

A Comparison of Legislative Sessions and Compensation

State	Session in Calendar Days	Salary	Per Diem
Alaska	90	\$50,400	\$223 or \$249 depending on time of year
Arkansas	Odd 60/Even 30	\$39,400	\$150 plus mileage
Florida	60	\$29,697	\$129
Louisiana	Odd 45L in 60C Even 60L in 85C	\$16,800 plus \$6,000 office expenses annually	\$150
Maryland	90	\$45,207	\$45 for meals/\$100 lodging plus mileage
Mississippi	90 125 after governor elect.	\$10,000	\$129
New Mexico	Odd 60 Even 30	None	\$165
Oregon	Odd 160 Even 35	\$23,052	\$129
Texas	140 every other year	\$7,200 per year	\$190
Utah	45	\$12,285	Up to \$100 lodging Up to \$39 for meals
Washington	Odd 105 Even 60	\$42,106	\$120
West Virginia	60	\$20,000	\$131
Virginia	Odd 30 Even 60	\$17,640 House \$18,000 Senate Plus \$1,250 monthly office allowance	\$179 House \$180 Senate

Overview of Legislative Compensation

Maintaining adequate legislative compensation promotes diversity among elected officials so the entire population is adequately represented. If pay is a significant barrier to public service, many potential candidates will not be able to serve in the legislature.

In most legislatures, it's up to lawmakers to decide if they should raise their own salaries, making it almost impossible to do so. The issue is often too politically charged to touch. A 2011 analysis found that 14 states had not raised legislative salaries in at least 10 years, and others had seen only a modest increase.

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.

Senators serving in the Texas Legislature represent districts larger and more diverse than their congressional counterparts in Washington, D.C., yet they earn only \$7,200 a year. Members of Congress earn \$174,000 a year. Legislative salaries in New Hampshire—a small state with a 400-member House—are embedded into the state constitution; members have been paid only \$200 per two-year term since 1889. Lawmakers in Arizona are paid \$24,000 a year and haven't received a raise since 1999. In New Mexico, legislators receive no salary but are eligible for per diem expenses.

Some states—California, Michigan, New York and Pennsylvania, for example—pay their legislators a wage comparable to professional salaries found in the private sector.

Different Approaches to Compensation Decision-Making

To help take politics out of the issue, at least 19 states have created compensation commissions to provide independent and impartial recommendations.

Most commissions convene every couple of years, review comparable salaries and benefits, provide an opportunity for public comment and issue formal recommendations. The governor and legislative leaders usually nominate committee members. Many states require that members come from different backgrounds and political parties to ensure diversity.

The level of influence enjoyed by these commissions varies. Some serve only an advisory role and make proposals the legislature can modify. In other states, commission recommendations are binding unless lawmakers vote to reject them or the governor turns them down. In Arizona and Nebraska, commission recommendations must be approved by voters before going into effect. In California and Washington, commissions have carte blanche to raise or lower salaries.

The effect of commissions on salaries has varied. California's Citizens Compensation Commission reduced the salary of its legislators by almost \$21,000 in 2009.

Alaska's Officers Compensation Commission recommended a \$26,000 increase for 2009, which was adopted and raised the salaries of Alaskan lawmakers for the first time in more than 15 years.

Other states have tied legislative compensation to other state employee salaries or to changes in the cost of living. In these cases, increases in legislative salaries are automatic. Florida legislators receive the same annual percentage increase as state employees. In Massachusetts, legislative salaries are tied to an index that provides an automatic increase or decrease, according to the median household income for the state.

No matter how salaries are determined, it's still difficult to have an open discussion about them, given the public's hostility toward the issue. Legislators are all too aware of the potential political consequences of supporting an increase, even if they believe it's the right thing to do. One has only to look at Pennsylvania to understand the implications involved. In 2006, primary voters there ousted 17 incumbents for increasing their salaries by 16 percent the previous year. To avoid voter scrutiny, many other lawmakers decided not to seek reelection. The increase was ultimately repealed four months later because of the political firestorm that had erupted.