



WYOMING LEGISLATIVE SERVICE OFFICE

SHORT REPORT

**LEGISLATURE COMPARISON PROJECT:
MEETINGS, COMPENSATION, AND STAFFING**

December 2019

Wyoming Legislative Service Office
Research and Program Evaluation Division

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EXECUTIVE SUMMARY:

The National Conference of State Legislatures (NCSL) classifies the Wyoming Legislature as a “Part-time, low-pay, small staff” Legislature, along with the surrounding states of Montana, North Dakota, and South Dakota. Of the five classifications of state legislatures developed by NCSL, this classification would indicate that the Wyoming Legislature works fewer days and less hours than legislatures in almost every other state. However, with respect to the amount of time spent on legislative business, the NCSL classifications can be deceiving. When compared to the surrounding states, only a few of those states top Wyoming in terms of the total number of legislative days and hours spent conducting legislative business on a biennial basis.

Even though Wyoming has the shortest legislative session compared with ten other states in the region, Wyoming had the fourth highest number of combined session and interim meeting days during the 2017-2018 biennium. This is in large part due to the robust interim process in the State, which resulted in the Wyoming Legislature having the third highest number of hours worked of the eleven states in the comparison. Interestingly, Wyoming was one of only three states of the eleven studied who frequently held multi-day interim meetings.

Wyoming legislators receive one of the lowest biennial salaries in this comparison group. Five states, including Wyoming, fell within the \$20,000 – \$25,000 salary range. While Wyoming was at the low end of that bracket, Montana and New Mexico had significantly lower biennial salaries. Both of those states, however, offer legislators some benefits in the form of health insurance and retirement.

Wyoming has the second lowest staffing level of the comparator states. With forty-three staff members as of December 2019, Wyoming has approximately 2.1 legislators per staff member; only North Dakota has a lower legislator-to-staff ratio. The highest staff ratio is in Nebraska, with 249 staff for 49 legislators, a ratio of approximately 0.2 legislators per staff member.

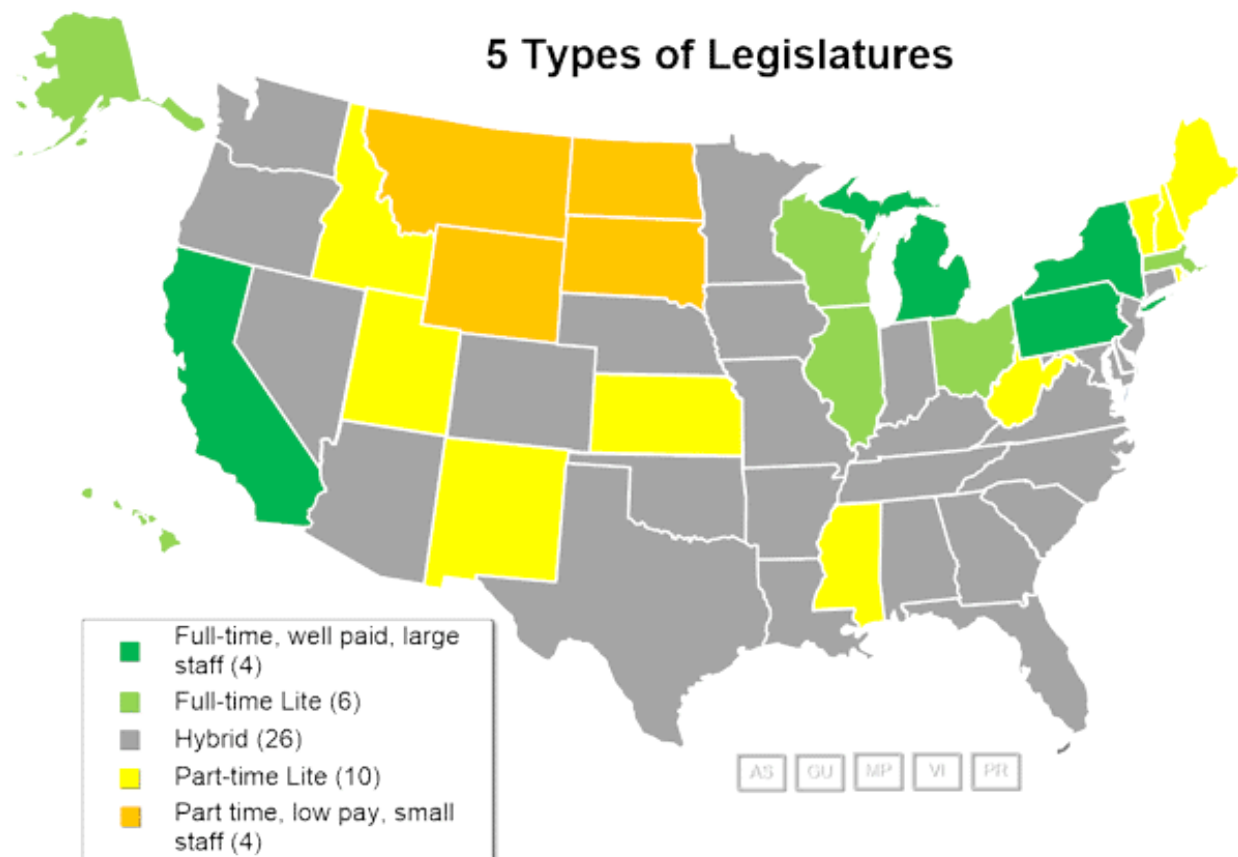
Wyoming legislators are also working considerably more days than they were ten or twenty years ago. An analysis of LSO records from 1996 to 2018 shows an increase of 92 interim meeting days per year over the last twenty years, with an increase of 63 interim days worked by Wyoming legislators per year in the last ten years. While staffing numbers for the Wyoming Legislature have increased during this timeframe, those increases have not kept pace with the increase in formal time spent on legislative activities by Wyoming legislators.

Of all the states studied as part of this project, New Mexico is the state most like Wyoming in terms of the amount of time spent conducting legislative business, both during the legislative session and interim, the number of meetings conducted away from the capital city, and the average length of its interim meetings. New Mexico is also considered a low-pay legislature as its constitution prohibits the payment of a salary to legislators. Staffing levels are the only area where New Mexico extensively differs with Wyoming; New Mexico employs one hundred and sixty-eight staff members and Wyoming currently employs forty-three.

BACKGROUND:

In 2014, the National Conference of State Legislatures (NCSL) conducted a survey of each state legislature and legislators to gather information on the time spent by legislators on legislative business, legislator pay, and legislature staff sizes. Based on the results of the survey, NCSL classified each state legislature as falling into one of the following groups: a full-time, well paid, large staff legislature (Dark Green); a full-time light legislature (Light Green); a hybrid legislature (Grey); a part-time light legislatures (Yellow); or a part-time, low pay, small staff legislature (Gold). NCSL considers a full-time legislature to require the most time from their legislators at approximately eighty percent of a full-time job, hybrid legislatures require approximately two-thirds of a full-time job and part-time legislatures typically require legislators to spend half of a full-time job doing legislative work.¹

Figure A: NCSL Legislature Classifications



Source: NCSL available at: <http://www.ncsl.org/research/about-state-legislatures/full-and-part-time-legislatures.aspx>

¹ <http://www.ncsl.org/research/about-state-legislatures/full-and-part-time-legislatures.aspx>

For this project, Wyoming Legislative Service Office (LSO) Research staff compared Wyoming to ten other western states that fall within either the Gold, Yellow, or Grey classifications of the 2014 NCSL study to determine whether the classifications accurately portray each legislature. The comparator states in this study consist of the following: Colorado and Nebraska which are considered “Grey” hybrid legislatures; Kansas, New Mexico, Utah, and Idaho which are considered “Yellow” part-time light legislatures; and Wyoming, Montana, North Dakota, and South Dakota which are considered the last of the truly “Gold” part-time legislatures.

Gathering data from each legislature’s website, LSO staff compared these states to Wyoming based upon the following:

- Average biennial salary
- Per diem, mileage, and salary rates
- Session lengths and interim meeting days, hours, and locations
- Committee meeting length averages and average legislator committee assignments
- Legislative staff sizes and committee work
- Legislator benefits packages, including life, health, vision and dental insurance as well as retirement participation.

The analysis did not consider such items as individual legislator workload, legislator preparatory days and constituent services days in terms of the amount of time spent on legislative activities or salary. The focus of the study was on comparing legislatures as an entity, with a breakdown of individual components of the legislature.

LEGISLATIVE MEETINGS:

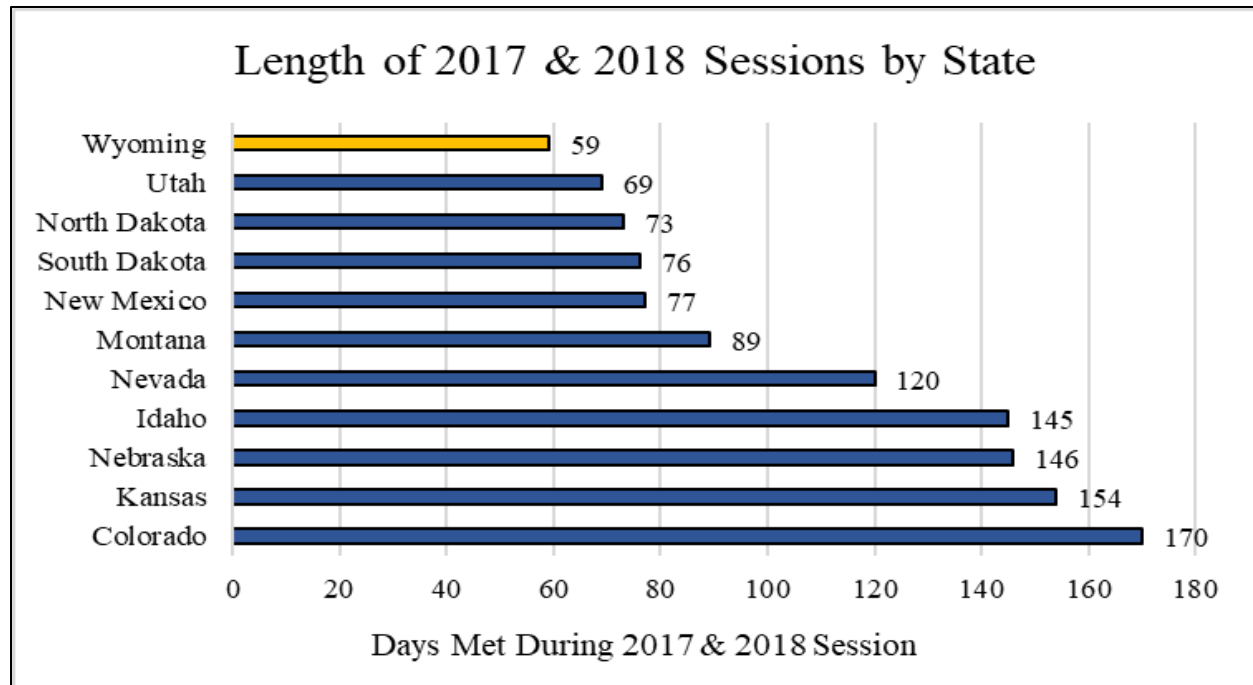
The ten comparator states vary in the length of their respective legislative sessions and the frequency and duration of interim activities. While some states such as Colorado, Nebraska, and Kansas have longer legislative sessions, their interim meeting schedules are shorter. To effectively evaluate whether the comparator state legislatures are part-time, part-time light, or a hybrid, LSO Research staff calculated both the length of each session during the 2017-2018 biennium, as well as the number of legislative interim meeting days during the biennium. This analysis was based upon the work of the legislature as a whole and not the work of individual legislators. Ultimately, while Wyoming has the shortest legislative session among the comparator states, it actually surpasses most of the comparator state legislatures in terms of the number of legislative days and hours.²

