



## Vermont Legislative Research Service

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### Legislative Pay and the Inequity in the Volunteer Legislative Model

According to data compiled by Squire and Moncrief, the authors of *State Legislators Today*, legislative salaries vary widely across states.<sup>1</sup> Squire and Moncrief find that most states offer an annual salary, but seven states pay a daily wage. New Mexico does not pay wages at all, while Vermont pays weekly. State legislative salaries have a median of \$24,108, well below the \$74,580 median household of the U.S. in 2022.<sup>2</sup> In addition to salary, most state legislators are paid “per diem” expenses to cover gas, lodging, and food.<sup>3</sup>

#### Legislative Pay Structure by State

##### Vermont

Each general member of the legislature makes a weekly salary of \$811.68.<sup>4</sup> During special session, a member is entitled to an amount equal to one-fifth of the weekly salary, every day that of that session. Expenses include reimbursements for mileage travel, meals, lodging, and absences.<sup>5</sup> Per diem includes \$69 per day for meals, \$134 for lodging (if needed), and reimbursement for expense reports of additional expenses, when submitted.<sup>6</sup> The estimated yearly income for a Vermont legislator calculated from their weekly salary is around \$20,211, while the median household income of Vermont in 2022 was \$72,190 per year.<sup>7</sup>

A bill was proposed and sponsored by ten Senators in January of 2023 that allowed members to have state employee health benefits at no cost, as well as to participate in a flexible spending

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<sup>1</sup> Peverill Squire and Gary Moncrief, *State Legislatures Today: Politics Under the Domes*, 3<sup>rd</sup> ed. (Lanham: Rowman & Littlefield, 2020), 37-38.

<sup>2</sup> United States Census Bureau, “Income in the United States: 2022”, September 12, 2023, accessed December 15, 2023,

<https://www.census.gov/library/publications/2023/demo/p60-279.html>.

<sup>3</sup> Squire and Mocerief, *State Legislatures Today*, 38.

<sup>4</sup> National Conference of State Legislatures, “2023 Legislator Compensation,” last modified August 11, 2023, accessed December 15, 2023, <https://www.ncsl.org/about-state-legislatures/2023-legislator-compensation>.

<sup>5</sup> State of Vermont, Taxation and Finance, Salaries and Fees, 32 V.S.A. § 1052 (2022), accessed December 15, 2023,

<https://legislature.vermont.gov/statutes/section/32/015/01052>.

<sup>6</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>7</sup> Statista, “Median Household Income in Vermont in the United States from 1990 to 2022,” Statista, November 3, 2023, <https://www.statista.com/statistics/206023/median-household-income-in-vermont/>.

account program for health care expenses, dependent care expenses, or both, but the Governor vetoed it prior to the adjournment of the 2023 legislative session.<sup>8</sup>

## **New York**

New York has the highest paying legislature in the U.S with a base salary of \$142,000 per year.<sup>9</sup> In 2022 the lawmakers voted to increase their salary by \$32,000 but capped outside income to \$35,000. The reasoning behind this is to allow lawmakers to focus on their legislative job instead of taking time on other employment.<sup>10</sup> Per diem amount is unavailable, but the mileage reimbursement is 65 cents per mile (tied to federal rates).<sup>11</sup> The median household income for New York in 2022 was \$75, 910 a year, almost half of the base salary of a New York lawmaker.<sup>12</sup>

## **New Hampshire**

New Hampshire lawmakers make one hundred dollars per year. There is reimbursement for gas mileage at sixty-five cents per mile (tied to federal rates) but there is no per diem pay.<sup>13</sup> This means legislators may choose to hold other jobs that could distract them from their legislative work. The median household income for New Hampshire in 2022 was \$84,970 per year.<sup>14</sup>

### **How Pay Affects Who Can Serve**

A key component of the volunteer legislative model is that those who serve are often doing it on their own time as well as their own dime. As described in the section above, the legislative salaries offered by states are often not enough for legislators to live on alone. Many legislators rely on other forms of employment to supplement the minimal income they receive from their state governments. The New American Leaders, a nonpartisan nonprofit, gave a report on the “State of Pay” in 2021 that provides data on different states and their legislators having second sources of income. With data compiled from personal financial disclosure statement reports from each state, the report shows, for example, that in 2020, seventy-eight percent of Florida’s legislators, eighty-five percent of Georgia’s, and sixty-one percent of New York’s reported having a second source of income from an additional occupation.<sup>15</sup> Legislators in multiple states from both parties are raising concerns that the need for supplemental income can lead to

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<sup>8</sup> State of Vermont, Legislature; salaries and fees; health insurance; legislator compensation and benefits, S.39 (2023).

<sup>9</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>10</sup> James Barron, *The New York Times*, *\$142,000 a Year: State Legislators’ Expected New Salary*, December 22, 2022, <https://www.nytimes.com/2022/12/22/nyregion/142000-a-year-state-legislators-expected-new-salary.html>.

