

Senate Bill 590

Sponsored by Senator KNOPP (Presession filed.)

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**.

Disconnects minimum salary for members of Legislative Assembly from state minimum wage increases. Allows Public Officials Compensation Commission to recommend annual salary to be paid to member of Legislative Assembly at minimum salary rate in effect from July 1, 2016, to June 30, 2017, adjusted biennially for inflation.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to salary for a member of the Legislative Assembly; amending ORS 171.072 and 292.912; and
3 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 1, chapter 578, Oregon Laws 2013, is amended
6 to read:

7 171.072. (1) **Notwithstanding ORS 653.010 and 653.025**, a member of the Legislative Assembly
8 shall receive for services an annual salary determined as provided under ORS 292.907 to 292.930.

9 (2) The President of the Senate and the Speaker of the House of Representatives each shall re-
10 ceive for services, as additional salary, an amount equal to the salary allowed each of them as a
11 member under subsection (1) of this section.

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

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

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

30 (6) The President of the Senate and the Speaker of the House of Representatives may delegate

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 to the chairpersons of interim and statutory committees and task forces the approval authority
2 granted to the President and the Speaker by subsection (4) of this section, with respect to expenses
3 incurred in attending any meeting of a particular committee or task force.

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

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

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

21 **SECTION 2.** ORS 292.912 is amended to read:

22 292.912. (1) The Public Officials Compensation Commission shall review and make recommen-
23 dations to the Legislative Assembly regarding the amount of the annual salary to be paid to each
24 elective officer subject to ORS 292.907 to 292.930 and all compensation of members of the Legislative
25 Assembly for the succeeding biennium.

26 (2) The commission shall establish the salary recommendations based upon the following criteria:

27 (a) Comparable positions in neighboring states.

28 (b) The qualifications and skills necessary for each office.

29 (c) The level of responsibility implicit in each office.

30 (d) The cost of living.

31 (e) The total compensation of the positions, including benefits other than salary.

32 (f) Budget limitations.

33 (g) Any other factors the commission may consider to be reasonable, appropriate and in the
34 public interest.

35 **(3) Notwithstanding ORS 653.010 and 653.025, the commission:**

36 **(a) May recommend an amount of annual salary to be paid to each member of the Leg-**
37 **islative Assembly that is not lower than \$20,280; and**

38 **(b) Shall, no later than April 30 of each odd-numbered year, calculate for the amount**
39 **described in paragraph (a) of this subsection an adjustment for inflation based on the in-**
40 **crease, if any, from March of the preceding year to March of the year in which the calcu-**
41 **lation is made, in the U.S. City Average Consumer Price Index for All Urban Consumers for**
42 **All Items as prepared by the Bureau of Labor Statistics of the United States Department of**
43 **Labor or its successor.**

44 **[(3)] (4) The commission shall cause to have prepared legislative measures that would implement**
45 **the commission's recommendations on salaries of officers subject to ORS 292.907 to 292.930 and all**

1 compensation of members of the Legislative Assembly for the succeeding biennium.

2 **SECTION 3.** ORS 292.912, as amended by section 2, chapter 578, Oregon Laws 2013, is amended
3 to read:

4 292.912. (1) The Public Officials Compensation Commission shall review and make recommen-
5 dations to the Legislative Assembly regarding the amount of the annual salary to be paid to each
6 elective officer subject to ORS 292.907 to 292.930 for the succeeding biennium.

7 (2) The commission shall establish the salary recommendations based upon the following criteria:

8 (a) Comparable positions in neighboring states.

9 (b) The qualifications and skills necessary for each office.

10 (c) The level of responsibility implicit in each office.

11 (d) The cost of living.

12 (e) The total compensation of the positions, including benefits other than salary.

13 (f) Budget limitations.

14 (g) Any other factors the commission may consider to be reasonable, appropriate and in the
15 public interest.

16 **(3) Notwithstanding ORS 653.010 and 653.025, the commission:**

17 **(a) May recommend an amount of annual salary to be paid to each member of the Leg-**
18 **islative Assembly that is not lower than \$20,280; and**

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20 **described in paragraph (a) of this subsection an adjustment for inflation based on the in-**
21 **crease, if any, from March of the preceding year to March of the year in which the calcu-**
22 **lation is made, in the U.S. City Average Consumer Price Index for All Urban Consumers for**
23 **All Items as prepared by the Bureau of Labor Statistics of the United States Department of**
24 **Labor or its successor.**

25 [(3)] (4) The commission shall cause to have prepared legislative measures that would implement
26 the commission's recommendations on salaries of officers subject to ORS 292.907 to 292.930 for the
27 succeeding biennium.

28 **SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**
29 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
30 **on its passage.**

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