² “Legislative days” refers to days where the legislature conducted some type of business, or a day where a legislator received a salary for conducting legislative business. The use of this term is not meant to imply that all legislative days include an equal amount of legislative business. Certainly, one day of a select committee of ten members of the Wyoming or New Mexico legislatures meeting does not equate to the same amount of legislative work, logistical requirements or staffing levels of a day of legislative session in Colorado or Kansas. The comparison is meant to show the amount of legislative work which happens outside the session in the intermountain states.

LENGTH OF LEGISLATIVE SESSIONS

During the 2017-2018 biennium, Colorado had the longest session at 170 days per the biennium. Followed closely by Kansas, Nebraska, and Idaho. The Nevada legislature, which only meets once per biennium, had a session length of 120 days. The remaining states all met for less than one-hundred days, with Montana and North Dakota also only meeting once per biennium. **Figure B** below shows the total length of each session for the 2017-2018 biennium.

Figure B: Length of 2017 & 2018 Sessions by State



INTERIM COMMITTEE MEETINGS³

The length of a legislature's session only tells a part of the story for many western states. Of the ten comparator states, seven had a robust interim committee schedule with over half of the legislative days occurring during the interim.⁴ In Wyoming, less than twenty percent of its legislative days occur during the legislative session. In fact, only legislators in New Mexico spent more hours working during the interim than Wyoming legislators.

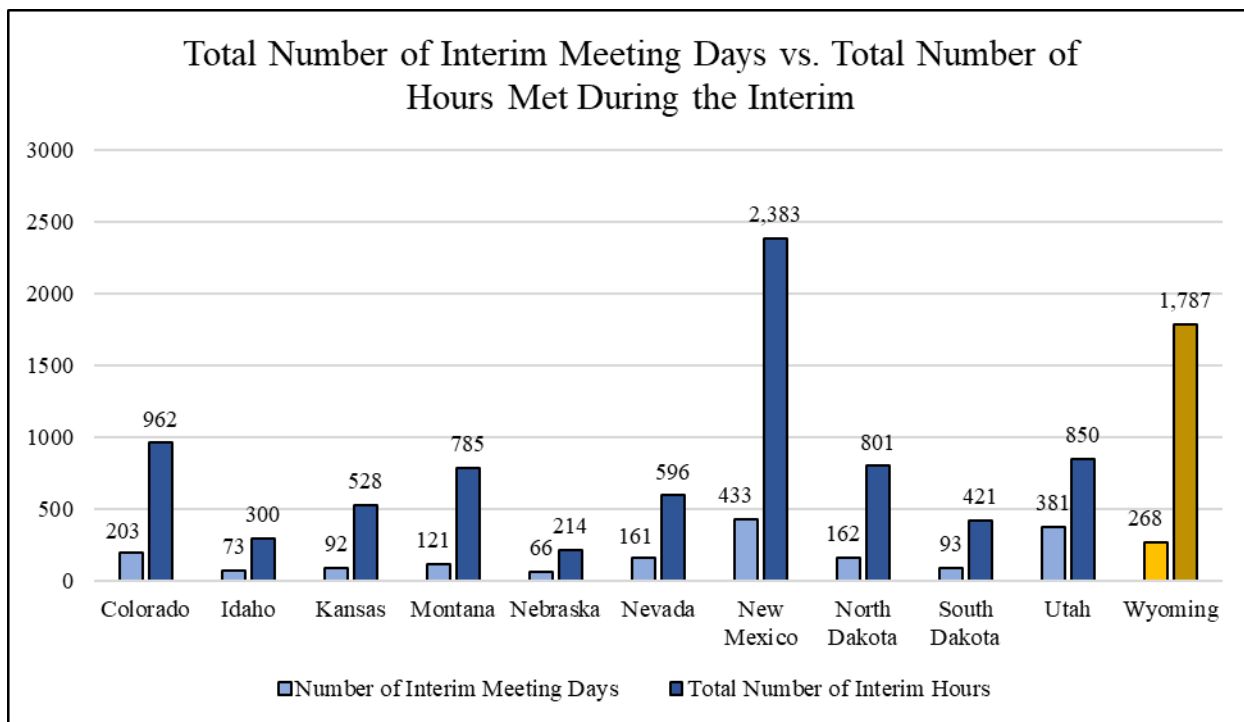
To compare the number of interim meetings held in Wyoming to the other comparator states, LSO Research staff went through available online meeting agendas, meeting minutes, and audio files to determine the number of meetings scheduled during the interim across each comparator state, the

³ For purposes of this report, the term "committee meeting" refers to any meeting of a standing committee, joint committee, task force, management committee, select committee, or other type of committee that met during the interim. This report does not analyze any committee meetings that took place during a legislative session.

⁴ The count of legislative days during the interim includes duplicative days where multiple committees may have met on the same day.

actual number of days met, and the number of hours met per day in order to capture legislative work during the interim. See **Figure C** below for the total number of interim meeting days compared to the total number of interim meeting hours during the 2017-2018 biennium. It is important to note that in some states, including Colorado, Nevada, North Dakota, Utah, and Wyoming, legislative budget hearings are part of the interim process. Some states also appear to work and sponsors bills during the interim, whereas others do it much less frequently.⁵ Wyoming’s interim committees sponsored approximately 156 bills during the 2017-2018 biennium, second only to Utah with 200 bills.

Figure C: Total Number of Interim Committee Days and Hours Met

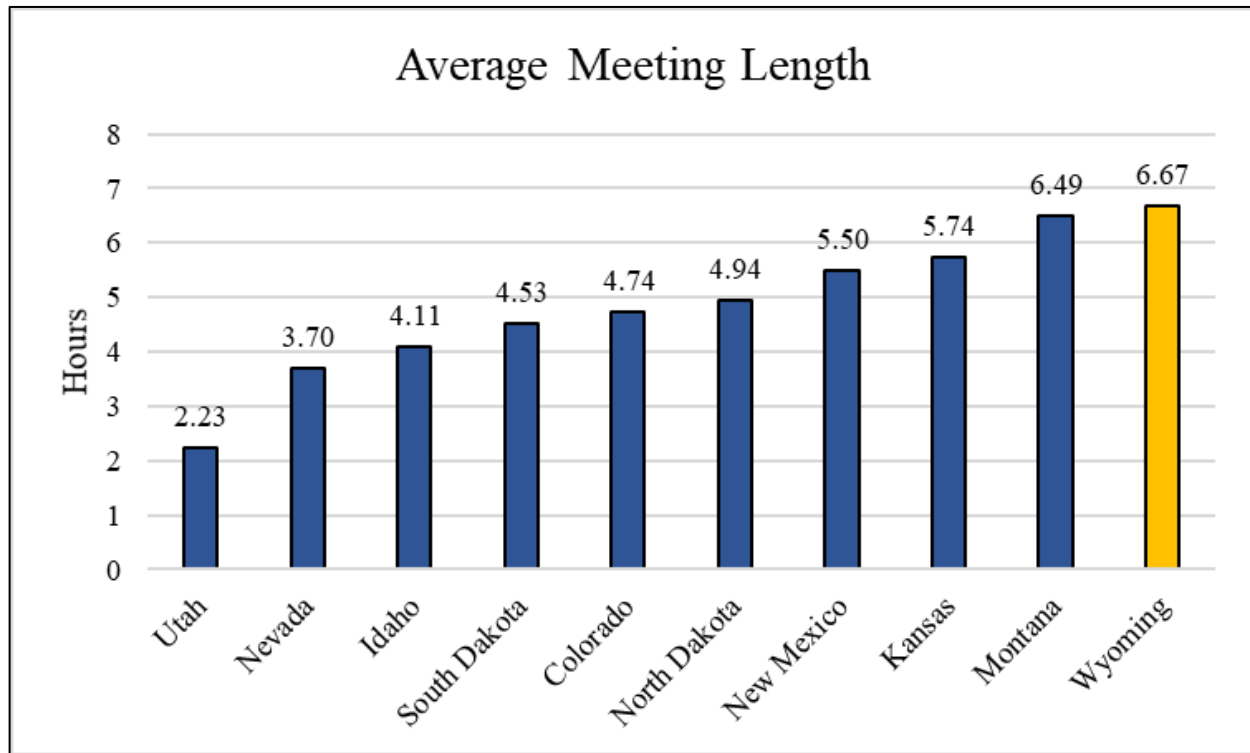


While Wyoming ranked third highest in number of legislative interim meeting days, the State ranked second in total number of hours met during 2017-2018 biennium interim meetings, following New Mexico.

⁵ See **Table A-5** in **Appendix A** for information on all comparator states’ interim committee bill sponsorship.