<sup>11</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>12</sup> Statista, “Median Household income in New York in the United States from 1990 to 2022”, Statista, November 3, 2023, <https://www.statista.com/statistics/205974/median-household-income-in-new-york/>.

<sup>13</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>14</sup> Statista, “Median Household income in New Hampshire in the United States from 1990 to 2022,” Statista, November 3, 2023, <https://www.statista.com/statistics/205969/median-household-income-in-new-hampshire/>.

<sup>15</sup> New American Leaders, “State of Pay 2021,” [newamericanleaders.org](https://newamericanleaders.org/wp-content/uploads/2021/11/State-of-Pay-New-American-Leaders.pdf), Accessed December 3, 2023, <https://newamericanleaders.org/wp-content/uploads/2021/11/State-of-Pay-New-American-Leaders.pdf>.

misrepresentation in state legislatures.<sup>16</sup> Through data collected by the authors of *State Legislatures Today* in 2018 on legislators' self-identified occupations, the highest paid legislatures had the highest percentage of legislators that self-identified as full-time legislators and the lowest percentages of legislators who self-identified as retired.<sup>17</sup>

## **New York**

Despite having the highest paid legislators in the country, as stated earlier, New York legislators still fear that legislative salaries will keep some members of the population from being able to serve in the legislature. Carl Heastie, the Democrat Speaker of the New York Assembly in 2016, made the statement, “[l]ow legislative salaries compared to... the private sector tends to discourage members of the middle and working classes, particularly people with families, from seeking public office. The people who can afford to pursue these positions will disproportionately become the retired, [and] the independently wealthy.”<sup>18</sup> The most recent complete data available on state legislature demographics coming from a 2015 NCSL report indicates a demographic breakdown of one percent Greatest Generation, fourteen percent Silent Generation, fifty-two percent Baby Boomer, twenty-seven percent Generation X, and six percent Millennial (birth year data was missing from fifteen percent of legislators that year so percentages were calculated using the remaining legislators).<sup>19</sup>

## **Louisiana**

A Republican representative from Louisiana stated “I have colleagues in the Legislature who are leaving simply because they can no longer afford to serve. Eventually, our Legislature will consist of only the very wealthy or retired people.”<sup>20</sup> According to a 2022 NCSL report, the base yearly salary for legislators in Louisiana is \$16,800 with an additional session per diem rate of \$160 per day that is tied to the federal rate and unvouchered.<sup>21</sup> For reference, the median household income in Louisiana as of 2021 is \$53,571.<sup>22</sup> In terms of demographics, NCSL also reported in 2015 that the breakdown was ten percent Silent Generation, fifty-eight percent Baby Boomer, thirty percent Generation X, three percent Millennial (birth year data was only missing for one percent of legislators).<sup>23</sup>

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<sup>16</sup> Squire; and Mocrief, *State Legislatures Today*, 72.

<sup>17</sup> Squire; and Mocrief, *State Legislatures Today*, 84.

<sup>18</sup> Letter to New York State Commission on Legislative, Judicial, and Executive Compensation from Carl E. Heastie, Speaker, New York Assembly, October 5, 2016.

<sup>19</sup> National Conference of State Legislatures, “State Legislator Demographics,” NCSL, Revised December 1, 2020, <https://www.ncsl.org/about-state-legislatures/state-legislator-demographics>.

<sup>20</sup> Morgan Cullen, “Pay Problem: January 2011,” <https://www.ncsl.org/labor-and-employment/pay-problem-january-2011>.

<sup>21</sup> National Conference for State Legislatures, “2022 Legislator Compensation by State,” NCSL, updated July 12, 2022, <https://www.ncsl.org/about-state-legislatures/2022-legislator-compensation>.

<sup>22</sup> United States Census Bureau, “QuickFacts Louisiana,” census.gov, Accessed December 3, 2023, <https://www.census.gov/quickfacts/fact/table/LA/INC110221>.

<sup>23</sup> National Conference of State Legislatures, “State Legislator Demographics.”

## North Carolina

A Democrat Senator from North Carolina voiced his concern saying, “[w]e want to make sure we get a great diversity of people who serve as legislators... Increasingly, the only people able to serve are those that are retired, those that are wealthy or those who are self-employed.”<sup>24</sup>

According to NCSL, the base salary for legislators is \$16,800 with an additional \$160 per day per diem.<sup>25</sup> The median household income for North Carolina is \$60,516.<sup>26</sup> The demographic breakdown for the legislature in 2015 was sixteen percent Silent Generation, fifty-five percent Baby Boomer, twenty-two percent Generation X, and six percent Millennial (birth year data was only missing for three percent of legislators that year).<sup>27</sup>

### How Pay Effects Quality of Work

Legislative pay can affect the quality and quantity of work significantly. Greater compensation for work allows for legislators to work in their position full time and devote more energy to legislative duties. While many state legislatures provide assistant staff to help schedule meetings and manage workloads, higher legislative pay helps legislators to hire additional assistant staff.<sup>28</sup> Eleven legislatures provide assistant staff or funding for staff to assist legislators, and all potential legislative assistant staff are to be hired at the legislators' expense.<sup>29</sup>

## Vermont

The Vermont General Assembly has an estimated annual salary of \$20,211 calculated from a weekly salary of \$811.68.<sup>30</sup> The Vermont General Assembly met for one hundred and thirty days in 2023,<sup>31</sup> in which twenty percent of bills introduced were passed.<sup>32</sup> The Vermont General Assembly does not employ personal staff to assist legislators.<sup>33</sup>

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<sup>24</sup> Tara Jeffries, “Low Pay Limits Who Serves in General Assembly,” wral.com, May 29, 2014, <https://www.wral.com/story/low-pay-limits-who-serves-in-general-assembly/13681551/>.

