

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1143

Short Title: Legislators' Per Diem/Expenses.

(Public)

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Sponsors: Representative Buchanan.

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Referred to: Ways and Means.

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April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MONTHLY EXPENSE ALLOWANCE, PER DIEM RATE, AND MILEAGE REIMBURSEMENT OF MEMBERS OF THE GENERAL ASSEMBLY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-3 reads as rewritten:

**"§ 120-3. Pay of members and officers of the General Assembly.**

(a) The Speaker of the House shall be paid an annual salary of thirty-eight thousand one hundred fifty-one dollars (\$38,151) payable monthly, and an expense allowance of one thousand four hundred thirteen dollars (\$1,413) per month. The President Pro Tempore of the Senate shall be paid an annual salary of thirty-eight thousand one hundred fifty-one dollars (\$38,151) payable monthly, and an expense allowance of one thousand four hundred thirteen dollars (1,413) per month. The Speaker Pro Tempore of the House shall be paid an annual salary of twenty-one thousand seven hundred thirty-nine dollars (\$21,739) payable monthly, and an expense allowance of eight hundred thirty-six dollars (836.00) per month. The Deputy President Pro Tempore of the Senate shall be paid an annual salary of twenty-one thousand seven hundred thirty-nine dollars (\$21,739) payable monthly, and an expense allowance of eight hundred thirty-six dollars (\$836.00) per month. The majority and minority leaders in the House and the majority and minority leaders in the Senate shall be paid an annual salary of

1 seventeen thousand forty-eight dollars (\$17,048) payable monthly, and an expense  
2 allowance of ~~six hundred sixty-six dollars (\$666.00) per month.~~ six hundred ninety-seven  
3 dollars (\$697.00) per month.

4 (b) Every other member of the General Assembly shall receive increases in annual  
5 salary only to the extent of and in the amounts equal to the average increases received by  
6 employees of the State, effective upon convening of the next Regular Session of the  
7 General Assembly after enactment of these increased amounts, except no such increase is  
8 granted upon the convening of the 1997 Regular Session of the General Assembly.  
9 Accordingly, upon convening of the 1997 Regular Session of the General Assembly,  
10 every other member of the General Assembly shall be paid an annual salary of thirteen  
11 thousand nine hundred fifty-one dollars (\$13,951) payable monthly, and an expense  
12 allowance of ~~five hundred fifty-nine dollars (\$559.00)~~ five hundred ninety dollars (\$590.00)  
13 per month.

14 (c) The salary and expense allowances provided in this section are in addition to  
15 any per diem compensation and any subsistence and travel allowance authorized by any  
16 other law with respect to any regular or extra session of the General Assembly, and  
17 service on any State board, agency, commission, standing committee and study  
18 commission."

19 Section 2. G.S. 120-3.1(a) reads as rewritten:

20 "(a) In addition to compensation for their services, members of the General  
21 Assembly shall be paid the following allowances:

22 (1) A weekly travel allowance for each week or fraction thereof that the  
23 General Assembly is in regular or extra session. The amount of the  
24 weekly travel allowance shall be calculated for each member by  
25 multiplying the actual round-trip mileage from that member's home to  
26 the City of Raleigh by the rate per mile which is the business standard  
27 mileage rate set by the Internal Revenue Service in ~~Rev. Proc. 93-51,~~  
28 ~~December 27, 1993.~~ Rev. Proc. 98-63, December 28, 1998.

29 (2) A travel allowance at the rate which is the business standard mileage  
30 rate set by the Internal Revenue Service in ~~Rev. Proc. 93-51, December~~  
31 ~~27, 1993,~~ Rev. Proc. 98-63, December 28, 1998, whenever the member  
32 travels, whether in or out of session, as a representative of the General  
33 Assembly or of its committees or commissions, with the approval of the  
34 Legislative Services Commission.

35 (3) A subsistence allowance for meals and lodging at a daily rate equal to  
36 the maximum per diem rate for federal employees traveling to Raleigh,  
37 North Carolina, as set out at ~~58 Federal Register 67959 (December 22,~~  
38 ~~1993),~~ 64 Federal Register 6550-6565 (February 10, 1999), while the  
39 General Assembly is in session and, except as otherwise provided in this  
40 subdivision, while the General Assembly is not in session when, with  
41 the approval of the Speaker of the House of Representatives in the case  
42 of Representatives or the President Pro Tempore of the Senate in case of  
43 Senators, the member is:

- 1 a. Traveling as a representative of the General Assembly or of its  
2 committees or commissions, or  
3 b. Otherwise in the service of the State.

4 A member who is authorized to travel, whether in or out of session,  
5 within the United States outside North Carolina, may elect to receive, in  
6 lieu of the amount provided in the preceding paragraph, a subsistence  
7 allowance of ~~twenty-six dollars (\$26.00)~~ thirty-eight dollars (\$38.00) a  
8 day for meals, plus actual expenses for lodging when evidenced by a  
9 receipt satisfactory to the Legislative Services Officer, the latter not to  
10 exceed the maximum per diem rate for federal employees traveling to  
11 the same place, as set out at ~~58 Federal Register 67950-67964 (December~~  
12 ~~22, 1993)~~ and at ~~59 Federal Register 23702-23709 (May 6, 1994)~~. 64 Federal  
13 Register 6550-6565 (February 10, 1999).

- 14 (4) A member may be reimbursed for registration fees as permitted by the  
15 Legislative Services Commission."

16 Section 3. This act becomes effective upon the convening of the 2001 General  
17 Assembly.