The average number of hours per meeting day is illustrated in **Figure D** below.⁶

Figure D: Average Interim Meeting Length By Hours, By State⁷



The average interim meeting length during the 2017-2018 biennium ranged from approximately two hours and fifteen minutes in Utah to approximately six hours and forty minutes in Wyoming.⁸ However, **Figure D.1** on the following page shows standard deviations⁹ from each state's calculated average. A larger standard deviation value indicates a larger dispersion about the average while a smaller standard deviation value indicates a smaller dispersion about the average.

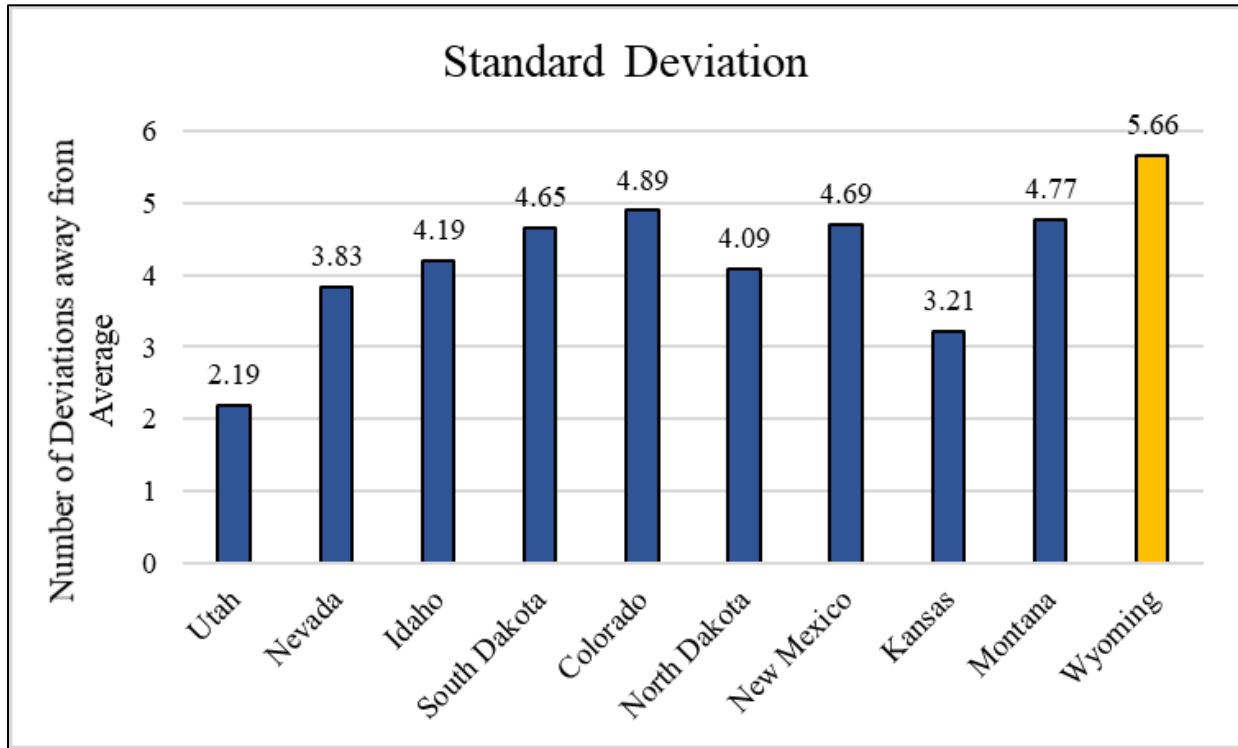
⁶ Average meeting length was calculated by dividing the total number of hours by the total number of meeting days in the biennium.

⁷ Nebraska's interim meeting information is omitted from this comparison due to lack of information.

⁸ See table X1 in the Appendix for complete information on mean, median, mode, and range of meeting lengths for each state.

⁹ Calculated at the 95% confidence level.

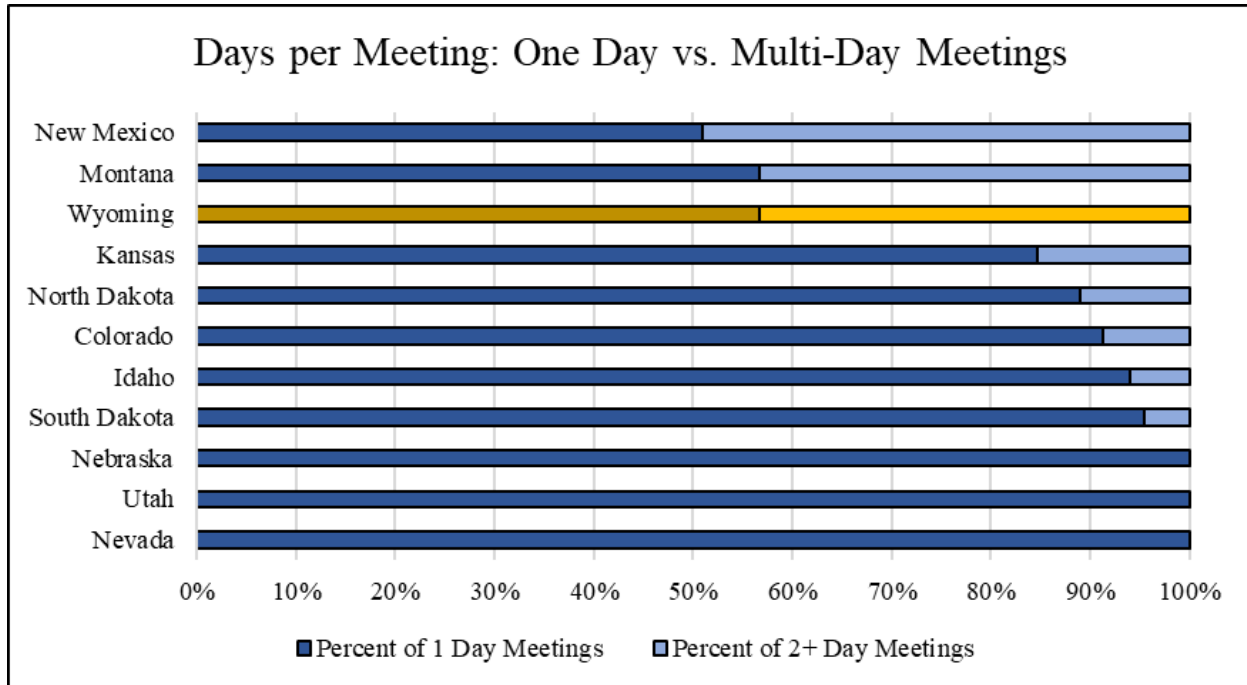
Figure D.1: Standard Deviation of Average Interim Meeting Length



Utah had the lowest variability in meeting hour length while Wyoming had the greatest variability in meeting hour length. However, while Wyoming had the highest average meeting length, Wyoming also had the largest dispersion about the average, indicating the average meeting length of 6.67 hours could either increase or decrease by 5.66 hours. The higher standard deviations calculated in Wyoming, South Dakota, New Mexico, Montana, and Colorado likely result from more variation in meeting lengths than in states such as Utah.

Interestingly, the states where the average interim committee length was longer frequently held multi-day meetings. **Figure E** shows the total number of one-day meetings compared to the number of multi-day meetings. Generally, Wyoming, Montana, and New Mexico hold the most multi-day meetings, with approximately fifty-percent of New Mexico’s interim meetings and forty-three percent of Wyoming’s interim committee meetings lasting more than one day. Some states, such as Nebraska, Utah, and Nevada only hold one day meetings during the interim.

Figure E: Percent of One-Day and Multi-Day Interim Meetings by State.



The states who hold more multi-day interim meetings also appear to meet less frequently in the capital city.¹⁰ In Wyoming, only thirty-two percent of interim committee meetings were held in Cheyenne during the biennium. In New Mexico, approximately thirty-one percent of interim committee meetings were held in Santa Fe. Utah, however, holds approximately ninety-five percent of its interim meetings in Salt Lake City.

¹⁰ At least in Wyoming, meetings outside of the capital city require substantial additional time commitments from staff in travel and setup than meetings in the capitol city. See **Table A-4** in **Appendix A** for information on all comparator states’ percentage of meetings in state capitals.

Table 01 shows the total number of interim committees for the biennium, the average number of legislators per interim committee,¹¹ and the average number of interim committees per legislator.¹² Wyoming had a total of twenty-three committees that met during the 2017-2018 interims, with an average of approximately eight legislators per committee, and an average of approximately six committees per legislator. These numbers largely depend upon the number of legislators in each state and the number and size of committees.

Table 01: Legislative Interim Committee Work by State.¹³

Comparator State	Total Number of Committees	Average Number of Legislators per Committee	Average Number of Committees per Legislator ¹⁴
<i>Colorado</i>	23	8.29	1.74
<i>Idaho</i>	16	11.38	2.60
<i>Kansas</i>	21	8.33	1.06
<i>Montana</i>	11	9.36	0.69
<i>Nevada</i>	44	12.13	3.30
<i>New Mexico</i>	27	14.11	4.94
<i>North Dakota</i>	16	11.50	2.70
<i>South Dakota</i>	50	11.58	2.64
<i>Utah</i>	29	9.55	10.48
<i>Wyoming</i>	23	8.29	5.81

¹¹ Average of each committee's recorded number of legislators by state.

¹² Average of each legislator's recorded number of committees by state.

