	Requires forfeiture of access to health insurance benefits by any member of the general assembly convicted of a felony involving public office.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Public Chapter	Action Taken on Bill		Summary
						House	Senate	
105 th	2005-2006	HB3507/SB3454	Jones U/Marrero B	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Assigned to General subcommittee of State and Local Government	Between sessions, a member may be reimbursed the actual cost of the hotel when performing legislative duties in Nashville and the cost of the hotel exceeds the hotel allowance granted for reimbursement for the Nashville area.
105 th	2007-2008	HB3599/SB2556	Hardaway/Tate	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Referred to State and Local Government	Increases per diem reimbursement to 125% of federal reimbursement.
106 th	2009-2010	SB2747	Kelsey	No	n/a	No companion	Referred to State and Local Government	Added restrictions to the reimbursement for in-state air travel by members.
106 th	2009-2010	HB0824/SB1247	Campfield/Bunch	No	n/a	Failed in State and Local Government	Referred to State and Local Government	Limits members to one out of state conference, symposium, workshop, assemblage or other official gathering each year and one out of country every 4 years. Excludes speakers of the senate and house.
106 th	2009-2010	HB1714/SB1966	Kelsey/Bunch	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Referred to State and Local Government	Added restrictions to the reimbursement for in-state air travel by members.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		Summary
					House	Senate	
106 th	2009-2010	HB1944/SB1866	Maddox/Kyle	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Referred to State and Local Government Specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee.
106 th	2009-2010	HB2444/SB2532	Casada/Tracy	No	n/a	Assigned to subcommittee State Government of State and Local Government	Prohibits increase of expense allowance for members unless state employees receive a salary increase of at least 1 percent.
106 th	2009-2010	HB2541/SB2520	Casada/J. Johnson	No	n/a	Assigned to subcommittee State Government of State and Local Government	Referred to State and Local Government Limits members who live within 50 miles of capitol building to be reimbursed only for meals and incidentals; allows such members to be reimbursed lodging one night per week during session.
106 th	2009-2010	HB3403/SB3231	Turner M/Haynes	No	n/a	Assigned to subcommittee State and Local Government	Referred to State and Local Government A survey on per diem reimbursement rates of states bordering Tennessee shall be conducted by the Offices of Legislative Budget Analysis and Legislative Administration.
106 th	2009-2010	HB3436/SB3199	Turner M/Finney L	No	n/a	Assigned to subcommittee Local Government of State and Local Government	Referred to State and Local Government Removes limousine fares from the nonexclusive list of travel conveyances for which a member is authorized to seek reimbursement when traveling out of state.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		Summary
					House	Senate	
106 th	2009-2010	HB3576/SB3300	Rowland/Kelsey	No	n/a	Failed in State and Local Government	Received from Senate, held on House desk
107 th	2011-2012	SJR0054	Faulk	No	n/a	n/a	Action deferred in Judiciary
							Amends Article II of the Tennessee Constitution, limiting sessions of the general assembly to February through May; removes 90 day limit for which expenses may be compensated for regular session.
107 th	2011-2012	HB0816	Turner M	No	n/a	Withdrawn	No companion
							Terminates pension eligibility for members elected or appointed to the general assembly after November 6, 2012.
107 th	2011-2012	HB1528/SB1356	Turner M/Finney L	No	n/a	Withdrawn	Withdrawn
							Removes members from state employees health care plan eligibility.
107 th	2011-2012	HB1677/SB1368	McDonald/Finney L	No	n/a	Failed in subcommittee State and Local Government	Assigned to General subcommittee of State and Local Government
							No member of the general assembly shall have more than \$20,000 in postal and printing allowance at any given time. Any amount allocated over \$20,000 will revert to the state general fund.
107 th	2011-2012	HB1678/SB1374	McDonald/Finney L	No	n/a	Assigned to General subcommittee State and Local Government	Assigned to General subcommittee State and Local Government
							The cost of any remodeling, paint, furniture or other improvements to a member's state office will be paid from such member's postal and printing allowance.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		
					House	Senate	Summary
107 th	2011-2012	HB1679/SB1373	McDonald/Finney L	No	n/a	Failed in subcommittee State and Local Government	Assigned to General subcommittee State and Local Government
107 th	2011-2012	HB1691/SB1372	Fitzhugh/Finney L	No	n/a	Taken off notice for calendar in subcommittee of State and Local Government	Failed in Senate Finance, Ways, and Means
107 th	2011-2012	HB2085/SB1949	Turner M/Finney L	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Assigned to General subcommittee of State and Local Government
107 th	2011-2012	HB2876/SB2801	Gotto/Tracy	No	n/a	Withdrawn	Specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee.
107 th	2011-2012	HB3324/SB3711	Kernell/Ford	No	n/a	Assigned to subcommittee State and Local Government	Members living within 50 miles must provide a receipt of expenses, not to exceed federal allowance.
						Referred to State and Local Government	Member may request and be paid an advance on the monthly expense allowance up to 90 days in certain circumstances.

Assembly	Year	Bill Number	Sponsor(s)	Did the bill pass?	Action Taken on Bill		Summary
					House	Senate	
108 th	2013-2014	HB0080/SB0107	Womnick/Haile	Yes	PC 241 Bill passed	Bill passed	Limits members living 50 miles or less to mileage and food reimbursement; allows members living 50 miles or less to be reimbursed for mileage for each round trip, Monday-Thursday.
108 th	2013-2014	HB1194/SB1283	Rogers/Haile	No	n/a	Assigned to subcommittee State Government	Referred to State and Local Government
109 th	2015-2016	HB1738	Holt	No	n/a	Assigned to subcommittee State Government	n/a
109 th	2015-2016	HB0009/SB0344	McCormick/Roberts	No	n/a	Taken off notice for calendar State Government	Assigned to General subcommittee of State and Local Government
109 th	2015-2016	HB0215/SB0430	Daniel/Briggs	No	n/a	Taken off notice for calendar in subcommittee of State Government of State and Local Government	Assigned to General subcommittee of State and Local Government

Source: Tennessee General Assembly. 2016b.

Appendix E. National Conference of State Legislatures 50 State Survey: Questions, 2016

What is the base salary (annual or daily rate) for state legislators (not including per diem or other living expense allowances)?

What is the session per diem rate for state legislators?

What additional compensation is given to House/Assembly Speaker?

What additional compensation is given to House/Assembly majority leaders?

What additional compensation is given to House/Assembly minority leaders?

What additional compensation is given to any other House/Assembly leaders?

What additional compensation is given to Senate majority leaders?

What additional compensation is given to Senate minority leaders?

What additional compensation is given to any other Senate leaders?

What additional compensation is given to committee chairs?

Are legislators given phone cards or phone allowances?

How much is allocated for office supplies? How much is allocated for district office? How much is allocated for staffing?

What health benefits are offered to state legislators?

Is this the same as the state employee health benefits?

What dental coverage is offered to state legislators?

Is this the same as the state employee dental coverage?

What optical coverage is offered to state legislators?

Is this the same as the state employee optical coverage?

What disability insurance is offered to state legislators?

Is this the same as the state employee disability insurance plan?

What life insurance benefits are offered to state legislators?

Is this the same as the state employee life insurance plan?

Is participation in a legislator retirement plan optional, mandatory, or not available?

Is this the same as the state employee retirement plan?

What are the minimum age and service requirements for the legislator retirement plan?

What are the contribution rates for the legislator retirement plan?

What is the formula for the legislator retirement plan?

Source: Email from Kae Warnock, Policy Specialist, National Conference of State Legislatures, July 18, 2016.



NATIONAL CONFERENCE
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The Forum for America's Ideas

2016 Survey:

State Legislative Compensation, Session Per Diem and Mileage

Appendix F. 2016 National Conference of State Legislatures Survey Results

State or other jurisdiction	Per diem salary	Limit on days	Annual salary	Mileage cents per mile	Salaries	
					Regular sessions	Session per diem rate
Alabama	... \$42,830 (a)	... \$50,400	54/mile. 54/mile.	(b) \$223 or \$249 a day (depending on the time of year). Tied to the federal rate. Legislators who reside in the capitol area receive 75% of the federal rate.		
Alaska	44.5/mile.	\$35 a day for the first 120 days of the regular session and for special sessions and \$10 a day thereafter; members residing outside Maricopa County receive an additional \$25 a day for the first 120 days of the regular session and for special sessions and an additional \$10 a day thereafter (V). Set by statute.		
Arizona	\$24,000	54/mile. 53/mile.	\$150 a day plus mileage (V). Tied to the federal rate.	
Arkansas	\$39,400	49/mile.	\$176 a day for each day in session.	
California	\$100,113	49/mile.	\$99 a day for members living outside Denver; \$45 a day for members who live 50 or fewer miles from the capitol (V). Set by the legislature.	
Colorado	\$30,000	54/mile.	No per diem is paid.	
Connecticut	\$28,000	54/mile.	No per diem is paid.	
Delaware	\$44,541	40/mile.	No per diem is paid.	
Florida	\$29,697	44.5/mile.	\$152 a day based on the number of days in Tallahassee (V).	
Georgia	\$17,342	54/mile. Tied to federal rate.	\$173 a day (U). Set by the Legislative Services Committee.	
Hawaii	\$60,180	(c)	\$175 a day throughout session for members who do not reside on the island of Oahu; \$10 a day for members living on Oahu during the mandatory five-day recess only.	
Idaho	\$16,684	54/mile. One roundtrip per week	\$129 a day for members establishing a second residence in Boise; \$49 a day if no second residence is established and up to \$25 a day travel (V). Set by the compensation commission.	
Illinois	\$67,836	39/mile	\$111 a session day.	
Indiana	\$24,671	54/mile. Tied to federal rate.	\$161 a day (U). Tied to federal rate.	
Iowa	\$25,000	39/mile.	\$160 a day; \$120 a day for Polk County legislators (U). Set by the legislature to coincide with the federal rate.	
Kansas	\$88.66 a day (C)	...	...	54/mile.	\$140 a day.	
Kentucky	\$188.22 a day	...	...	54/mile.	\$154 a day.	
Louisiana	\$16,800	54/mile. Tied to federal rate.	\$157 a day (U). Tied to federal rate.	

