

Senate Bill 959

Sponsored by Senators PROZANSKI, GIROD, BURDICK, HEARD

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 annual salary of members of Legislative Assembly at estimated average income of individual residents of Oregon. Directs Legislative Revenue Officer to make estimate on or before May 1 of each odd-numbered year.

Applies to salary pay periods beginning on or after January 1, 2020.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to legislator compensation; creating new provisions; amending ORS 171.072; and prescribing
3 an effective date.

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, and section
6 17, chapter 98, Oregon Laws 2018, is amended to read:

7 171.072. (1) A member of the Legislative Assembly shall receive for services an annual salary
8 that equals the [*greater of:*]

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

11 [*(b) Seventeen percent of the salary of a circuit court judge.*] **estimated average income for in-**
12 **dividual residents of Oregon, as determined under section 2 of this 2019 Act.**

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

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

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

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

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

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

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

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

25 **SECTION 2. The Legislative Revenue Officer shall estimate the average income of indi-**
26 **vidual residents of Oregon, as reported by the Employment Department or the United States**
27 **Bureau of Labor Statistics, for purposes of affixing the salary of members of the Legislative**
28 **Assembly under ORS 171.072 (1). The officer shall make the estimate on or before May 1 of**
29 **each odd-numbered year of average income for the preceding calendar year, using the data**
30 **that is most recently reported by either the department or the bureau. The officer shall re-**
31 **port the estimate to the Senate President, the Speaker of the House of Representatives and**
32 **the Legislative Fiscal Officer. The estimate shall serve as the basis for the annual salary of**
33 **members of the Legislative Assembly for the biennium commencing July 1 following the date**
34 **the estimate is made by the officer.**

35 **SECTION 3. Section 2 of this 2019 Act and the amendments to ORS 171.072 by section 1**
36 **of this 2019 Act apply to pay periods under ORS 171.072 beginning on or after January 1, 2020.**

37 **SECTION 4. Notwithstanding section 2 of this 2019 Act, for pay periods under ORS 171.072**
38 **beginning on or after January 1, 2020, and before July 1, 2020, the Legislative Revenue Officer**
39 **shall make and report the officer's estimate of average Oregon resident income described in**
40 **section 2 of this 2019 Act as soon as is practicable after the effective date of this 2019 Act.**

41 **SECTION 5. This 2019 Act takes effect on the 91st day after the date on which the 2019**
42 **regular session of the Eightieth Legislative Assembly adjourns sine die.**