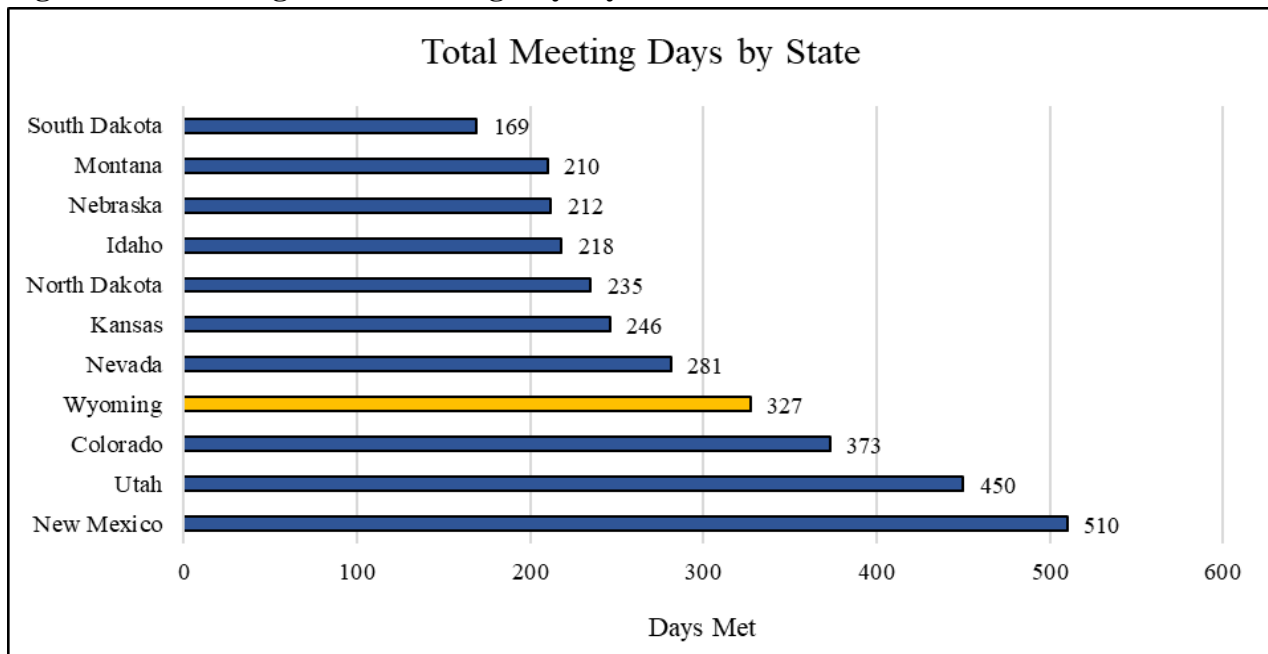
¹³ Nebraska's interim committee information is omitted from this comparison due to lack of information.

¹⁴ An average of those legislative members who serve on committees. The average does not factor legislative members who do not serve on any committees.

TOTAL BIENNIAL LEGISLATIVE DAYS

Figure F and **Figure G** depict the total number of legislative days met and hours worked by a legislature during the 2017-2018 biennium. In total, Wyoming met for 59 days during the legislative session and 268 days during the interim for a total of 327 days during the 2017-2018 biennium. In terms of the number of days worked by a legislature, Wyoming ranks as the fourth longest biennium, preceded by New Mexico (510 days), Utah (450 days), and Colorado (373 days). However, considering Wyoming’s long average meeting length, in comparing hourly totals worked by a state legislature during both the session and the interim, Wyoming ranks third.¹⁵

Figure 05: Total Legislative Meeting Days by State¹⁶



¹⁵ The number presented for hours worked in this report is not weighted to account for multiple committees meeting on the same day during session.

¹⁶ See **Table A-1** in **Appendix A** for table format.

Figure G: Total Legislative Meeting Hours by State¹⁷

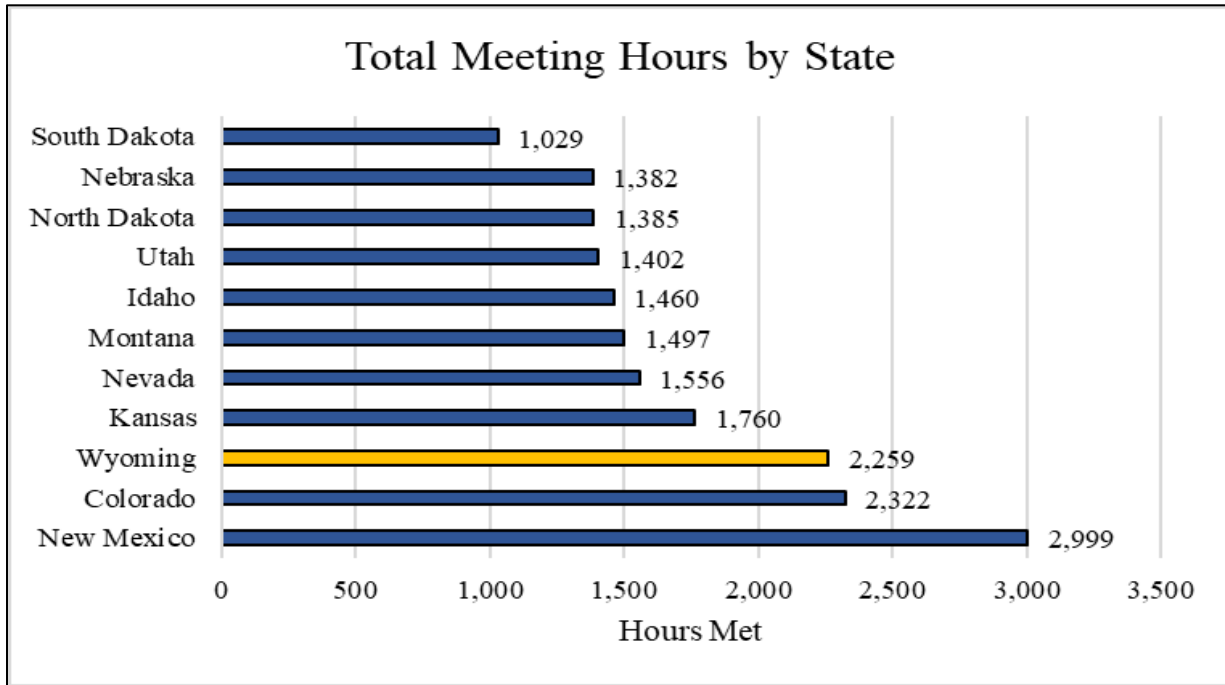
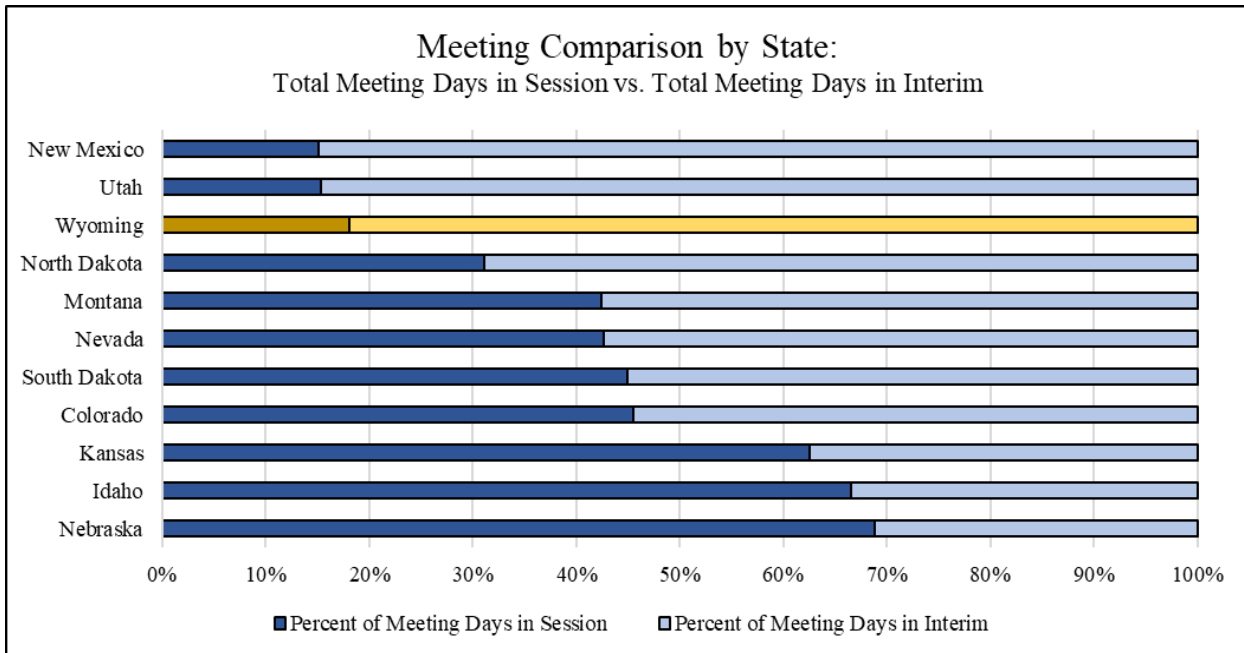


Figure H below depicts a comparison of days met during session and days met during the interim for each state.

Figure H: Meeting Comparison by State



¹⁷ See **Table A-2** in **Appendix A** for table format

Although Wyoming and Colorado met for a comparable number of days in total, eighteen percent of total legislative days met in Wyoming occurred during session while forty-six percent of total legislative days met in Colorado occurred during session. States with more than two-thirds of meeting days held during the interim include New Mexico, Utah, Wyoming, and North Dakota. States with approximately fifty to sixty percent of meeting days held during the interim include Montana, Nevada, South Dakota, and Colorado. States with approximately one-third of meeting days held during the interim include Kansas, Idaho, and Nebraska.

LEGISLATIVE COMPENSATION:

The following section outlines both Wyoming historical salary figures and how the Wyoming Legislature compares to other comparator states in terms of a biennial salary,¹⁸ per diem rates, and benefits offered to legislators. In terms of a total biennial salary, Wyoming legislators have the second lowest biennial salary among the comparator states. Wyoming is also one of the few states nationally where legislators do not receive benefits. While per diem rates are provided, an analysis of the information was not performed due to various cost of living standards calculations and difficulty in determining travel times for legislative meetings.

HISTORICAL WYOMING LEGISLATIVE SALARY

Since 1995, the Wyoming legislature has increased their salary once and their per diem rate twice. The first pay increase was in January of 2005, raising the per diem rate from \$80.00 to \$85.00 a day, and the salary rate from \$125.00 per day to \$150.00 per day.¹⁹ The second per diem increase was in April of 2008, and increased the rate from \$85.00 to \$109.00 a day.²⁰ For further information regarding past bills to increase legislator compensation, please see **Table B-2** in **Appendix B**.

Figure I on the following page illustrates the changes in the total amount paid to Wyoming legislators during the interim each year, from 1999 to 2018.²¹ Since 1999, the overall amount paid to legislators during the interim has increased by \$469,948. Increases seen in the years 2005, 2008, and 2009 may not be entirely attributed to changes in legislative workload due to salary and per diem rate changes in those years.²² However, after 2009, increases in the amount paid to legislators directly corresponds to increases in workload and travel.