Salaries					
Regular sessions					
State or other jurisdiction	Per diem salary	Limit on days	Annual salary	Mileage cents per mile	Session per diem rate
Maine	\$14,074 a year first regular session; \$9,982 a year second regular session. (d)	44/mile.	\$38 a day lodging (or mileage and tolls up to \$38 a day in lieu of housing). \$32 a day meals. Set by statute.
Maryland	\$46,061	54/mile. (e)	\$45 a day meals. \$101 a day lodging. (f)
Massachusetts	\$60,032	54/mile. (f)	\$10,800 a year expense allowance for session and interim (V). Set by the compensation commission.
Michigan	\$71,685	54/mile.	\$36 a day for senators; \$66 a day for representatives.
Minnesota	\$31,141	Tied to federal rate. (g)	\$140 a day (U). Tied to federal rate.
Mississippi	\$10,000	54/mile.	\$112 a day (U). Tied to federal rate.
Missouri	\$35,915	37.5/mile.	\$112.85 a day (U).
Montana	\$82.64 a day (L)	...	...	54/mile. Tied to federal rate.	\$140 a day for members residing 50 miles or more from the capitol; \$51 a day for members residing inside the 50-mile radius.
Nebraska	\$12,000	54/mile. Tied to federal rate.	
Nevada	\$146.29 a day (C)	Up to 60	...	54/mile. Tied to federal rate.	\$140 a day.
New Hampshire	\$200 per 2-year term.	(h)	No per diem is paid.
New Jersey	\$49,000	None	No per diem is paid.
New Mexico	54/mile. Tied to federal rate.	\$163 a day (V). Tied to federal rate.
New York	\$79,500	54/mile. Tied to federal rate.	\$174 a day (including overnight) or \$59 a day (no overnight).
North Carolina	\$13,951	29/mile. One roundtrip per week.	\$104 a day (U). Set by statute.
North Dakota	\$172 a day (C)	...	...	54/mile. One roundtrip per week.	Up to \$1,682 a month lodging (V).
Ohio	\$60,584	Tied to federal rate.	No per diem is paid.
Oklahoma	\$38,400	54/mile. Tied to federal rate.	\$157 a day (U). Tied to federal rate.
Oregon	\$23,568	54/mile.	\$140 a day.
Pennsylvania	\$85,339	54/mile. Tied to federal rate.	\$175 a day. Tied to federal rate.
Rhode Island	\$15,414	57.5/mile.	No per diem is paid.
South Carolina	\$10,400	54/mile. Tied to federal rate.	\$140 a day. Tied to federal rate.
South Dakota	\$6,000/session	(i)	\$140 a day (L) (U).
Tennessee	\$20,884	47/mile.	\$204 a day (L) (U). Tied to federal rate.
Texas	\$7,200	50/mile. \$1.24/mile for single, twin and turbo engine airplanes. Set by general appropriations bill.	\$190 a day (U). Set by ethics commission.
Utah	\$273 a day (C)	...	...	56/mile.	Up to \$100 plus tax a day (C) lodging; up to \$39/date meals (V). Tied to in-state lodging and meal reimbursement rates.
Vermont	\$633.74/w during session.	54/mile. Tied to federal rate.	\$115 a day lodging (including overnight) or \$74 a day (no overnight).
Virginia	\$18,000 a year Senate; \$17,640 a year House.	54/mile.	\$185 a day senators; \$185 a day delegates.
Washington	\$45,474 a year; increases to \$46,839 a year eff. 9/1/2016.	54/mile.	\$120 a day.

State or other jurisdiction	Salaries				Session per diem rate
	Per diem salary	Limit on days	Annual salary	Mileage cents per mile	
<i>Regular sessions</i>					
West Virginia	... \$150 a day	... ...	\$20,000 \$50,950	48.5/mile. 51/mile. One roundtrip per week	\$131 a day (U). Set by compensation commission.
Wisconsin	... ...	... ...			Senate - up to \$88 a day (\$44 a day legislators living in Dane County), Assembly - up to \$138 a day (including overnight) or up to \$69 a day (no overnight). The maximum number of days per year that per diem can be claimed is 80 days.
Wyoming				54/mile.	\$109 a day (V). Set by legislature.

Source : National Conference of State Legislatures, 2016.

Key:

- C — Calendar day
- L — Legislative day
- (U) — Unvouchered
- (V) — Voucherred
- ... — Not applicable

Notes:

- (a) Alabama. The State Personnel Board met on Oct. 27, 2015, and set the median annual household income amount at \$42,830. This current median annual household amount will begin on January 1, 2016 and will continue through December 31, 2016.
- (b) Alabama. Legislators no longer receive a set per diem rate while in session. Legislators are reimbursed for in-state travel expenses which include mileage and per diem in accordance with rates and procedures applicable to state employees. All out-of-district reimbursable travel must be for official business and in the interests of the state or in the performance of official duties, as approved by the applicable presiding officer.
- (c) Hawaii. Members may claim a mileage reimbursement for reasonable and necessary use of a personal automobile in the conduct of official legislative business and discharge of duties when meeting certain criteria.
- (d) Maine. Annual cost of living adjustments apply. In addition, legislators receive a constituent service allowance (\$2,000 a year for senators and \$1,500 a year for representatives).
- (e) Maryland. \$750 annual allowance for in-district travel as taxable income. Members may decline the allowance.
- (f) Massachusetts. \$10-\$100 a day depending on distance from State House (V). Set by the legislature.
- (g) Minnesota. Senate: a reasonable allowance. House: range of \$100-\$1,650 a month for mileage reimbursement for travel in the legislative district during interim. During session, House members can request up to one round trip per week if they live more than 50 miles from the capitol.
- (h) New Hampshire. Round trip home to the State House at 38 cents/mile for the first 45 miles and 19 cents/mile thereafter, or members will be reimbursed for actual expenses and mileage will be paid at the federal rate.
- (i) Ohio. One roundtrip per week from home to the State House for legislators outside Franklin County only.
- (j) South Dakota. 42 cents/mile for one roundtrip from capital to home each weekend. One trip is paid at 5 cents/mile.



NATIONAL CONFERENCE
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2016 Survey:

Additional Compensation: House/Assembly Leaders

State or other jurisdiction	Presiding officer	Majority leader	Minority leader	Other leaders and committee chairs
Alabama	\$18,000 a year	None	None	None
Alaska	\$500 a year	None	None	None
(a)		(a)	(a)	None
Arizona	\$5,600 a year	None	None	None
Arkansas	\$15,016 a year	\$7,508 a year	\$15,016 a year	Leaders: \$7,508 a year second ranking minority leader. Committee chairs: None.
California				
Colorado	(b)	(b)	(b)	(b)
Connecticut	\$10,589 a year	\$8,835 a year	\$8,835 a year	Leaders: \$6,446 a year each for deputy speaker, deputy majority leaders, minority leaders, assistant majority leaders, assistant minority leaders. \$4,241 a year each for majority whips, minority whips. Committee chairs: \$4,241 a year.
Delaware	\$19,893 a year	\$12,376 a year	\$12,376 a year	Leaders: \$7,794 a year each for majority whips, minority whips. Committee chairs: \$11,459 a year joint finance chair. \$4,578 a year each for capital improvement chair and vice chair, sunset chair.
Florida	\$11,484 a year	None	None	None
Georgia	\$6,811 a month	\$200 a month	\$200 a month	Leaders: \$400 a month for speaker pro tem. \$200 a month for governor's floor leader. Committee chairs: None.
Hawaii	\$7,500 a year	None	None	None
Idaho	\$4,000 a year	None	None	None
Illinois	\$27,477 a year	\$23,230 a year	\$18,067 a year	Leaders: \$19,792 a year each for deputy majority leaders, deputy minority leaders. \$18,067 a year each for assistant majority leaders, assistant minority leaders. Committee chairs: \$10,326 a year each for chairs, minority committee spokespersons.

State or other jurisdiction	Presiding officer	Majority leader	Minority leader	Other leaders and committee chairs
Indiana	\$7,000 a year	\$5,500 a year	\$5,500 a year	Leaders: \$5,500 a year majority caucus chair. \$5,000 a year speaker pro tem. \$4,500 a year each for minority floor leader, minority caucus chair. \$4,000 a year majority whip. \$3,500 a year assistant majority floor leaders. \$3,000 a year minority whip. \$2,000 a year each for deputy speaker pro tem, assistant majority caucus chairs, assistant majority whips. \$1,500 a year each for assistant minority leader, assistant minority floor leader, assistant minority caucus chair, assistant minority whip. (Ind. P.L. 213—2015)
Iowa	\$11,593 a year	\$11,593 a year	\$11,593 a year	Leaders: \$1,243 a year speaker pro tem.
Kansas	\$14,039 a year	\$12,665 a year	\$12,665 a year	Committee chairs: None.
Kentucky	\$47.35 a day	\$37.40 a day	\$37.40 a day	Leaders: \$7,165 a year each for speaker pro tem, assistant majority leaders, assistant minority leaders.
Louisiana	\$15,200 a year	None	None	Committee chairs: \$11,290 a year appropriation chair.
Maine	50% of base salary	25% of base salary	12.5% of base salary	Leaders: \$28.66 a day each for majority caucus chairs & whips, minority caucus chairs & whips.
Maryland	\$13,766 a year	None	None	Committee chairs: \$18.71 a day for standing committees only.
Massachusetts	\$35,000 a year	\$22,500 a year	\$22,500 a year	Leaders: \$7,700 a year speaker pro tem.
Michigan	\$27,000 a year	Position does not exist	\$22,000 a year	Committee chairs: None
Minnesota	\$12,455 a year	\$12,455 a year	\$12,455 a year	Leaders: \$7,500 a year for appropriation chairs.
Mississippi	\$50,000 a year	None	None	Leaders: \$5,000 a year speaker pro tem.
Missouri	\$208.34 a month	\$125 a month	\$125 a month	Committee chairs: None.
Montana	\$5 a day during session	None	None	None
Nebraska	N/A—Unicameral legislature -----	-----	-----	-----
Nevada	\$2 a day	None	None	None
New Hampshire	\$50 a 2-year term.	None	None	None
New Jersey	1/3 above annual base salary	None	None	None
New Mexico	None	None	None	None
New York	\$41,500 a year	\$34,500 a year	\$34,500 a year	Leaders: \$9,000—\$25,000 a year for 31 leaders. Set in statute. Committee chairs: \$9,000—\$34,000 a year for chairs and ranking minority members of committees. No member may receive more than one allowance for leaders or committee chairs and ranking minority members. Set in statute.
North Carolina	\$24,200 a year	\$3,097 a year	\$3,097 a year	Leaders: \$7,788 a year speaker pro tem.
				Committee chairs: None.

