

House Bill 3501

Sponsored by Representatives BERGER, CAMERON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes fixed level of salary for members of Legislative Assembly.

Requires reduction of 10 percent of amount of salary for members of Legislative Assembly for 2009-2011 biennium.

Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to compensation for members of the Legislative Assembly; creating new provisions;
3 amending ORS 171.072; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 171.072, as amended by section 5b, chapter 912, Oregon Laws 2007, is
6 amended to read:

7 171.072. (1) A member of the Legislative Assembly shall receive for services an annual salary
8 [*established as provided in ORS 292.907 to 292.930.*] **of the greater of:**

9 **(a) One step below the maximum of Salary Range 1 in the Management Service Com-**
10 **penensation Plan in the executive department as defined in ORS 174.112; or**

11 **(b) Seventeen percent of the salary of a circuit court judge.**

12 (2)[(a)] The President of the Senate and the Speaker of the House of Representatives each shall
13 receive for services, as additional salary, an amount equal to the salary allowed each of them as a
14 member under subsection (1) of this section.

15 [(b) *The Majority Leader and Minority Leader of the Senate and the Majority Leader and Minority*
16 *Leader of the House of Representatives each shall receive for services, as additional salary, an amount*
17 *determined as provided in ORS 292.907 to 292.930.*]

18 (3) A member of the Legislative Assembly shall receive, as an allowance for expenses not oth-
19 erwise provided for, a per diem determined as provided in subsection (9) of this section for each day
20 within the period that the Legislative Assembly is in session, to be paid with the salary provided for
21 in subsection (1) of this section. Pursuant to procedures determined by the Legislative Adminis-
22 tration Committee, a member may draw from an accrued allowance.

23 (4) A member of the Legislative Assembly shall receive, as an allowance for expenses incurred
24 in the performance of official duties during periods when the legislature is not in session, \$400 for
25 each calendar month or part of a calendar month during those periods, to be paid monthly, and
26 subject to approval of the President of the Senate or Speaker of the House of Representatives,
27 mileage expenses and a per diem determined as provided in subsection (9) of this section for each
28 day a member is engaged in the business of legislative interim and statutory committees, including
29 advisory committees and subcommittees of advisory committees, and task forces and for each day
30 a member serves on interstate bodies, advisory committees and other entities on which the member

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 serves ex officio, whether or not the entity is a legislative one.

2 (5) In addition to the mileage and per diem expense payments provided by this section, a member
 3 of the Legislative Assembly may receive reimbursement for actual and necessary expenses, subject
 4 to approval by the President of the Senate or Speaker of the House of Representatives, for legisla-
 5 tive business outside of the state.

6 (6) The President of the Senate and the Speaker of the House of Representatives may delegate
 7 to the chairpersons of interim and statutory committees and task forces the approval authority
 8 granted to the President and the Speaker by subsection (4) of this section, with respect to expenses
 9 incurred in attending any meeting of a particular committee or task force.

10 (7) Amounts received under subsections (3) to (5) of this section are excluded from gross income
 11 and expenditures of the amounts are excluded in computing deductions for purposes of ORS chapter
 12 316. If there is attached to the personal income return a schedule of all ordinary and necessary
 13 business expenses paid during the tax year as a member of the Legislative Assembly, a deduction
 14 may be claimed on the return for legislative expenses paid in excess of the amounts received under
 15 subsections (3) to (5) of this section. Expenses of members of the Legislative Assembly who are re-
 16 imburged by the state for actual expenses for meals and lodging associated with state travel for the
 17 same period during which a legislator receives per diem are subject to state income tax.

18 (8) For periods when the Legislative Assembly is not in session, the Legislative Administration
 19 Committee shall provide for a telephone and an expense allowance for members of the Legislative
 20 Assembly that is in addition to the amount allowed under subsection (4) of this section. In deter-
 21 mining the amount of allowance for members, the committee shall consider the geographic area of
 22 the member's district. The additional allowance shall reflect travel expenses necessary to communi-
 23 cate in districts of varying sizes.

24 (9) The per diem allowance referred to in subsections (3) and (4) of this section shall be the
 25 amount fixed for per diem allowance that is authorized by the United States Internal Revenue Ser-
 26 vice to be excluded from gross income without itemization.

27 **SECTION 2. Notwithstanding ORS 171.072, for the biennium beginning July 1, 2009, the**
 28 **annual salary for each member of the Legislative Assembly shall be an amount that is 10**
 29 **percent less than the amount specified in ORS 171.072.**

30 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**
 31 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
 32 **July 1, 2009.**

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