¹⁸ Biennial salary was estimated through calculation for each state. This includes only the salary amount paid to legislators, and does not include per diem, travel, prep-salary, or leadership pay. Biennial Salary Formula can be found in Footnote 25 on Page 17.

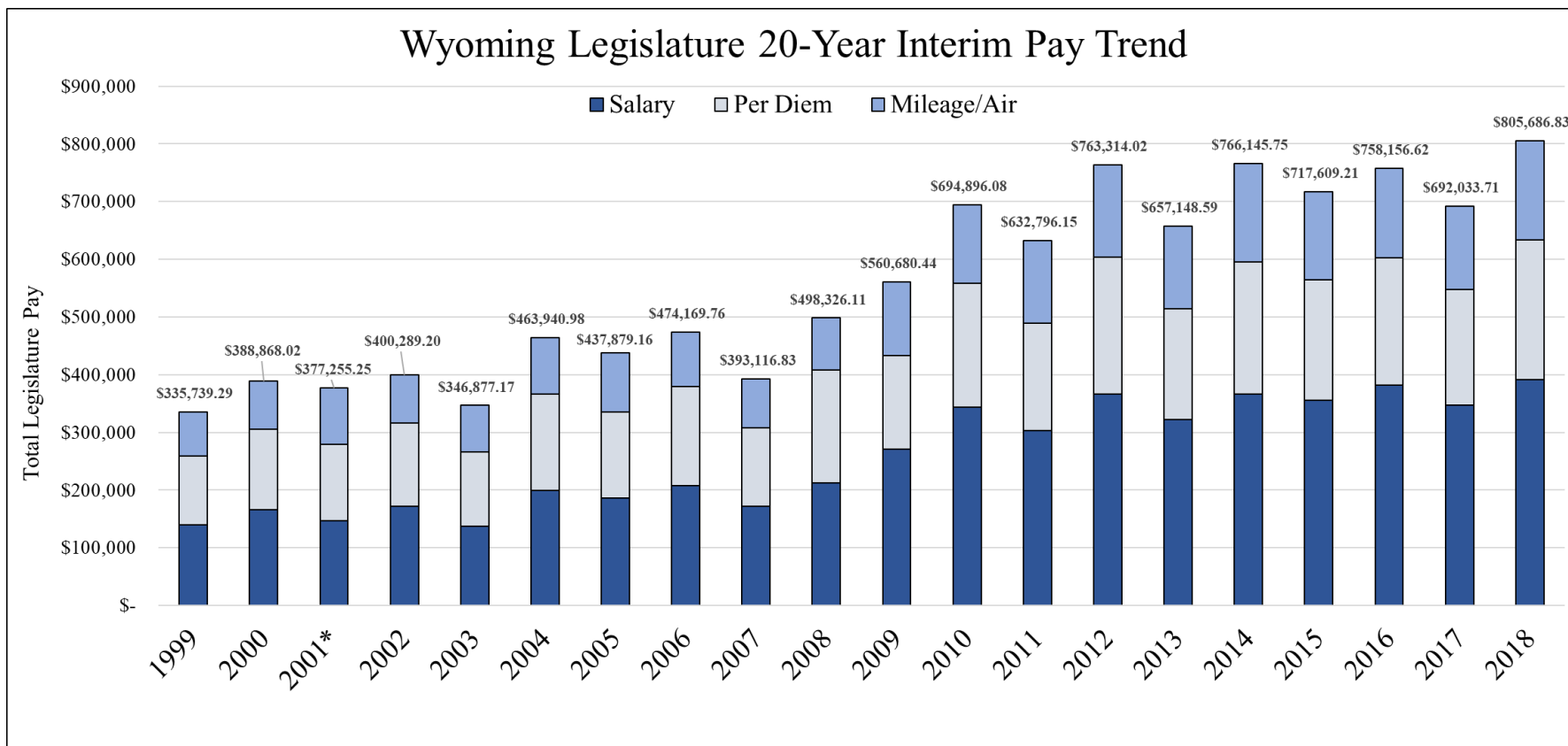
¹⁹ 2005HB0281

²⁰ 2008HB0075

²¹ 20-year pay trend does not include leadership pay

²² Prep and travel salary are included in totals from 2009-2018

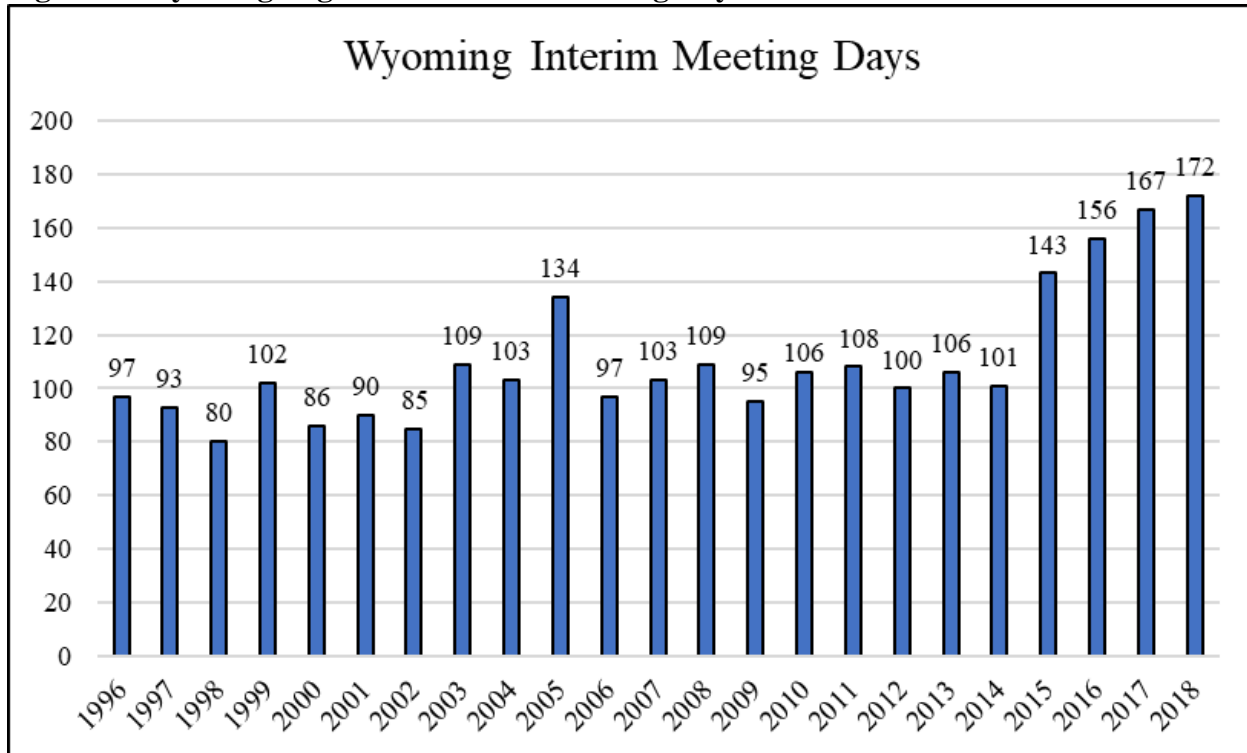
Figure I: Wyoming Legislature 20-Year Pay Trend²³



²³ See Table B-1 in Appendix B for Wyoming 20-year pay trend data

Figure J, below, shows the total number of interim meeting days in Wyoming for the past twenty-two years. By comparing this to **Figure I** above, we can begin to examine the relationship between days met and amount paid to the legislature. For instance, despite seeing a drastic forty-two day increase in the number of interim meeting days from 2014 to 2015, the amount paid to the legislature dropped by \$48,537 in the same timeframe.²⁴ However, overall legislative pay has increased by approximately nineteen percent between the 2009-2010 biennium and the 2017-2018 biennium, whereas interim meetings days have increased by approximately sixty-nine percent.

Figure J: Wyoming Legislature Interim Meeting Days: 22-Year Trend



COMPARATOR STATES 2017-2018 SALARY AND PER DIEM RATES

Table 02, on the following page, depicts the 2017-2018 salary and per diem rates for the ten comparator states. Of the ten states, four pay an annual salary, five pay a daily salary, and in New Mexico, legislators are constitutionally prohibited from receiving a salary. They do, however, receive a per diem rate that is higher than eight of the other comparator states. During the 2017-2018 biennium, Colorado legislators had the highest salary rate at \$30,000 annually, while Kansas legislators had the lowest daily salary rate at \$88.66 per day.

²⁴ This increase in the number of days met with a corresponding slight decrease in salary paid would require further examination. It may be due to the creation of subcommittees and task forces which increase legislative meeting days for a few legislators who may have appeared by phone a large percentage of the time, or who may have waived salary.

Table 02: Comparator State Salary and Per Diem Rates for 2017-2018

State	Salary	Per Diem Rate ²⁵
<i>Colorado</i>	\$30,000 annually; \$40,242 for members whose terms commence in January 2019	Up to \$171 per day for members who live more than 50 miles from the capitol; \$45 per day for members who live 50 or fewer miles from the capitol.
<i>Idaho</i>	\$17,879 annually	\$139 per day for members whose primary residence is over 50 miles from the statehouse; \$55 per day for members whose primary residence is less than 50 miles from the statehouse.
<i>Kansas</i>	\$88.66 per calendar day	\$109 per day with an additional allowance for mileage for travel.
<i>Montana</i>	\$92.46 per legislative day	\$120.11 per day.
<i>Nebraska</i>	\$12,000 annually	\$149 per day for members residing 50 miles or more from the capitol; \$55 per day for members residing within 50 miles.
<i>Nevada</i>	\$150.71 per calendar day; \$159.89 per day for members whose terms commence in January 2019	\$149.00 per day.
<i>New Mexico</i>	Article 4, Section 10 of the New Mexico Constitution prohibits the payment of a salary.	\$161 per day (Jan. 15-Feb. 28). \$184 per day (Mar. 1-Mar. 16).
<i>North Dakota</i>	\$177 per calendar day \$495 per month	\$177 per day.
<i>South Dakota</i>	\$11,379 annually	\$149 per day.
<i>Utah</i>	\$285 per calendar day	Up to \$100 plus tax per day for members that live more than 100 miles round trip from the capitol.
<i>Wyoming</i>	\$150 per calendar day	\$109 per day.