State or other jurisdiction	Presiding officer	Majority leader	Minority leader	Other leaders and committee chairs
North Dakota	\$10 a day during session	\$15 a day during session, plus \$345 a month during term of office.	\$15 a day during session, plus \$345 a month during term of office.	Leaders: \$10 a day for assistant leaders during session. Committee chairs: \$10 a day for all substantive standing committees.
Ohio	\$33,353 a year	\$20,579 a year majority floor leader.	\$25,581 a year	Leaders: \$25,581 a year speaker pro tem. \$18,084 a year assistant majority whip. \$2,797 a year assistant minority whip. Committee chairs: \$10,000 a year finance chair. \$6,500 a year each for finance ranking minority member, finance committee standing subcommittee chair, all other standing committee chairs. \$5,500 a year finance vice chair. \$5,000 a year each for ranking minority member finance standing subcommittee, vice chairs, ranking minority members, standing subcommittee chairs. \$2,500 a year standing subcommittee ranking minority members.
Oklahoma	\$17,932 a year	\$12,364 a year	\$12,364 a year	Leaders: \$12,364 a year speaker pro tem. Committee chairs: \$12,364 a year each for app. chair, budget chair.
Oregon	\$23,568 a year	None	None	None
Pennsylvania	\$47,380 a year	\$38,306 a year	\$38,306 a year	Leaders: \$29,071 a year each for majority whips, minority whips. \$18,126 a year each for majority caucus chairs, minority caucus chairs. \$11,971 a year each for majority caucus secretaries, minority caucus secretaries, majority policy chairs, minority policy chairs, minority caucus administrative, minority caucus administrative.
Rhode Island	\$15,414 a year	None	None	None
South Carolina	\$11,000 a year	None	None	Leaders: \$3,600 a year speaker pro tem. Committee chairs: None.
South Dakota	None	None	None	None
Tennessee	\$41,768 a year	None	None	None
Texas	None	None	None	None
Utah	\$5,000 a year	\$3,000 a year	\$3,000 a year	Leaders: \$3,000 a year each for whips, assistant whips. Committee chairs: \$2,000 a year executive appropriation chair.
Vermont	\$11,296 a year. \$730.66 a week during session.	None	None	None
Virginia	\$18,581 a year	None	None	None
Washington	\$8,640 a year; increases to \$8,899 a year eff. 9/1/2016.	None	\$4,320 a year; increases to \$4,449 a year eff. 9/1/2016.	None
West Virginia	\$150 a day during session.	\$50 a day during session.	\$50 a day during session	Leaders: \$150 a day (up to 30 days) for a maximum of six additional persons named by presiding officer. Committee chairs: \$150.00 a day (up to 30 days) finance and judiciary chairs.
Wisconsin	\$25 a month	None	None	None
Wyoming	\$3 a day	None	None	None

Source: National Conference of State Legislatures, 2016.

Notes:

(a) Arizona. Generally approved for additional interim per diem.

(b) Colorado. All leaders receive \$99 a day salary during interim when in attendance at committee or leadership matters.



NATIONAL CONFERENCE
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2016 Survey:
Additional Compensation: State Senate Leaders

State	Presiding officer	Majority leader	Minority leader	Other leaders and committee chairs
Alabama	Lieutenant governor holds this position.	None	None	None
Alaska	\$500 a year	None	None	None
Arizona	(a)	(a)	(a)	None
Arkansas	Lieutenant governor holds this position.	None	None	\$5,600 a year president pro tem.
California	Lieutenant governor holds this position.	\$7,508 a year majority floor leader	\$15,061 a year	\$15,016 a year president pro tem. \$7,508 a year second ranking minority leader.
Colorado	(b)	(b)	\$8,835 a year	(b)
Connecticut	Lieutenant governor holds this position.			Leaders: \$10,689 a year president pro tem. \$6,446 a year each for deputy majority leaders, deputy minority leaders. \$4,241 a year each for assistant majority leaders, assistant minority leaders, majority whips, minority whips. Committee chairs: \$4,241 a year.
Delaware	Lieutenant governor holds this position.	\$12,376 a year	\$12,376 a year	Leaders: \$19,983 a year president pro tem. \$7,794 a year each for majority whips, minority whips.
Florida	\$11,484 a year	None	None	Committee chairs: \$11,459 a year joint finance chair. \$4,578 a year each for capital improvement chair and vice chair, sunset chair.
Georgia	Lieutenant governor holds this position.	\$200 a month	\$200 a month	Leaders: \$400 a month president pro tem. \$200 a month administration floor leader. \$100 a month assistant administration floor leader.
Hawaii	\$7,500 a year	None	None	Committee chairs: None.
Idaho	Lieutenant governor holds this position.	None	None	None
Illinois	\$27,477 a year	\$20,650 a year	\$27,477 a year	Leaders: \$20,650 a year each for assistant majority leaders, assistant minority leaders, majority caucus chairs, minority caucus chairs. Committee chairs: \$10,326 a year each for all chairs, minority committee spokespersons.

State	Presiding officer	Majority leader	Minority leader	Other leaders and committee chairs
Indiana	Lieutenant governor holds this position.	\$5,500 a year for majority floor leader	\$6,000 a year minority floor leader	Leaders: \$7,000 a year president pro tem. \$5,500 a year majority caucus chair. \$5,000 a year each for minority caucus chair, assistant minority floor leader \$4,000 a year majority whip. \$3,500 a year assistant majority floor leader. \$3,000 a year assistant president pro tem. \$2,500 a year majority floor leader emeritus. \$2,000 a year majority whip, minority whips. \$1,500 a year each for minority leader emeritus, assistant majority caucus chairs. \$1,000 a year each for assistant minority whip, assistant minority caucus chairs. (Ind. P.L. 213—2015). Committee chairs: \$5,500 a year each for appropriation chair, tax & fiscal policy chair. \$2,000 a year each for appropriation ranking majority member, tax & fiscal policy ranking majority member, appropriation ranking minority member, tax & fiscal policy ranking minority member. \$1,000 a year each for 21 other committee chairs. If an officer fills more than one leadership position, the officer shall be paid for the higher paid position. (Ind. P.L. 213—2015).
Iowa	\$11,593 a year	\$11,593 a year	\$11,593 a year	Leaders: \$1,243 a year president pro tem. Committee chairs: None.
Kansas	\$14,039 a year	\$12,666 a year	\$12,666 a year	Leaders: \$7,165 a year each for vice president, assistant majority leaders, assistant minority leaders Committee chairs: \$11,290 a year w&m chair.
Kentucky	\$47.35 a day	\$37.40 a day	\$37.40 a day	Leaders: \$28.66 a day each for majority caucus chairs, minority caucus chairs, majority caucus whips, minority caucus whips. Committee chairs: \$18.71 a day for standing committees only.
Louisiana	\$15,200 a year	None	None	Leaders: \$7,700 a year president pro tem. Committee chairs: \$11,200 a year each for joint budget chair and vice-chair.
Maine	50% of base salary a year	25% of base salary a year	12.5% of base salary a year	None
Maryland	\$13,766 a year	None	None	None
Massachusetts	\$35,000 a year	\$22,500 a year	\$22,500 a year	Leaders: \$15,000 a year each for president pro tem, assistant majority leaders, assistant minority leaders Committee leaders: \$25,000 a year w&m chair. \$7,500-\$15,000 a year each for other committee chairs.
Michigan	Lieutenant governor holds this position.	\$23,400 a year	\$19,800 a year	Leaders: \$10,800 a year majority floor leader. \$9,000 a year minority floor leader \$4,962 a year president pro tem. Committee chairs: \$6,300 a year app. chairs.
Minnesota	None	\$12,455 a year	\$12,455 a year	Leaders: \$4,151 a year majority whip. Committee chairs: \$4,151 a year each for tax chair, finance chair.
Mississippi	Lieutenant governor holds this position.	None	None	\$5,000 a year president pro tem
Missouri	Lieutenant governor holds this position.	None	None	None
Montana	\$5 a day during session	None	None	None
Nebraska	Lieutenant governor holds this position.	None	None	None

State	Presiding officer	Majority leader	Minority leader	Other leaders and committee chairs	
				Leader	Non-leader
Nevada	Lieutenant governor holds this position.	None	None	None	None
New Hampshire	\$50 a 2 year term	None	None	None	None
New Jersey	1/2 above annual base salary	None	None	None	None
New Mexico	Lieutenant governor holds this position.	None	None	None	None
New York	Lieutenant governor holds this position.	(c)	\$34,500 a year	Leaders: \$41,500 a year president pro tem. \$34,000 a year each for vice president pro tem, deputy majority leader. \$13,000-\$27,500 a year for 20 other leaders. Set in statute. Committee chairs: \$9,000-\$24,000 a year each for chairs, ranking minority members. No member may receive more than one allowance for leaders or committee chairs and ranking minority members. Set in statute.	
North Carolina	Lieutenant governor holds this position.	\$17,048 a year	\$17,048 a year	Leaders: \$38,151 a year president pro tem. \$21,739 a year deputy president pro tem. Committee chairs: None	
North Dakota	Lieutenant governor holds this position.	\$15 a day during legislative sessions, plus \$345 a month during term of office.	\$15 a day during legislative sessions, plus \$345 a month during term of office.	Leaders: \$10 a day during session assistant leaders. Committee chairs: \$10 a day all substantive standing committees.	
Ohio	\$33,853 a year	\$20,579 a year majority floor leader	\$25,581 a year	Leaders: \$25,581 a year president pro tem. \$18,084 a year majority whip. \$2,757 a year assistant minority whip. Committee chairs: \$10,000 a year fin. chair. \$6,500 a year each for finance ranking minority member, finance standing subcommittee chair, all other standing committee chairs. \$5,500 a year finance vice chair. \$5,000 a year each for ranking minority member of finance standing subcommittee, vice-chairs, ranking minority members, standing subcommittee chairs. \$2,500 a year standing subcommittee ranking minority members.	
Oklahoma	Lieutenant governor holds this position.	\$12,364 a year	\$12,364 a year	Leaders: \$17,932 a year president pro tem. Committee chairs: \$12,364 a year each for appropriation chair, budget chair.	
Oregon	\$23,568 a year	None	None	None	
Pennsylvania	Lieutenant governor holds this position.	\$38,306 a year	\$38,306 a year	Leaders: \$47,880 a year president pro tem. \$29,071 a year majority whips, minority whips. \$18,126 a year each for majority caucus chairs, minority caucus chairs. \$11,971 a year each for majority caucus secretaries, minority caucus secretaries, majority policy chairs, minority policy chairs, majority caucus administrator, minority caucus administrator. Committee chairs: \$29,071 a year each for majority appropriation chair, minority appropriation chair.	
Rhode Island	\$15,414 a year	None	None	None	
South Carolina	Lieutenant governor holds this position	None	None	Leaders: \$11,000 a year president pro tem.	