<sup>25</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>26</sup> United States Census Bureau, “QuickFacts North Carolina,” census.gov, Accessed December 3, 2023, <https://www.census.gov/quickfacts/fact/table/NC/INC110221>.

<sup>27</sup> National Conference of State Legislatures, “State Legislator Demographics.”

<sup>28</sup> Squire, and Mocrief, *State Legislatures Today*, 62.

<sup>29</sup> National Conference of State Legislatures, “Summary of Personal Staff Survey,” NCSL, updated February 01, 2010, <https://www.ncsl.org/about-state-legislatures/summary-of-personal-staff-survey>.

<sup>30</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>31</sup> National Conference of State Legislatures, “2023 State Legislative Session Calendar,” NCSL, Updated November 14, 2023, <https://www.ncsl.org/about-state-legislatures/2023-state-legislative-session-calendar>.

<sup>32</sup> Vermont General Assembly, “Bills Passed,” Vermont General Assembly, Accessed November 29, 2023, <https://legislature.vermont.gov/bill/passed/2024>.

<sup>33</sup> National Conference of State Legislatures, “Summary of Personal Staff Survey.”

## Michigan

Michigan, a state considered to have a full-time legislature, has an annual salary of \$71,685.<sup>34</sup> The Michigan Legislature met for three hundred and fifty days in 2022.<sup>35</sup> In 2022, twenty-three percent of introduced bills have been adopted.<sup>36</sup> The Michigan Legislature employs two personal staff for each house member, and three personal staff for each senate member. Personal staff are employed year-round to assist legislators with constituent requests.<sup>37</sup>

## California

California, another state considered to have a full-time legislature, has an annual salary of \$122,694.<sup>38</sup> The first year of the 2023-2024 legislative session met for two hundred and eighty-four days.<sup>39</sup> Legislators in California have passed forty-four percent of bills introduced during 2023.<sup>40</sup> The California Assembly employs three personal staff for each senator and provides each legislator with a personal budget to employ staff. Like Michigan, personal staff are employed year-round to assist legislators with constituent requests.<sup>41</sup>

## Conclusion

State legislature salary structures varies greatly between states, with many falling below the median household income for their state. It is difficult for legislators to pass bills pertaining to their pay without potential for public backlash, which risks their chances of reelection. Low legislative pay makes it difficult for legislators to sustain themselves, and many legislators have a second job to meet the basic cost of living. Low legislative pay also affects who can run for and hold office, with a large proportion of retirees holding state legislative positions. Legislative pay also affects the quantity and quality of legislative work, with greater income helping legislators employ personal staff to assist with scheduling and constituent requests.

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This report was completed on December 15, 2023, by Fi Barthel, Eva Sanford, and Petra Waterstreet under the supervision of VLRS Director, Professor Anthony “Jack” Gierzynski in response to a request from Senator Rebecca White.

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Disclaimer: The material contained in the report does not reflect the official policy of the University of Vermont.

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<sup>34</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>35</sup> National Conference of State Legislatures, “2022 State Legislative Session Calendar,” NCSL, Updated December 12, 2022 <https://www.ncsl.org/about-state-legislatures/2022-state-legislative-session-calendar>.

<sup>36</sup> Michigan Legislature, “Michigan Bill Search,” Michigan Legislature, Accessed December 2, 2023, [https://www.legislature.mi.gov/\(S\(ip51w2vp2wfbylrrttjg5rtf\)\)/mileg.aspx?page=home](https://www.legislature.mi.gov/(S(ip51w2vp2wfbylrrttjg5rtf))/mileg.aspx?page=home).

<sup>37</sup> National Conference of State Legislatures, “Summary of Personal Staff Survey.”

<sup>38</sup> National Conference of State Legislatures, “2023 Legislator Compensation.”

<sup>39</sup> National Conference of State Legislatures, “2023 State Legislative Session Calendar,” NCSL, Updated November 14, 2023, <https://www.ncsl.org/about-state-legislatures/2023-state-legislative-session-calendar>.

<sup>40</sup> LegiScan, “CA Legislation | 2023-2024 | Regular Session | Passed,” accessed November 29, 2023, <https://legiscan.com/CA/legislation/2023?page=23&status=passed>.

<sup>41</sup> NCSL, “Summary of Personal Staff Survey.”