Source: LSO Research staff summary of information provided by NCSL and individual state statutes.

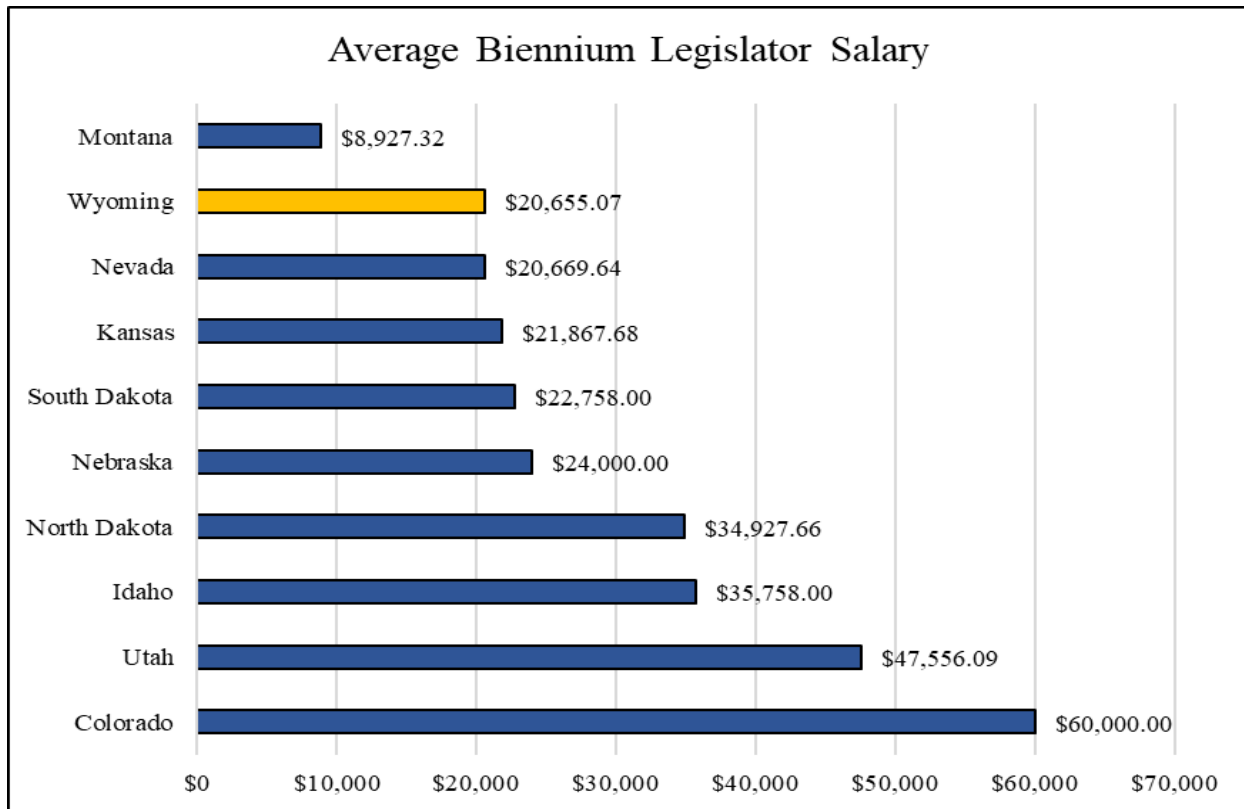
Variations in comparator state salaries include some states, such as Kansas, Nevada, North Dakota, Utah and Wyoming, paying its daily salary rate based upon calendar days, which refers to every day during the legislative session, including weekends. Only Montana, which has the second lowest daily salary rate, pays its daily salary rate based upon legislative days, which refers only to those days during a legislative session when the legislature convenes on the floor. North Dakota is the only state legislature that pays itself a hybrid salary which includes both a monthly and a daily salary rate.

²⁵ In this report, per diem refers to the allowance provided to legislators for lodging, meals and other living expenses.

TOTAL BIENNIAL SALARY CALCULATIONS²⁶

To overcome the wide variation in legislative salary rates from state to state, LSO Research staff employed a formula to determine the approximate average legislator salary by state.²⁷ To encompass states that meet biennially, as well as the fluctuations between regular and budget sessions, average legislator salary was calculated for a two-year period. **Figure K** outlines the estimates calculated for each state. Wyoming legislators receive an average biennial salary of \$20,655, out-earning only Montana legislators who, on average, earn \$8,927 in a biennium. Colorado legislators receive the highest average biennial salary, at \$60,000. While Kansas legislators receive one of the lowest daily salary rates, they are paid on a calendar basis for a legislative session that comes in second in terms of its length, thereby evening out their legislators’ annual biennial salary with states who may have a higher daily rate but shorter legislative session. New Mexico is a national anomaly in that their constitution prohibits paying legislators a salary.

Figure K: Average Biennial Legislator Salary²⁸



²⁶ Biennial salary calculations do not include any per diem, mileage, or other compensation apart from salary.

²⁷ ((Average Meetings per Committee)*(Average Committee Assignments per Legislator)*(Daily Salary Rate)) + ((Paid Session Days)*(Daily Salary Rate)). For states paid a daily salary day based upon a calendar day, weekends were included in the paid session days salary calculation. For North Dakota, the additional monthly salary amount was multiplied by twenty-four and added.

²⁸ New Mexico was omitted from this measure as they do not receive salary.

LEGISLATOR BENEFITS:

Generally, in comparator states, legislators are offered health, dental, vision, and life insurance benefits that are the same as state employees.²⁹ States typically either pay the full amount for coverage or a portion of the premium based on the plan the legislator selects. Nebraska and New Mexico offer optional insurance benefits at the legislator's expense. South Dakota and Wyoming are the only two comparator states that do not offer legislators health insurance benefits.

Seven of the comparator states offer legislators either optional or mandatory participation in state retirement benefits. Nevada has mandatory participation in the retirement system with a caveat that a legislator can opt out within thirty days after first being elected to office. Nebraska, North Dakota, and South Dakota currently do not offer retirement benefits to legislators. As of 2016, Wyoming legislators are eligible to participate in the State's 457 Deferred Compensation plan.

WYOMING LOCAL GOVERNMENT BENEFITS

Wyoming Statute 9-3-201(a) specifies that the State of Wyoming, political subdivisions, and school districts are eligible for insurance for life, health, accident or hospitalization for employees. Elected officials, except for members of the legislature, are also eligible for these benefits through the state employees' and officials' group insurance plan. The statute also specifies that the state and political subdivisions are authorized to use a self-insurance program that is properly funded and includes benefits required by Wyoming insurance law.

In accordance with a recent Attorney General opinion, Employees' Group Insurance notes that local elected officials, K-12 districts, cities, towns, and counties are eligible for health insurance if the employee works at least 20 hours a week. Currently, Natrona County School District is the only entity participating in the employee group insurance plan. However, the City of Casper will be joining the plan in January 2020.

Wyoming Statutes allow elected members of a county, municipal or school district commission, council, or board to participate in the public employees' pension plan. Information provided by the Wyoming Retirement System (WRS) states that elected officials may elect in writing at the beginning of their term in office not to participate in the pension plan for purposes of their position only if they are otherwise employed by an entity participating in the retirement system at the time they take office. If they are not employed by an entity participating in the retirement system, they must participate in the retirement system and cannot opt out.³⁰ In 2018, there were a variety of

²⁹ NCSL 2019 Survey, available at:

http://www.ncsl.org/Portals/1/Documents/About_State_Legislatures/Legislator%20Comp2019%20-%20Insurance%20Benefits%20Final.pdf

³⁰ See the flow chart provided by WRS, **Figure C-1 in Appendix C**

entities participating in the public employees' pension plan, including: 82 cities and towns; and 22 counties (Niobrara not participating).³¹

The 457 Deferred Compensation plan allows elected officials including any elected official employed by the state of Wyoming, a town, city, county or political subdivision to participate in the plan.³² In 2018, participants in the 457 Deferred Compensation plan included: 23 counties with 1229 active participants; and 61 towns with 844 active participants.

PRIOR BILLS TO AMEND WYOMING LEGISLATOR BENEFITS

In 2009, legislation was introduced to allow legislators to enroll in the state employees and officials group insurance which did not pass.³³ Additionally, in 2016 legislation was enacted which specified that legislators may not participate in the state employees and officials group insurance plan and limited their participation in Wyoming's 457 Deferred Compensation plan.

³¹ WRS Comprehensive Annual Financial Report, available at: <https://retirement.wyo.gov/-/media/Documents/Financial/WRS-CAFR-2018.ashx>

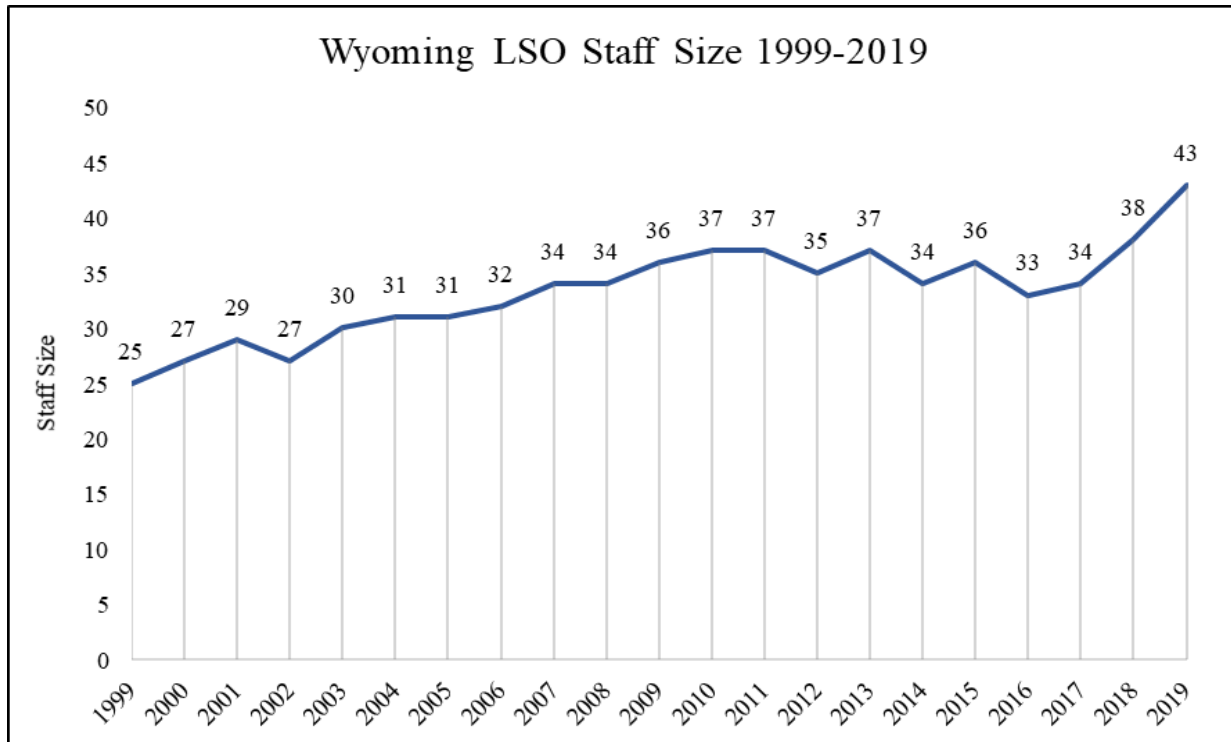
³² Wyo. Stat. Ann. §9-3-501(a)(iii) (2019)