State	Presiding officer	Majority leader	Minority leader		Other leaders and committee chairs
			None	None	
South Dakota	Lieutenant governor holds this position.	None	None	None	None
Tennessee	\$41,768 a year	None	None	None	None
Texas	Lieutenant governor holds this position.	None	None	None	None
Utah	\$3,000 a year	\$2,000 a year	\$2,000 a year	\$2,000 a year each for majority whips, minority whips, assistant majority whips, assistant minority whips.	Leaders: \$2,000 a year each for majority whips, minority whips, assistant majority whips, assistant minority whips.
Vermont	Lieutenant governor holds this position.	None	None	Committee leaders: \$2,000 a year executive appropriation chair. Leaders: \$11,296 a year, plus \$730.66 a week during session president pro tem. Committee chairs: None.	Committee leaders: \$2,000 a year executive appropriation chair. Leaders: \$11,296 a year, plus \$730.66 a week during session president pro tem. Committee chairs: None.
Virginia	None	None	None	None	None
Washington	Lieutenant governor holds this position	\$8,640 a year increases to \$8,899 a year eff. 9/1/2016	\$4,320 a year increases to \$4,449 a year eff. 9/1/2016	None	None
West Virginia	\$150 a day during session.	\$50 a day during session	\$50 a day during session	Leaders: \$150 a day (up to 30 days) for a maximum of six additional persons named by presiding officer.	Leaders: \$150 a day (up to 30 days) for a maximum of six additional persons named by presiding officer.
Wisconsin	None	None	None	Committee chairs: \$150 a day (up to 30 days) finance and judiciary chairs.	Committee chairs: \$150 a day (up to 30 days) finance and judiciary chairs.
Wyoming	\$3 a day	None	None	None	None

Source: National Conference of State Legislatures, 2016.

Key:
Lieutenant governor - lieutenant governor who is not a member of the Senate.

Notes:

- (a) Arizona. Generally approved for additional interim per diem.
- (b) Colorado. All leaders receive \$99 a day salary during interim when in attendance at committee or leadership matters.
- (c) New York. This position is combined with the position of president pro tem.



**NATIONAL CONFERENCE
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The Forum for America's Ideas

2016 Survey -

Legislative Compensation: Office and Phone

<i>State or other jurisdiction</i>	<i>Legislator's compensation for office supplies, district offices and staffing</i>	<i>Phone allowance</i>
Alabama	None, although annual appropriation to certain positions may be so allocated.	Yes O.S.B.
Alaska	Senate—\$20,000 a year per senator for postage, stationery and other legislative expenses. Staffing allowance determined by rules and presiding officers, depending on time of year. House—\$16,000 a year per representative for postage, stationery and other legislative expenses. Staffing allowance determined by rules and presiding officers, depending on time of year.	Yes O.S.B.
Arizona	None	(a)
Arkansas	Up to \$3,600 a year additional reimbursement for committee chairs, vice chairs and standing subcommittee chairs.	No
California	Senate—member expenses are paid directly and maintained by the Senate Rules Committee. Assembly—\$263,000 members' base allowance.	No
Colorado	None	Yes O.S.B.
Connecticut	Senate—\$5,500 a year per senator. House—\$4,500 a year per representative.	No
Delaware	\$7,332 a year expense allowance.	No
Florida	Senate—\$2,921 a month district office expenses. House—\$2,482 a month district office expenses.	(b)
Georgia	\$7,000 a year reimbursable expense account for personal services, office equipment, rent, supplies, transportation, telecommunications, etc.	No
Hawaii	Senate—\$350-\$500 a day staffing allowance. House—\$5,000-\$7,500 a month allocation for session staffing.	O.S.B.
Idaho	\$2,500 a year for unvouchered constituent expense.	No
Illinois	Senate—\$83,063 a year office expenses, including district offices and staffing. House—\$69,409 a year office expenses, including district offices and staffing.	No
Indiana	None	No
Iowa	\$300 a month district constituency postage, travel, telephone and other expenses.	No
Kansas	\$7,083 a year. Staffing allowances vary for leadership.	Yes
Kentucky	\$1,789 a year district expenses during interim.	No
Louisiana	\$500 a month expenses in connection with holding office. \$1,500 a month supplemental allowance for vouchered office expenses, rent and travel mileage in district. \$2,000-\$3,000 a month staff allowance.	Yes (c)
Maine	None. However, supplies for staff offices are provided and paid for out of general legislative account.	Yes (d)

<i>State or other jurisdiction</i>	<i>Legislator's compensation for office supplies, district offices and staffing</i>	<i>Phone allowance</i>
Maryland	\$18,965 a year normal expenses of a district office with limits on staffing, postage, telephone and publications. \$6,200-\$15,500 a year staff salaries & operating expenses. \$16,325-\$18,325 a year in lieu of institutionally provided administrative assistant to House members.	No
Massachusetts	\$7,200 a year office expenses.	No
Michigan	Senate—\$51,900 a year office budget per senator. House—\$102,000 a year office allowance per majority member. \$99,000 a year office allowance per minority member.	Yes O.S.B.
Minnesota	None	Yes (e)
Mississippi	\$1,500 a month out of session.	No
Missouri	Up to \$700 a month reasonable and necessary business expenses.	Yes (f)
Montana	None	Leaders only
Nebraska	None	Yes O.S.B.
Nevada	Leaders: \$900 each regular session and \$64 each special session for postage, telephone tolls, and other communications charges for speaker, speaker pro tem, majority leader, minority leader president, president pro tem, majority floor leader, minority floor leader Senate and House Committee chairs: \$900 each regular session and \$64 each special session for postage, telephone tolls, and other communications charges. Any chair who would otherwise qualify for more than one allowance is entitled only to one allowance.	Yes (g)
New Hampshire	None	No
New Jersey	\$1,250 office supplies. Equipment and furnishings supplied through a district office program. \$110,000 a year district office personnel. State provides stationery for each legislator and 10,000 postage stamps.	No
New Mexico	None	No
New York	Allowances are provided for in Senate Rule X, Sec. 8-10 and Assembly Rule V, Sec. 9.	No response
North Carolina	Leaders: \$16,956 a year expense allowance each for president pro tem, speaker. \$10,032 a year expense allowance each for deputy president pro tem, speaker pro tem. \$7,992 a year expense allowance each for majority leaders, minority leaders. Non-leaders: \$6,708 a year any legislative expenses not otherwise provided. \$2,275 a year postage, stationery and telephone.	(h)
North Dakota	None	Yes (i)
Ohio	None	Yes O.S.B.
Oklahoma	\$1,500 a year office expenses and electronic communications such as cell phone bills.	(j)
Oregon	\$69,952 per biennium for interim expenses. \$37,662 session staffing. \$2,736 session services and supplies. \$450-750 a month interim district allowance, depending on geographic size of district.	Yes O.S.B.
Pennsylvania	Staffing is determined by leadership.	No
Rhode Island	None	No
South Carolina	\$1,000 a month each member district expenses. \$650/interim committee chairs expense allowance. \$3,400 a year Senate postage, stationery and telephone. \$1,800 a year House telephone. \$700 a year House postage.	(k)
South Dakota	None	Yes (l)
Tennessee	\$1,000 a month expenses in district.	Yes (m)
Texas	Allowance for staff salaries, supplies, stationery, postage, district office rental, telephone expense, etc.	No

<i>State or other jurisdiction</i>	<i>Legislator's compensation for office supplies, district offices and staffing</i>	<i>Phone allowance</i>
Utah	None	Yes (n)
Vermont	None	Yes
Virginia	Leaders: \$76,377 a year staffing allowance. \$1,750 a month office expense allowance. Legislators: \$56,100 a year staffing allowance. \$1,250 a month office expense allowance.	No
Washington	\$7,800 a year for legislative expenses, for which the legislator has not been otherwise entitled to reimbursement. No staffing allowance.	Yes O.S.B.
West Virginia	None	Yes
Wisconsin	Senate—\$214,950 a 2-year period staffing allowance. \$55,955 a 2-year period office expenses. Assembly—\$15,000 a 2-year session office expenses.	(o)
Wyoming	\$750 a quarter through constituent service allowance.	No

Source : National Conference of State Legislatures, 2016.

Key:

(U) — Unvouchedered.

(V) — Vouchered.

O.P.— Optional at legislator's expense.

O.S.B.— Official state or legislative business only.

S.A.— Same as state employees.

S.P. — State pays full amount.

S.P.P.— State pays portion and legislator pays portion.

Notes:

(a) Arizona. Phone cards allowed for certain districts; none used at this time.

(b) Florida. May pay for phone service from district funds.

(c) Louisiana. District office line with one extension.

(d) Maine. Pre-paid phone cards issued and administered by the Senate and House.

(e) Minnesota. \$200 a month Senate communication reimbursement. \$125 a month House communications allowance.

(f) Missouri. Up to \$50 a month for data plan only.

(g) Nevada. \$2,800 a session allowance. \$300 each special session.

(h) North Carolina. Included in office allowance.

(i) North Dakota. Legislative Council members or committee chairs only.

(j) Oklahoma. Included in office allowance.

(k) South Carolina. Included in office allowance.

(l) South Dakota. Phone cards.

(m) Tennessee. In-state long distance only.

(n) Utah. State-paid mobile phone or reimbursement for personal phone at same rate as state-paid plan.

(o) Wisconsin. Included in office allowance.



2016 Survey:
State Legislative Retirement Benefits

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Alabama	None available.	Four tiers. Varies depending upon tier.	Four tiers. Varies depending upon tier.	Four tiers. Varies depending upon tier. Detailed information set forth in Public Employees' Retirement System (PERS) plan comparison chart.
Alaska	Optional	Detailed information set forth in Public Employees' Retirement System (PERS) plan comparison chart.		
Arizona	Mandatory except that officials subject to term limits may opt out for a term of office.	Age 65 with 5+ years of service; age 62 with 10+ years of service; or 20 years of service; earlier retirement with an actuarial reduction of benefits. Vesting at 5 years. AZ SB 1609 of 2011—Contribution requirements affect all members; benefit and eligibility requirements affect those elected after January 1, 2012.	7% employee AZ SB 1609 of 2011—2011 legislation increases contribution rates in annual steps from the present 7% of gross salary to, in FY 2014, 13% or an actuarially based calculation, which can be revised. Affects all members. Newly elected officials as of 1/1/14 pay a rate of 8%.	4% x years of credited service x highest 3 year average in the past 10 years. The benefit is capped at 80% of FAS. An elected official may purchase service credit in the plan for service earned in a non-elected position by buying it at an actuarially determined amount. AZ SB 1609 of 2011—For those elected to office after 1/1/2012: 3% x years of credited service x highest 5 year average in the past 10 years. The benefit is capped at 75% of FAS.
Arkansas	Optional. Those elected before 7/1/99 may have service covered as a regular state employee but must have 5 years of regular service to do so.	Age 65 with 10 years of service; 55/12; any age with 28 years of service; any age if serving in the General Assembly on 7/1/79; any age if in elected office on 7/1/79 with 17 and 1/2 years of service. As a regular employee, 65/5 or any age/28 years.	Non-contributory plan in effect for those elected before 2006. For those elected then and thereafter, a contributory plan that requires 5% of salary.	For service that began after 7/1/99: 2.07% x FAS x years of service FAS based on three highest consecutive years of service. For service that began after July 1, 1991, \$35 x years of service = monthly benefit. For contributory plan, 2% x FAS x years of service.
California	Legislators elected after 1990 are not eligible for retirement benefits for legislative service.			

