

House Bill 3144

Sponsored by Representative HUDSON; Representative REARDON

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 annual mean occupational employment and wage estimate for Oregon for year preceding start of biennium. Directs Legislative Revenue Officer to report annual mean occupational employment and wage estimate on or before May 1 of each odd-numbered year.

Applies to salary pay periods beginning on or after January 1, 2022.

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 is amended to read:

6 171.072. (1) A member of the Legislative Assembly shall receive for services an annual salary
7 that equals [*one step below the maximum step of Salary Range 1 in the Management Service Com-*
8 *penetration Plan in the executive department as defined in ORS 174.112*] **the annual mean occupa-**
9 **tional employment and wage estimate for Oregon, as determined under section 2 of this 2021**
10 **Act.**

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

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

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

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

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 tive business outside of the state.

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

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

14 (8) For periods when the Legislative Assembly is not in session, a member of the Legislative
 15 Assembly shall receive an expense allowance that is in addition to the amount allowed under sub-
 16 section (4) of this section. The amount allocated to a member under this subsection must be adjusted
 17 based on the geographic area of the member’s district to reflect travel expenses necessary to com-
 18 municate in the district.

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

22 **SECTION 2. The Legislative Revenue Officer shall determine the annual mean occupa-**
 23 **tional employment and wage estimate for all occupations in Oregon, as reported by the**
 24 **United States Bureau of Labor Statistics, for purposes of establishing the salary of members**
 25 **of the Legislative Assembly under ORS 171.072 (1). The officer shall make the estimate on**
 26 **or before May 1 of each odd-numbered year utilizing the occupational employment and wage**
 27 **estimates for Oregon as reported by the bureau for the prior calendar year. The officer shall**
 28 **report the estimate to the President of the Senate, the Speaker of the House of Represen-**
 29 **tatives and the Legislative Fiscal Officer. The estimate shall serve as the basis for the annual**
 30 **salary of members of the Legislative Assembly for the biennium commencing July 1 following**
 31 **the date the estimate is made by the officer.**

32 **SECTION 3. Section 2 of this 2021 Act and the amendments to ORS 171.072 by section 1**
 33 **of this 2021 Act apply to pay periods under ORS 171.072 beginning on or after January 1, 2022.**

34 **SECTION 4. Notwithstanding section 2 of this 2021 Act, for pay periods under ORS 171.072**
 35 **beginning on or after January 1, 2022, and before July 1, 2023, the Legislative Revenue Officer**
 36 **shall make and report the annual mean occupational employment and wage estimate de-**
 37 **scribed in section 2 of this 2021 Act as soon as is practicable after the effective date of this**
 38 **2021 Act.**

39 **SECTION 5. This 2021 Act takes effect on the 91st day after the date on which the 2021**
 40 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**