³³ 2009HB0040

LEGISLATIVE STAFFING:³⁴

Over the last twenty years, Wyoming's staff numbers have increased from twenty-five staff members in 1999 to forty-three staff members as of December 1, 2019.³⁵ **Figure L** depicts the annual LSO staff size³⁶ and staffing trend over the last twenty years.

Figure L: LSO Staff Size Trend



Source: LSO Annual Reports.

Table 03 on the following page shows comparator state totals for number of legislators and staff in 2015, as well as the ratio of staff members per legislator. Although Wyoming's legislative staff size has increased over the last twenty years, in 2015, Wyoming had the lowest number of legislative staff. While since then, Wyoming may have exceeded North Dakota's numbers, it has not exceeded South Dakota's 2015 numbers; meaning the state likely currently has the second lowest legislative staff numbers.

³⁴ This report examines permanent full-time staff only. No distinction was made between partisan and non-partisan staff, the rationale being that any staff member working for the legislature is providing a service to legislators regardless of whether they are of a partisan or non-partisan nature. Session-only staff are also not included as they are considered part-time.

³⁵ Staff numbers for 1999 through 2018 represent end-of-year totals and could vary depending on periods of turnover throughout the year.

³⁶ Staff size as of December of each year.

Table 03: Comparator States Legislator and Staff Numbers from 2015 ³⁷

Comparator States	Number of Legislators	Number of Staff	Ratio of Staff per Legislator
<i>Colorado</i>	100	228	2.28
<i>Idaho</i>	105	68	0.72
<i>Kansas</i>	165	148	0.90
<i>Montana</i>	150	136	0.91
<i>Nebraska</i>	49	229	4.67
<i>Nevada</i>	63	284	4.51
<i>New Mexico</i>	112	168	1.50
<i>North Dakota</i>	141	37	0.26
<i>South Dakota</i>	105	58	0.55
<i>Utah</i>	104	133	1.28
<i>Wyoming</i>	90	36	0.40

Source: LSO Research staff analysis of data obtained from NCSL.

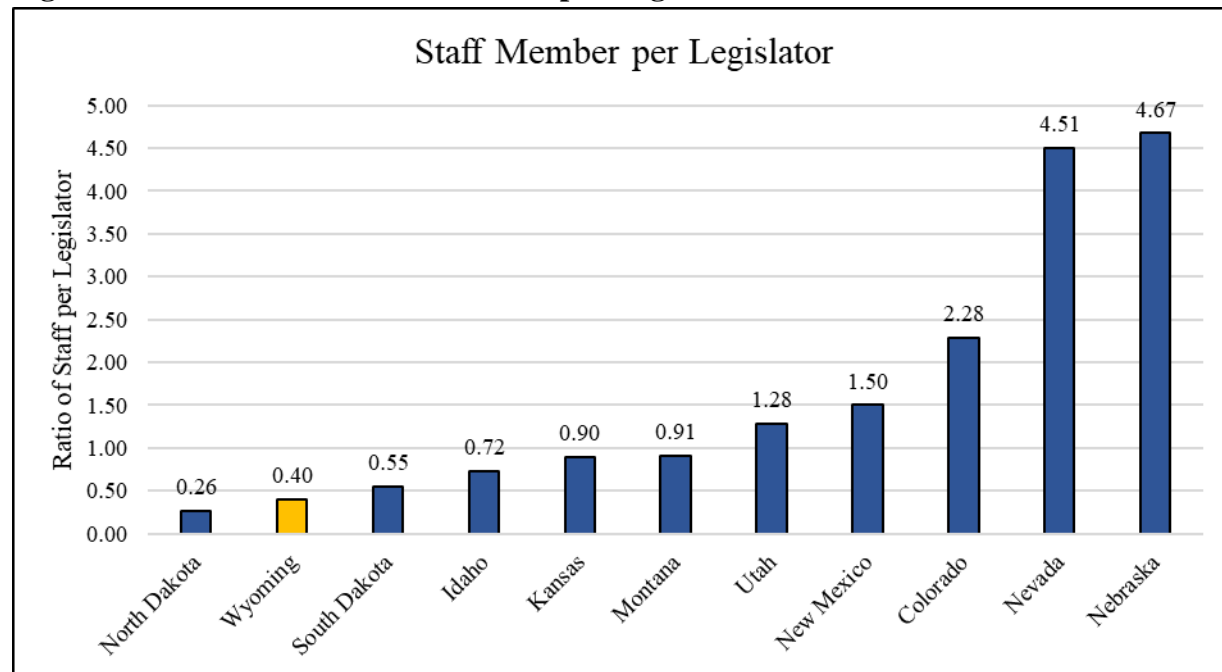
Figure M: 2015 Ratio of Staff Members per Legislator

Figure M above provides a visual representation of the relationship between staff members and legislators for each state. As of 2015, North Dakota had the lowest ratio of staff per legislator, at just 0.26 staff per legislator, or alternatively, approximately four legislators per staff. Wyoming ranked second lowest with 0.40 staff per legislator, or 2.5 legislators per staff. Utah, New Mexico,

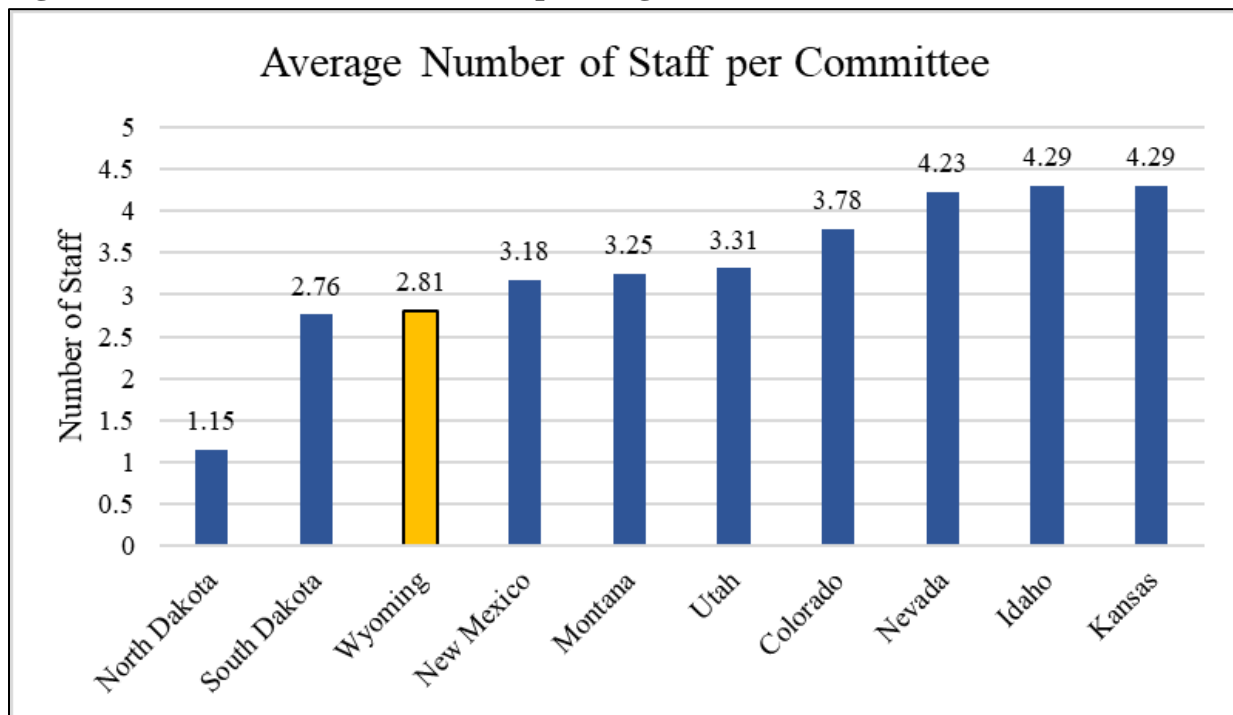
³⁷ 2015 staffing numbers were used as NCSL conducts a 50 state legislative staff survey every 6-7 years. NCSL last conducted the survey in 2015.

Colorado, Nevada, and Nebraska each had more staff than legislators in 2015, with less than one legislator per staff. Currently, with forty-three LSO staff members, Wyoming has 0.48 staff per legislator.

INTERIM COMMITTEE STAFFING

The number of interim committees varied across each comparator state,³⁸ as did the average number of staff members assigned to each interim committee. **Figure N** below shows the average number of staff per interim committee.

Figure N: Committee Staff Membership during the 2017-2018 Biennium.



In Wyoming, there were approximately three staff per interim committee. In North Dakota, however, there was approximately one staff per interim committee. The average number of staff per committee could be affected by total staff size, meeting location, or number of bills requested by each committee. This analysis, however, does not take into consideration the number of committees per staff member and the associated workload.