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Colorado	Mandatory	PERA: age 65 with 5 years of service; age 50 with 30 years of service; when age + service equals 80 or more (min. age of 55). State Defined Contribution Plan (DCP): no age requirement and immediate vesting.	Employee: 8%	PERA: 2.5% × FAS × years of service, capped at 100% of FAS. DCP benefit depends upon contributions and investment return.
Connecticut	Mandatory	Age 60 with 25 years credited service; Employee 2% age 62 with 10-25 years credited service; age 62 with 5 years actual state service. If elected after 2011—age 63 with 25 years of vesting service or age 65 with 10-25 years of vesting service. Reduced benefit available with earlier retirement ages.	(1.33% × average annual salary) + (5% × average salary over “breakpoint”) × credited service up to 35 years; 2003—\$26,400; 2004—\$38,600; 2005—\$40,900; 2006—\$43,400; 2007—\$46,000; 2008—\$48,300; 2009—\$51,700. After 2009—increase breakpoint by 6% per year rounded to nearest \$100.	
Delaware	Mandatory. DE HB 81 of 2011—Mandatory for those elected after January 1, 2012.	Age 60 with 5 years of credited service; or 55 with 10 years of service. DE HB 81 of 2011—65 with 10 years of service; or 60 with 20 years of service. Vesting at 10 years.	3% of annual compensation in excess of \$6,000. DE HB 81 of 2011—5% of annual compensation in excess of \$6,000.	2% times FAS times years of service before 1997 + 1.85% times FAS times years of service from 1997 on. FAS = average of highest 3 years.
Florida	Optional. Elected officials may opt out or may choose between DB and DC plans. FL SB 2100 of 2011—SB 2100 affects those enrolled in the elected officers’ class on or after July 1, 2011, except for a contribution requirement for all members.	Vesting in DB plan—6 years. Age 62 with 6 years; 30 years at any age. Changed in 2011 to age 62 without a service minimum. Vesting in DC plan—1 year, any age. FL SB 2100 of 2011—vesting in DB plan, 8 years. Retirement eligibility at age 65 or with 33 years of service at any age. No changes affecting the DC plan.	Employee contribution is 3%; employer contribution is 45.8% DE HB 81 of 2011—5% of annual compensation in excess of \$6,000.	DB plan—3% × years of creditable service × average final compensation (average of highest 5 years). DC plan—dependent upon investment experience. FL SB 2100 of 2011—Unchanged for the DB plan except that for those enrolled in the system after July 1, 2011, average final compensation will be based on the highest 8 years.
Georgia	Optional; choice when first elected.	Vested after 8 years. Age 60 with 8 years of service; age 60 with reduction for early retirement.	Employee: 3.75% + \$7/m.	\$36/month for each year of service. Post-retirement benefit increases are not available to any person who joins the system after July 1, 2009.
Hawaii	Mandatory. HI Act 163 of 2011—Act 163 affects For those who enter the plan after July 1, 2012.	Vesting at 5 years. Age 55 with 5 years of service, any age with 10 years of service. HI Act 163 of 2011—vesting at 10 years. Any age with 10 years of service.	Main plan is noncontributory; 7.8% for elected officials’ plan for annuity. HI Act 163 of 2011—Contribution rate of 9.8%.	3.5% × years of service as elected official × highest average salary plus annuity based on contributions as an elected official. Highest average salary = average of 3 highest 12-month periods as elected official. Annual COLA of 2.5%. HI Act 163 of 2011—Multiplier for elected officials’ reduced from 3.5% to 3.0%; COLA reduced from 2.5% annually to 1.5%.
Idaho	Mandatory; same plan as public employees (PERS)	Age 65 with 5 years of service; reduced benefit at age 55 with 5 years of service.	6.79% paid by member, 11.32% paid by employer.	Average monthly salary for highest 42 consecutive months × 2% × months of credited service.

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate		Benefit formula
Illinois	Optional; not the same as the State Employees' Retirement System. Only state senators, representatives and statewide elected officials have the option to participate.	Tier 1—age 55 with 8 years of service or age 62 with 4 years of service. Tier 2—age 65 with 8 years of service or age 62 with 8 years of service reduced 1/2 of 1% for each month.	Tier 1—11.5% of salary (includes contributions for retirement annuity and survivors annuity) or 9.5% of salary as contributions for just retirement annuity (no survivor annuity). Tier 2—the same with the exception Tier 2 members only pay contributions on their salary up to the maximum salary for annuity purposes. In 2016 the maximum salary for annuity purposes is \$115,480.89 (currently no legislators have salaries that exceed the maximum salary).	Tier 1—First 4 years \times 3.0% = 12%; next 2 years \times 3.5% = 7.0%; next 2 years \times 4.0% = 8.0%; next 4 years \times 4.5% = 18.0%; next 8 years \times 5.0% = 40.0%. Tier 2—3% for each year of service.	
Indiana	DB plan was mandatory for those serving before April 30, 1989, except that those serving on that day could opt to transfer to the DC plan. Defined contribution has been mandatory for those elected or appointed since 4/30/89.	DB plan—vesting at 10 years. Age 65 with 10 years of legislative service; or, if no longer in the legislature, these options apply: at least 10 years of service; no state salary; at age 55+ Rule of 85 applies; or age 60 with 15 years of service. Early retirement with reduced benefit.	DB plan—funded by employer and employee contributions. DC plan—5% employee, 20% state (of taxable income) through 2009. At present, the contribution is recalculated annually not to exceed the state contribution to the employee retirement plan.	DB plan—monthly benefit: Lesser of (a) \$40 \times years of General Assembly service completed before 1/1/89; or (b) 1/12 of the average of the three highest consecutive years of General Assembly service salary. DC plan—numerous options for withdrawing accumulations in accord with IRS regulations. Loans are available. A participant in both plans may receive a benefit from both plans.	
Iowa	Optional	Age 65; age 62 with 20 years of service; Rule of 88; reduced benefit at 55 with at least 4 years of service.	5.95 % individual.	2% times FAS, \times years of service for first 30 years, + 1% times FAS times years in excess of 30 but no more than 5 in excess of 30. FAS is average of 3 highest years.	
Kansas	Optional for legislators and employees of the legislator leadership offices. Mandatory for all other regular, full time employees.	Age 65; age 62 with 5 years of service, or when age plus years of service equals 85.	6% (base may include salary, per diem, non-session allowance, session expenses; or various combinations at the legislator's option)	3 highest years \times 1.75% \times years of service \div 12= monthly benefit.	
Kentucky	Optional. Those who opt out are covered by the state employees' plan	Age 65 with 5 years of service; any age with 30 years of service; and intermediate provisions. Early retirement with reduced benefits.	5% of creditable compensation set by law at \$27,500; not the same as actual salary. Revised to be payable on compensation reported on W-2 forms beginning in 2005.	2.75% of FAS (based on creditable compensation) \times years of service. FAS is the average monthly earnings for the 60 months preceding retirement. HB 1 of 2008 Special Session—reduced the annual COLA for retired legislators from the CPI (capped at 3%) to 1.5% effective on July 1, 2008. This applies to current as well as to future retirees. The statutes reserve to HB 1 of 2008 Special Session—raised the contribution level to 6% for legislators elected after 7/1/08. The amount of the COLA may be increased by the legislature if the legislature preunds the cost of the increase.	

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Louisiana	Legislative service for legislators elected after January 1, 1997, is ineligible for State Employee Retirement System benefits. (LSA-Const. Art. 10, § 29.1)	Age 60 if 10 years of service on 7/1/93; age 62 if less than 10 years of service on 7/1/93. Reduced benefit available for earlier retirement.	7.55% legislators; employer contribution is actuarially determined.	2% of average final compensation (the average of the 3 high salary years times years of service).
Maine	Mandatory			
Maryland	Optional	Age 60 with 8 years; age 50 with 8+ years creditable service for early reduced retirement.	5% of annual salary.	3% of legislative salary for each year of service up to 22 years 3 months. Benefits are recalculated when legislative salaries are changed.
Massachusetts	Optional after each election or re-election to the General Court.	Vesting at 6 years. Age 55 with 6 years 9%, although some legislators are grandfathered at lower rates. Reduced benefits for retirement before age 65.		2.5 times years of service times FAS. FAS = average of highest 36 months. Service credit is allowed for membership in other Massachusetts retirement plans.
Michigan	Optional	Age 55 with 5 years or when age plus years of service equal 70. Employee contributions are immediately vested. Employer contributions are vested as follows: Zero after one year; 50% after two years; 75% after three years; 100% after four years.	For legislators elected before 3/31/97—7.10% for (DB) plan. Elected after 3/31/97—(DC) plan, the state contributes 4% of salary. Members may contribute up to 3% of salary. The state will match the member's contribution in addition to the state 4% contribution.	DB plans—various provisions, depending on when service started. DC plan—benefits depend upon contributions and earnings.
Minnesota	Mandatory	Legislators Retirement Plan (LRP) before 7/1/97—62 years with 6 years of service and fully vested. LRP members do not have Social Security coverage.	LRP—9%. DCP—5.5% from member, 6% from state.	2.7% × high 5 year average salary × years of service. DCP benefits depend upon contributions and investment return.
		Defined Contribution Plan (DCP) since 1997—age 55 and immediate vesting. DCP members have Social Security coverage.		
Mississippi	Mandatory	Age 60 with 4 or more years of service, or 25 years of service.	Regular—15.75% state, 9.00% member.	Legislators who qualify for regular state retirement benefits also automatically qualify for the legislators' supplemental benefits.
			Supplemental Legislative Retirement Plan—7.40% state, 3.00% member.	Regular—2% × average compensation × years of service up to and including 25 years of service + 2.5% × average compensation × service in excess of 25 years. Average compensation is calculated using the highest 4 years of compensation.
				Supplement—1% × average compensation × years of legislative service through 25 years + 1.25% × average compensation × years of service in excess of 25.

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Missouri	Mandatory. The retirement plan for Legislators is calculated differently from the plan for other state employees.	For those hired on or before 12/31/2010—vesting at 6 years of service; Age 55; service in three full biennial assemblies (6 years) or Rule of 80. For those entering system after 1/1/2011—vesting at 6 years of service; Age 62; service in three full biennial assemblies (6 years) or the Rule of 90 with a minimum age of 55.	For those hired on or before 12/31/2010—non-contributory. For those entering system after 1/1/2011—contribution of 4% of salary.	For those hired on or before 12/31/2010—monthly pay divided by 24 x years of creditable service, capped at 100% of salary. Benefit is adjusted by the percentage increase in pay for an active legislator. For those entering system after 1/1/2011—no change.
Montana	Optional	Hired before 7/1/11—vesting at 5 years. Age 60 with at least 5 years of service; age 65 regardless of years of service; or 30 years of service regardless of age. After 7/1/11—vesting at 5 years. Age 65 with 5 years service, or age 70.	7.9% employee and 8.37% employer for DB and DC plan.	DB plan—Membership Service Factor (see below) x years of Service Credit x HAC. More than 5 years and less than 10 years of membership service—1.5% Less than 30 years of membership service—1.7857% 30 years or more of membership service—2%
Nebraska	None available			Number of years x \$25 = monthly allowance.
Nevada	Mandatory, but a legislator, within 30 days after he/she is first elected or appointed, may elect not to participate; a decision to terminate participation in the plan cannot be reversed. The legislators' retirement system is separate from the state employee retirement plan.	Must have at least 10 years of service, be age 60, and no longer be a legislator, in order to retire without benefit reduction. A legislator who is no longer serving, has at least 10 years of service, but is under the age of 60 can elect to wait to receive his/her benefit until the age of 60 or begin receiving a reduced benefit prior to the age of 60.	15% of session salary.	
New Hampshire	None available			
New Jersey	Mandatory	Vesting at 8 years. Age 60; no minimum service requirement. Early retirement with no benefit reduction with 25 years of service.	5% of salary	3% x FAS x years of service. FAS = higher of three highest years or three final years. Benefit is capped at 2/3 of FAS. Other formulas apply if a legislator also has other service covered by the Public Employee Retirement System.
New Mexico	Optional	Plans 1A and 1B—age 65 with 5 years of service; 64 with 8 years of service; 63 with 11 years of service; 60 with 12 years of service; or any age with 14 years of service. Plan 2—age 65 with 5 years of service or at any age with 10 years of legislative service.	Plan 1A—\$100 per year for service after 1959. Plan 1B—\$200 per year (now closed to new enrollments). Plan 2—\$500 per year. Increased to \$600 per year by 2012 legislation.	Plan 1A: \$250 per year of service. Plan 1B: \$500 per year of service after 1959. Plan 2: 11 percent of the IRS Legislative per diem rate in effect on December 31st of the year a legislator retires x 50 x the years of credited service. For a legislator who retired in 2011 the benefit would be \$1,129 per year of credited service. Annual 3% COLA.

State or other jurisdiction	Participation	Employee contribution rate	Requirements for regular retirement	Benefit formula
New York	Detailed information set forth in Your Retirement Plan: Legislative and Executive Plan , published by New York State Office of the State Comptroller.	Detailed information set forth in Your Retirement Plan: Legislative and Executive Plan, published by New York State Office of the State Comptroller.	Detailed information set forth in Your Retirement Plan: Legislative and Executive Plan, published by New York State Office of the State Comptroller.	Detailed information set forth in Your Retirement Plan: Legislative and Executive Plan , published by New York State Office of the State Comptroller.
North Carolina	Mandatory	Age 65 with 5 years of service; reduced benefit available at earlier ages.	7%	Highest annual compensation x 4.02% x years of service.
North Dakota	None available.	Varies depending upon plan.	Varies depending upon plan.	Varies depending upon plan. Detailed information set forth in Legislative Benefits, Privileges, and Restrictions of Office .
Ohio	Optional. OPERS offers three plans for retirement—the traditional plan (a defined benefit plan); the member directed plan (a defined contribution plan); and the combined plan. Participation in the latter two plans is limited to new OPERS members and OPERS members who had less than 5 years of service on 12/31/2002.	Information set forth in Legislative Benefits, Privileges, and Restrictions of Office .	Detailed information set forth in Legislative Benefits, Privileges, and Restrictions of Office .	Average participating salary x length of service x computation factor depending on optional contributions ranging from 1.9% for a 4.5% contribution to 4% for a 10% contribution.
Oklahoma	Legislators may retain membership as regular public employees if they have that status when elected; one time option to join elected officials' plan. SB 794 of 2011—new provisions affect people elected to office after 11/1/2011.	Elected Officials' Plan—vesting at 6 years. Age 65, or age 60 with 6 years' service. SB 794 of 2011—vesting at 8 years. Age 65 or age 62 with 10 years of membership in the plan. Early retirement with reduced benefits at age 60 with 10 years of service.	Optional contribution levels—4.5%, 6%, 7.5%, 8.5%, 9% or 10% of total compensation. SB 794 of 2011—schedule of options was repealed. Required contribution of 3.5% of total compensation.	S.B. 1641 (Chapter 105, Laws of 2008)—people elected to office after 7/1/2008: formula described here can apply only to years of service as an elected official and can be based only on the higher year of salary received as an elected official (not on any subsequent salary from a non-elective post as was possible under the original provisions). Capped benefits at 100% of salary as a member of the OPERS (not clear whether this is highest salary as an elected official).

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Oregon	Optional	Normal retirement age for general service members is age 65 or age 58 with 30 years of retirement credit.	OPRSP DC component—employees contribute 6% of salary. DB component—non-contributory-457 plans—members may contribute amounts to limits set by IRS.	OPRSP individual account component, or DC component—at retirement, employees may receive the IAP as a lump-sum payment or in equal installments over a 5, 10, 15 or 20-year period. DB component—benefit calculation is 1.5 percent x final average salary x years of service.
Pennsylvania	Optional. Act 120 of 2010—applies to those who become state legislators on or after 12/1/2010.	Age 50 with 3 years of service; any age with 35 years of service; early retirement with reduced benefit. Act 120 of 2010—vesting at 10 years. Retirement age is 55 with 3 years of credited service or according to the Rule of 92 with a minimum of 35 years of service.	6.25%. Act 120 of 2010—6.25% or 9.3% (member's choice). Rate will vary with actuarial conditions; these are minimums.	3% x final average salary x credited years of service (x withdrawal factor if under 50), with a maximum benefit of 100% of FAS. Act 120 of 2010—new legislators may choose between plans with different contribution rates. The multiplier for the lower contribution will be 2% and for the higher contribution 2.5%. Cap on benefits is unchanged.
Rhode Island	Legislators elected before January 1995—eligible for a pension of \$600 a year for each year of legislative service, capped at an annual retirement benefit of \$12,000. Legislators elected after January 1995—ineligible to earn credit for public retirement benefits. Different than state employee retirement plan.			
South Carolina	Mandatory (but not available to anyone first elected to the General Assembly after November 2012).	Age 60 with 8 years of service. 30 years of service regardless of age. Act 278, Laws of 2012—SCRS; vesting at 8 years; retirement benefits at age 65 with 8 years of service or in accord with the Rule of 90. Reduced benefits are available at age 60 with 8 years of service. ORP: immediate vesting in employer contributions.	10% 11% as of January 1, 2013. Act 278, Laws of 2012—SCRS; 7% as of July 1, 2012, rising to 8% on July 1, 2014. ORP: 7% + 5% employer contribution, immediately vested.	4.82% x earnable compensation x years of service. "Earnable compensation" means 40 x the daily rate of remuneration, plus \$12,000, of a member of the General Assembly, as from time to time in effect. Act 278, Laws of 2012—SCRS; 2.25% x years of service x final average compensation, which is the average of the member's 5 highest years of earned compensation. ORP: upon retirement a member may annuitize the balance in the account or take a lump sum or partial distribution. Federal provisions apply.
South Dakota		None available.		

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Tennessee	Optional	Age 55, 4 years of service.	Members hired before 7/1/14 participate in a non-contributory plan.	\$85.21 per month x years of service with a cap 90% of final compensation.
		Members hired after 7/1/14	participate in a contributory plan.	2006 legislation provides for an annual adjustment in the base amount (not an annual COLA to recipients) and provides that a legislator may reject the increase in writing. \$55.00 for those in the contributory plan.
Texas	Optional	Vesting at 8 years. Age 60 with 8 years of service; or age 50 with 12 years of service.	State contributes 4% toward defined benefit, 5% into 401K Member contributes 5% toward defined benefit, 2% into 401K (can do more if so desired).	2.3% x district judge's salary x length of service, with the monthly benefit capped at the level of a district judge's salary, and adjusted when such salaries are increased. Various annuity options are available. Military service credit may be purchased to add to elective class service membership. In September 2013, a district judge's salary was set at \$140,000 a year.
Utah	Mandatory	Age 62 with 10 years and an actuarial reduction; age 65 with 4 years of service for full benefits.	Non-contributory.	\$24.80/month (as of July 2004) x years of service; adjusted semi-annually according to consumer price index up to a maximum increase of 2%.
		2010 legislation closed the Governor's and Legislators' Retirement Plan to legislators elected after 7/1/2011 and replaced it with the New Public Employees' Tier II Contributory Retirement Plan Defined Contribution Plan. The new DC plan will be a 401(k) with distribution of accumulations subject to federal rules.	For the DC plan, employer will contribute 10% of compensation, which will vest after four years of service. Employees may, but are not required, to contribute.	For the DC plan, benefits will be based upon accumulations in the employee account.
Vermont	None available.	Deferred compensation plan available.		
Virginia	Mandatory. Eligibility for various plans based on membership date. Same as state employees plan.	Plan 1—Age 50 with 30 years of service (unreduced); age 55 with 5 years of service; age 50 with 10 years (reduced).	Plan 1—members who qualify do not make an employee contribution.	Plan 1—1.7% of average final compensation x years of service (average over highest 36 consecutive months).
		Plan 2—When age and service = 90; or normal Social Security retirement age with 5 years of service (unreduced); age 60 with 5 years of service (reduced).	Plan 2—5% of creditable compensation.	Plan 2—1.65% of average final compensation x years of service (average over highest 60 consecutive months).
		Plan 3—Normal Social Security retirement age with 5 years of service (unreduced); age 60 with 5 years of service (reduced).	Hybrid plan—mandatory and voluntary contributions to defined benefit and defined contribution components.	Hybrid plan—When age and service = 90; or normal Social Security retirement age with 5 years of service (unreduced); age 60 with 5 years of service (reduced).

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Washington	Optional. If before an election the legislator belonged to a state public retirement plan, he or she may continue in that plan by making contributions. Otherwise, new legislators may join PERS Plan 2 or Plan 3.	Plan 2—age 65 with 5 years of service credit. Plan 3—age 65 with 10 years of service credit for the DB side of the plan; immediate benefits (subject to federal restrictions) on the DC side of the plan. The member may choose various options for investment of contributions to the DC plan.	Plan 2—employee contribution of 2.43% for 2002. Estimated at 3.33% for 2005-2007. Plan 3—no required member contribution for the DB component. The member may contribute from 5% to 15% of salary to the DC component.	Plan 2—2% x years of service credit x average final compensation. Plan 3—DB is 1% x service credit years x average final compensation. DC benefit depends upon the value of accumulations.
West Virginia	Optional	Age 55, if years of service + age equal 80. After 10/1/87—5%.	Before 10/1/87—7%. After 10/1/87—5%.	2% x final average salary x years of service. Final average salary is based on 3 highest years out of last 10 years.
Wisconsin	Wisconsin Retirement System (WRS)—mandatory. Deferred Compensation 457 Plan—optional.	Minimum retirement age is 55. Normal retirement age is 62. Normal retirement age with 30 years of WRS service is age 57.	2016 contribution rate is 6.6% of the legislator's salary. The employer matches this for a total contribution of 13.2%.	Retirement benefit is calculated under both "formula" and "money purchase" methods and will receive the higher of the two benefit calculations. Formula—if terminated prior to the year 2000, may not exceed 65% of the final average earnings (highest 3 years of salary), or 70% for 2000 or after. (2.16% x years of service x salary for service before 2000; 2% x years of service x salary for service 2000 and after). Money Purchase Calculation—based only on the dollar balance in WRS account and exact age (and therefore life expectancy) when annuity begins.
Wyoming	None available			

Source : National Conference of State Legislatures, March 2016.

Key:

COLA—Cost of living adjustment.

CPI—Consumer price index.

DB—Defined Benefit

DC—Defined Contribution.

FAS—Final average salary.

None available—no retirement benefit provided.

OPERS—Ohio Public Employee's Retirement System.

OPERS—Oklahoma Public Employee's Retirement System.

OPSRP—Oregon Public Employee's Retirement System.

ORP—South Carolina State Optional Retirement Program.

PERA—Public employee retirement association.

PERS—Public Employee's Retirement System.

SCRS—South Carolina Retirement System.



2016 Survey -
Legislative Compensation: Health, Dental, Vision, Disability and Life Insurance

State or other jurisdiction	Health	Dental	Vision	Insurance benefits	
				Disability insurance	Life insurance benefits
Alabama	S.A., O.P. S.P.P.	S.A., O.P. S.P.P.	S.A., O.P. O.P., unless included in health insurance.	None	None
Alaska	S.P.P.	O.P.	O.P., unless included in health insurance.	S.A. Optional; if selected is included in health insurance.	S.A. Small policy available. Additional is optional at legislator's expense.
Arizona	S.A., S.P.P. S.P.P. (a)	S.A., O.P. O.P.	S.A., O.P. (b)	S.P.P. O.P.—supplemental	S.P.P. The state pays for \$30,000 as part of the health plan. Additional is optional at legislators' expense.
Arkansas					
California	S.P.P. (b)	(b)	(b)		
Colorado	S.P.P.—Amount differs according to plan selected		S.P.P.—Amount differs according to plan selected	None	Senators are eligible for up to \$250,000 term coverage: members pay 10% of the age-based premium plus the taxable value on coverage above \$50,000. \$250,000 term policy for the Assembly: members pay 1.8% of the premium plus the taxable value on coverage above \$50,000.
Connecticut	S.P.P.	S.P.P.	S.P.P.—Amount differs according to plan selected	None	S.A. State pays full amount for \$12,000 policy. Additional is optional at legislator's expense.
Delaware	S.P.P. After 3 months, state pays entire amount for basic plan.	O.P.	Some health insurance plans include discounts on eyewear.	S.A., O.P.	S.A., O.P.
Florida	S.A. Legislators pay \$50 a month for individual coverage and \$180 a month for family coverage.	Dental coverage offered to state legislators and legislative employees.	O.P.	S.P.	S.A. Basic life insurance is provided for state legislators. Additional optional life insurance can be purchased.
Georgia	S.P.P.	S.P.P.	S.P.P.	S.A., S.P.P.	S.A., S.P.P.
Hawaii	S.P.P.	S.P.P.	S.P.P.	S.A., S.P.P.	S.A., S.P.P.

State or other jurisdiction	Insurance benefits			
	Health	Dental	Vision	Disability insurance
				Life insurance benefits
Idaho	S.A., S.P.P. S.P.P.	S.A., S.P.P. S.P.P.	S.A., S.P.P. S.P.	S.A., S.P.P. S.A., S.P.P.
Illinois	S.A., S.P.P.	S.P.P.		S.A., S.P.P. S.A., S.P.P.
Indiana	S.A., S.P.P. S.P.P.	S.A., S.P.P. S.P.P.	S.A., S.P.P. S.A. Legislator pays entire premium.	S.A. S.A. State pays first \$20,000. Additional at legislator expense.
Iowa	S.A., S.P.P.	S.P.P.	S.A., S.P.P. S.A., O.P.	S.A., S.P. S.A. 150% of annual salary if part of KPERS. Additional insurance is optional at legislator's expense.
Kansas	S.A., S.P.P.	S.A., S.P. Legislator pays dependent portion.	O.P.	S.A., S.P. S.A., O.P.
Kentucky	S.A.	O.P.	O.P.	S.A., O.P. State pays \$20,000. Additional is optional at legislator's expense.
Louisiana	S.P.P.—State pays 50% and legislator pays 50%.	S.P.P.—State pays 50% and legislator pays 50%.	O.P.	S.A., O.P. S.A., S.P.—State pays 50% and legislator pays 50%.
Maine	S.A.—State pays up to 100% of legislator coverage and 50% of dependent coverage.	S.A., S.P.	O.P.	O.P.
Maryland	S.A., S.P.P.—The state pays 85%, legislator pays 15% for HMO, legislator pays 17% for POS.	S.A., O.P.	Covered under the medical plan.	None O.P.
Massachusetts	S.P.P. (State currently pays 80%)	S.P.P.	S.P.P.	S.A., O.P. S.A. \$5,000 policy provided. Additional up to 8 times salary at legislator's expense.
Michigan	Health, vision, life, cancer, prescription, offered via cafeteria plan.			Offered at different levels as part of cafeteria plan.
Minnesota	S.P.P.—The state pays 95% for single coverage and 88% of family coverage.	S.A.	S.A., O.P.	S.A. State pays first \$35,000.
Mississippi	S.P.—legislator only premiums	O.P.	None	None S.A., S.P.—State pays 50% and legislator pays 50%.
Missouri	S.A., S.P.P.	S.A., S.P.P.	S.A., S.P.	S.A., S.P.—basic life insurance, 1x annual salary. Additional life insurance is optional at legislator's expense.
Montana	S.A., S.P.P.—State pays almost full amount for individual.	S.A., S.P.P.—State pays almost full amount for individual.	Included in health coverage	State pays \$14,000 term policy. Additional at legislator's expense.
Nebraska	O.P.	O.P.	S.A., O.P.	S.A., O.P.

State or other jurisdiction	Insurance benefits				Life insurance benefits
	Health	Dental	Vision	Disability insurance	
Nevada	S.A., O.P.	S.A., O.P.	S.A., O.P.	S.A., O.P.	S.A., O.P.
New Hampshire	O.P.	O.P.	None	None	None
New Jersey	S.A.—Members appointed or elected after 5/21/10 are not eligible for coverage.	S.A.—Members appointed or elected after 5/21/10 are not eligible for coverage.	S.A.—Members appointed or elected after 5/21/10 are not eligible for coverage.	Temporary disability insurance—none. Permanent disability—if enrolled in pension plan.	Members enrolled in the pension plan—up to three times annual salary. Members enrolled in defined contribution plan—one and half times annual salary. Members not covered by either plan—no death benefit.
New Mexico	None	None	None	None	None
New York	No response	No response	No response	No response	No response
North Carolina	S.P. Family coverage optional at legislator's expense.	O.P.	O.P.	S.A., O.P.	S.A., O.P.
North Dakota	S.P.—if legislator chooses state health plan.	O.P.	O.P.	S.A., O.P.	S.A. State pays for \$3,500 term life policy.
Ohio	S.P.P.—The state pays 85%, and legislators pay 15%	S.P. (c)	S.P. (c)	None	S.P.—once member has one year or more of continuous state service. Policy equal to the member's annual salary (rounded to the next higher multiple of \$1,000). Supplemental and dependent life insurance is optional at legislator's expense.
Oklahoma	Up to \$641 a month allowance for all benefits for member and up to \$1,678 a month for member plus spouse and children.	Included in health benefit			S.A. State pays basic life for \$20,000. Supplemental life is optional at legislator's expense.
Oregon	S.A., S.P.P.	S.A., S.P.P.	S.A., S.P.P.	S.A., O.P.	S.A., O.P.
Pennsylvania	(d)	(d)	(d)	None	Group life policy up to amount of salary.
Rhode Island	S.A.	S.A.	S.A.	S.A., O.P.	S.A., O.P.

State or other jurisdiction	Insurance benefits				Life insurance benefits
	Health	Dental	Vision	Disability insurance	
S.P.P.	S.P.P.	S.A., O.P.	S.A., S.P.P.	S.A., S.P.P.	S.A., S.P.P.
South Carolina	None	None	None	S.P.—accidental death/dismemberment ins. only.	None
South Dakota	None	None	None	None	S.A. State pays first \$20,000 of the basic life insurance; remainder paid by legislator.
Tennessee	S.P.P.—State pays 80%, legislator pays 20%.	O.P.	O.P.	None	S.A., O.P.
Texas	S.A., S.P.	O.P.	Included in health coverage.	S.A., O.P.	S.A., S.P.—State pays full premium for \$25,000 basic term life coverage.
Utah	S.P.P.	S.P.P.	Optional group discounts.	S.A., S.P.	S.A., S.P.—The state pays for basic group life insurance. Optional Life Insurance (up to 4x salary) available at legislator's expense.
Vermont	None	None	None	None	None
Virginia	S.A., S.P.	S.A.	S.A.	None	S.A., S.P.—The state pays for basic group life insurance. Optional Life Insurance (up to 4x salary) available at legislator's expense.
Washington	S.A.	S.A.	Included in medical.	S.A., S.P.P.	S.A., S.P.P.
West Virginia	O.P.	O.P.	O.P.	None	S.A., O.P.
Wisconsin	S.P.P.	(e)	(e)	S.P.P.—depending on legislator's accumulative sick leave balance.	S.P.P.—Group term life levels 1 and 2. Accidental death and dismemberment insurance (ADDI) are available at legislator's expense.
Wyoming	None	None	None	None	None

Source : National Conference of State Legislatures, 2016.

Key:

(U) — Unvouchered.
(V) — Vouchered.

O.P.— Optional at legislator's expense.

O.S.B.— Official state or legislative business only.

S.A.— Same as state employees.

S.P.— State pays full amount.

S.P.P.— State pays portion and legislator pays portion.

Notes:

(a) Arkansas: Health: The state pays \$410 monthly; legislators pay the balance depending on the plan chosen. Vision: Vision screening with co-pay, once/2-yr with health plan; additional coverage optional at legislator's expense.

(b) California: Health: The state pays a portion (20% less than the contribution paid for state managerial employees); legislators pay a portion. Dental: Legislators pay 10% of the basic dental premium; enhanced coverage is available at an additional cost to the member. Vision: Legislators pay 10% of the basic vision premium; enhanced coverage is available at an additional cost to the member.

(c) Ohio: Vision and dental care coverage are available to a member and dependents after the member has completed one year of continuous state service.

(d) Pennsylvania: Legislators pay 1% of salary toward medical/hospital, dental, vision and prescription benefits.

(e) Wisconsin: Basic and diagnostic dental coverage is available; major dental coverage is available through supplemental plans, which is optional at legislator's expense. Diagnostic optical coverage is available; eye glass and contact lens coverage is available through supplemental vision plans, which is optional at legislator's expense.

Appendix G. Distance Tennessee General Assembly Members Report Living from the Capitol

Chamber	Last	First	Location	Distance Round Trip	Distance One Way	Rank
Representative	Harwell	Beth	Nashville	0	0.0	1
Representative	Love	Harold	Nashville	6	3.0	2
Representative	Stewart	Mike	Nashville	6	3.0	2
Representative	Clemmons	John Ray	Nashville	7	3.5	4
Senator	Dickerson	Steve	Nashville	8	4.0	5
Senator	Yarbro	Jeff	Nashville	9	4.5	6
Representative	Beck	Bill	Nashville	16	8.0	7
Representative	Gilmore	Brenda	Nashville	19	9.5	8
Representative	Jones	Sherry	Nashville	20	10.0	9
Representative	Powell	Jason	Nashville	22	11.0	10
Senator	Harper	Thelma	Nashville	22	11.0	10
Representative	Rogers	Courtney	Hendersonville	30	15.0	12
Representative	Jernigan	Darren	Old Hickory	35	17.5	13
Representative	Sargent	Charles	Franklin	35	17.5	13
Representative	Mitchell	Bo	Nashville	37	18.5	15
Representative	Lynn	Susan	Mt. Juliet	39	19.5	16
Senator	Beavers	Mae	Mt. Juliet	44	22.0	17
Senator	Johnson	Jack	Brentwood	45	22.5	18
Representative	Sparks	Mike	Murfreesboro	46	23.0	19
Representative	Durham	Jeremy	Franklin	48	24.0	20
Representative	Kumar	Sabi	Springfield	51	25.5	21
Representative	Casada	Glen	College Grove	55	27.5	22
Senator	Roberts	Kerry	Springfield	61	30.5	23
Representative	Lamberth	William	Portland	65	32.5	24
Senator	Haile	Farrell	Gallatin	65	32.5	24
Representative	Pody	Mark	Lebanon	67	33.5	26
Representative	White	Dawn	Murfreesboro	68	34.0	27
Senator	Ketron	Bill	Murfreesboro	68	34.0	27
Representative	Womick	Richard	Cookeville	74	37.0	29
Representative	Terry	Bryan	Murfreesboro	75	37.5	30
Senator	Green	Mark	Ashland City	75	37.5	30
Representative	Littleton	Mary	Dickson	79	39.5	32
Representative	Johnson	Curtis	Clarksville	81	40.5	33
Representative	Shepard	David	Dickson	85	42.5	34
Representative	Pitts	Joe	Clarksville	91	45.5	35
Senator	Tracy	Jim	Shelbyville	102	51.0	36
Representative	Butt	Sheila	Columbia	106	53.0	37
Representative	Weaver	Terri Lynn	Lancaster	118	59.0	38

Legislative Compensation: Comparing Tennessee to Contiguous and Peer States

Chamber	Last	First	Location	Distance Round Trip	Distance One Way	Rank
Representative	Spivey	Bill	Lewisburg	120	60.0	39
Representative	Marsh	Owen (Pat)	Shelbyville	123	61.5	40
Senator	Bowling	Janice	Tullahoma	146	73.0	41
Representative	Matheny	Judd	Tullahoma	150	75.0	42
Representative	Reedy	Jay	Erin	150	75.0	42
Representative	Williams	Ryan	Cookeville	162	81.0	44
Representative	Dunlap	Kevin	Rock Island	165	82.5	45
Senator	Hensley	Joey	Hohenwald	165	82.5	45
Representative	Alexander	David	Winchester	177	88.5	47
Senator	Bailey	Paul	Sparta	195	97.5	48
Representative	Doss	Barry	Leoma	198	99.0	49
Representative	Wirgau	Tim	Buchanan	201	100.5	50
Representative	Windle	John Mark	Livingston	202	101.0	51
Representative	McDaniel	Stephen	Parkers Crossroads	206	103.0	52
Representative	Byrd	David	Waynesboro	211	105.5	53
Representative	Sexton	Cameron	Crossville	235	117.5	54
Senator	Stevens	John	Huntingdon	235	117.5	54
Representative	Keisling	Kelly	Byrdstown	238	119.0	56
Representative	Eldridge	Jimmy	Jackson	257	128.5	57
Senator	Jackson	Edward	Jackson	259	129.5	58
Senator	Gardenhire	Todd	Chattanooga	262	131.0	59
Representative	Holt	Andrew	Dresden	279	139.5	60
Representative	Favors	JoAnne	Chattanooga	282	141.0	61
Representative	Gravitt	Marcus	East Ridge	283	141.5	62
Representative	Hazlewood	Patsy	Signal Mountain	287	143.5	63
Representative	McCormick	Gerald	Chattanooga	290	145.0	64
Senator	Yager	Kenneth	Harriman	290	145.0	64
Senator	Watson	Bo	Hixson	295	147.5	66
Representative	Carter	Mike	Ooltewah	300	150.0	67
Representative	Calfee	Kent	Kingston	309	154.5	68
Representative	Travis	Ronald	Dayton	314	157.0	69
Representative	Matlock	Jimmy	Lenoir City	317	158.5	70
Representative	Halford	Curtis	Dyer	320	160.0	71
Representative	Shaw	Johnny	Bolivar	322	161.0	72
Representative	Zachary	Jason	Knoxville	322	161.0	72
Representative	Ragan	John	Oak Ridge	323	161.5	74
Representative	Brooks	Kevin	Cleveland	330	165.0	75
Senator	Briggs	Richard	Knoxville	331	165.5	76
Senator	McNally	Randy	Oak Ridge	342	171.0	77
Representative	Kane	Roger	Knoxville	347	173.5	78
Representative	Sanderson	Bill	Kenton	348	174.0	79
Senator	Massey	Becky	Knoxville	350	175.0	80

Chamber	Last	First	Location	Distance Round Trip	Distance One Way	Rank
Representative	Jenkins	Jamison	Somerville	353	176.5	81
Representative	Daniel	Martin	Knoxville	355	177.5	82
Representative	Moody	Debra	Covington	355	177.5	82
Representative	Fitzhugh	Craig	Ripley	356	178.0	84
Representative	Howell	Dan	Georgetown	356	178.0	84
Senator	Dolores	Gresham	Somerville	361	180.5	86
Representative	Smith	Eddie	Knoxville	366	183.0	87
Representative	Swann	Art	Maryville	367	183.5	88
Representative	Ramsey	Bob	Maryville	368	184.0	89
Representative	Dunn	Bill	Knoxville	369	184.5	90
Senator	Overbey	Doug	Maryville	369	184.5	90
Senator	Bell	Mike	Riceville	370	185.0	92
Representative	Forgety	John	Athens	371	185.5	93
Representative	Armstrong	Joseph	Knoxville	375	187.5	94
Representative	Brooks	Harry	Knoxville	377	188.5	95
Representative	Lollar	Ronald	Memphis	390	195.0	96
Senator	Norris	Mark	Collierville	396	198.0	97
Representative	Coley	Jim	Memphis	397	198.5	98
Representative	McManus	Steve	Memphis	398	199.0	99
Senator	Niceley	Frank	Strawberry Plains	399	199.5	100
Senator	Kelsey	Brian	Memphis	402	201.0	101
Representative	Akbari	Raumesh	Memphis	408	204.0	102
Senator	Kyle	Sara	Memphis	408	204.0	102
Senator	Tate	Reginald	Memphis	408	204.0	102
Representative	White	Hoyt (Mark)	Memphis	410	205.0	105
Representative	Parkinson	Antonio	Memphis	411	205.5	106
Representative	Miller	Larry	Memphis	412	206.0	107
Representative	Todd	Curry	Collierville	412	206.0	107
Senator	Harris	Lee	Memphis	415	207.5	109
Representative	Hardaway	G.A.	Memphis	416	208.0	110
Representative	Powers	Dennis	Jacksboro	419	209.5	111
Representative	Deberry	John	Memphis	425	212.5	112
Representative	Carr	Dale	Sevierville	426	213.0	113
Representative	Farmer	Andrew	Sevierville	426	213.0	113
Representative	Camper	Karen	Memphis	427	213.5	115
Representative	Towns	Joe	Memphis	428	214.0	116
Representative	Turner	Johnnie	Memphis	436	218.0	117
Representative	Cooper	Barbara	Memphis	441	220.5	118
Representative	Goins	Tilman	Morristown	451	225.5	119
Senator	Southerland	Steve	Morristown	466	233.0	120
Representative	Sexton	Jerry	Bean Station	468	234.0	121
Representative	Faison	Jeremy	Cosby	471	235.5	122

Legislative Compensation: Comparing Tennessee to Contiguous and Peer States

Chamber	Last	First	Location	Distance Round Trip	Distance One Way	Rank
Representative	Hicks	Gary	Rogersville	500	250.0	123
Representative	Hawk	David	Greeneville	502	251.0	124
Representative	Harrison	Michael	Treadway	506	253.0	125
Representative	Van Huss	Micah	Jonesborough	543	271.5	126
Representative	Hill	Matthew	Jonesborough	548	274.0	127
Representative	Hulsey	Bud	Kingsport	548	274.0	127
Senator	Crowe	Dewey E.	Johnson City	569	284.5	129
Senator	Ramsey	Ronald	Blountville	570	285.0	130
Representative	Holsclaw	John	Johnson City	575	287.5	131
Representative	Hill	Timothy	Blountville	576	288.0	132
Representative	Lundberg	Jon	Bristol	588	294.0	133

Source: Tennessee General Assembly. 2016c.