³⁸ Nebraska's interim committee information is omitted from this comparison due lack of information.

CONCLUSION

Every state legislature in the country is unique, thereby offering numerous ways by which to compare and contrast the nuances of each one. While the 2015 NCSL study provides one perspective, this report is an attempt to more accurately capture the work of interim committees and the effect on staffing and compensation, thereby providing Wyoming legislators with a second perspective. Ultimately, the Wyoming Legislature's workload has increased over the past twenty years as the number of interim committees has increased. This increase in the number of legislative days and hours worked has not resulted in similar increases in staffing or legislator pay.

If you have any additional questions regarding the information provided in this report, or the data and methodology used by LSO Research staff, please do not hesitate to contact LSO at 777-7881.

APPENDIX A-LEGISLATIVE MEETINGS

Table A-1: Total Days Met During the 2017-2018 Biennium.

State	Days Met During Session	Days Met During the Interim ³⁹	Total Days Met
<i>Colorado</i>	170	203	373
<i>Idaho</i>	145	73	218
<i>Kansas</i>	154	92	246
<i>Montana</i>	89	121	210
<i>Nebraska</i>	146	66	212
<i>Nevada</i>	120	161	281
<i>New Mexico</i>	77	433	510
<i>North Dakota</i>	73	162	235
<i>South Dakota</i>	76	93	169
<i>Utah</i>	69	381	450
<i>Wyoming</i>	59	268	327

Table A-2: Total Meeting Hours by State

State	Hours Met During Session	Hours Met During the Interim	Total Hours Met
<i>Colorado</i>	1,360	962.15	2,322.15
<i>Idaho</i>	1,160	299.73	1,459.73
<i>Kansas</i>	1,232	528.25	1,760.25
<i>Montana</i>	712	785.32	1,497.32
<i>Nebraska</i>	1,168	214	1,382.00
<i>Nevada</i>	960	596.46	1,556.46
<i>New Mexico</i>	616	2,383.05	2,999.05
<i>North Dakota</i>	584	800.95	1,384.95
<i>South Dakota</i>	608	421.46	1,029.46
<i>Utah</i>	552	850.16	1,402.16
<i>Wyoming</i>	472	1,787.06	2,259.06

Source: LSO Research staff data compilation from state legislature websites.

³⁹ Includes duplicative interim meetings days, i.e.: days where two committees met on the same day were counted twice.

Table A-3: Mean, Median, Mode, and Range of Meeting Length in Hours

Comparator States	Average	Median	Mode	Range
<i>Colorado</i>	4.74	4.95	2 and 8	7.75
<i>Idaho</i>	4.11	3.5	3	8.33
<i>Kansas</i>	5.74	6	6	8
<i>Montana</i>	6.49	6.97	8.5	12.4
<i>Nebraska</i>	3.24	3	3	5
<i>Nevada</i>	3.70	3.5	3	9.67
<i>New Mexico</i>	5.50	5.97	6.5	10.07
<i>North Dakota</i>	4.94	5.5	6	8.5
<i>South Dakota</i>	4.53	4.33	5.5	9.67
<i>Utah</i>	2.23	2.23	2.25	9.4
<i>Wyoming</i>	6.67	7.58	9	12

Table A-4: Percent of Interim Meetings Held in State Capital during the 2017-2018 Biennium

Comparator States	Percent of Meetings in Capital City
<i>Colorado</i>	89.16%
<i>Idaho</i>	80.82%
<i>Kansas</i>	73.91%
<i>Montana</i>	66.12%
<i>Nebraska</i>	87.88%
<i>Nevada</i>	40.12%
<i>New Mexico</i>	31.18%
<i>North Dakota</i>	82.39%
<i>South Dakota</i>	84.09%
<i>Utah</i>	94.75%
<i>Wyoming</i>	32.46%

Table A-5: Committee-Sponsored Bills from the 2017-2018 Biennium.

Comparator States	Number of Bills Sponsored by Committees	Number of Bills per Interim Committee
<i>Colorado</i>	102	4.86
<i>Idaho</i>	24	1.50
<i>Kansas</i>	2	0.09
<i>Montana</i>	64	5.82
<i>Nebraska</i>	0	0
<i>Nevada</i>	82	2.65
<i>New Mexico</i>	51	1.13
<i>North Dakota</i>	154	5.70
<i>South Dakota</i>	28	1.75
<i>Utah</i>	200	3.85
<i>Wyoming</i>	156	5.20

APPENDIX B-LEGISLATIVE COMPENSATION

Table B-1: Wyoming Legislature 20-Year Historical Interim Pay⁴⁰

Year	Salary	Per Diem	Mileage/Air	Total
1999	\$139,999.00	\$118,413.83	\$77,326.46	\$335,739.29
2000	\$165,436.50	\$139,506.00	\$83,925.52	\$388,868.02
2001*	\$147,063.00	\$132,466.89	\$97,725.36	\$377,255.25
2002	\$171,363.50	\$144,620.00	\$84,305.70	\$400,289.20
2003	\$137,368.50	\$128,670.00	\$80,838.67	\$346,877.17
2004	\$199,343.00	\$167,520.00	\$97,077.98	\$463,940.98
2005	\$185,654.00	\$150,217.47	\$102,007.69	\$437,879.16
2006	\$208,038.00	\$171,620.95	\$94,510.81	\$474,169.76
2007	\$171,515.50	\$135,860.90	\$85,740.43	\$393,116.83
2008	\$212,988.00	\$195,392.65	\$89,945.46	\$498,326.11
2009	\$270,658.50	\$162,204.25	\$127,817.69	\$560,680.44
2010	\$343,536.00	\$215,028.18	\$136,331.90	\$694,896.08
2011	\$302,740.50	\$186,141.83	\$143,913.82	\$632,796.15
2012	\$366,361.50	\$237,283.31	\$159,669.21	\$763,314.02
2013	\$321,681.00	\$192,797.59	\$142,670.00	\$657,148.59
2014	\$366,133.50	\$228,794.96	\$171,217.29	\$766,145.75
2015	\$355,369.00	\$208,711.39	\$153,528.82	\$717,609.21
2016	\$382,369.25	\$220,476.08	\$155,311.29	\$758,156.62
2017	\$346,690.00	\$200,801.56	\$144,542.15	\$692,033.71
2018	\$391,888.50	\$241,592.34	\$172,205.99	\$805,686.83
<i>Blue bolded text indicates when a salary or per diem increase occurred. Years are clustered by biennium.</i>				
<i>*Indicates budget hearings are not included in total</i>				

PRIOR WYOMING LEGISLATOR PAY LEGISLATION:

Between 2001-2019, 14 bills were introduced to modify legislator compensation, per diem, and constituent allowance. Bills to adjust legislative compensation and per diem were enacted in 2005 and 2008. In 2019, a bill was introduced to increase per diem rates and allow them to be adjusted based on the federal rate which was passed by the legislature and subsequently vetoed by the Governor. The table below depicts legislation introduced between 2001-2019 related to legislative compensation.

⁴⁰ Does not include additional leadership and chairman salary. Beginning in 2009, prep and travel salary is included in the salary amount.

Table B-2: Past Bills

Year	Bill Number	Catch Title	Description	Action Taken
2001	HB 0109	Legislative Pay	A bill to increase the salary and per diem paid to legislators.	House indefinitely postponed
2002	HB 0055	Legislative Pay	A bill to provide a constituent allowance and increase the salary and per diem paid to legislators.	House enrolled act 0050
2002	HB 0150	Legislator Expenses	A bill to increase the amount received by legislators for expenses.	Received for introduction
2004	HB 0192	Legislative Compensation	A bill to modify compensation provisions for legislators.	Indefinitely postponed
2005	HB 0281	Legislative Compensation	A bill to modify compensation for legislators related to mileage and salary.	House enrolled act 0117
2007	HB 0194	Legislator Elect Compensation	A bill to allow legislators elect to receive mileage, salary and per diem.	Died in committee
2008	HB 0075	Legislative Per Diem	A bill to increase the legislative per diem and allow reimbursement for actual expenses in lieu of per diem.	House enrolled act 0034
2009	HB 0160	Constituent Service Allowance	A bill to authorize payment of unexpended constituent service allowances in subsequent quarters and limiting the annual amount of the allowance.	House enrolled act 0124
2014	HB 0089	Constituent Allowance- Large Legislative Districts	A bill to allow a mileage expense for legislators in large districts engaging in constituent activities.	Died in committee
2015	HB 0098	State Per Diem	A bill to increase the legislative per diem.	House: Do pass failed in accordance with House rule 5-4
2015	SF 0116	Legislature Compensation	A bill to increase the salary for legislators.	House 3 rd reading: Bill reconsideration motion failed by roll call

2017	SF 0144	Legislator Per Diem-Local Residents	A bill to reduce per diem payments for legislators whose home is within twenty-five miles of the Wyoming capitol building.	Senate 3 rd reading failed
2019	HB 0038	Per Diem Rates	A bill to increase the per diem rates for legislators and allow for rates to be adjusted based on the federal per diem amount.	Governor vetoed house enrolled act 0021
2019	HB 0059	Constituent Service Allowance	A bill to modify the legislative constituent service allowance to allow legislators to receive reimbursement for mileage and lodging in lieu of receiving their constituent service allowance.	House postponed indefinitely

LEGISLATIVE COMPENSATION COMMISSIONS:

Approximately twenty states have an independent compensation commission that sets legislative compensation and benefits.⁴¹ Of the eleven comparator states, only Idaho, Kansas and Utah currently have compensation commissions. While legislation in 2011 repealed the legislative compensation commission in North Dakota, New Mexico is currently considering a constitutional amendment to create a legislator compensation commission. Nevada ties the increases in compensation for legislators to an amount equal to the cumulative percent increase for state employees⁴².

Typically, compensation commissions consist of between five and eleven members of the public that are not employees of the state, do not hold an elected office, and are not members of any other boards or commissions. Members are most often appointed for terms of between two and six years by the Governor, President of the Senate, and the Speaker of the House. The compensation commissions generally meet annually or biannually to review, study and establish recommendations for compensation and benefits for legislators and other elected officials which are then presented to either the Governor or Legislature for further action. Commissions use a variety of factors in making compensation recommendations including considering the salaries of other states' officials, cost of living, and the duties of the office. Of the comparator states, Utah is the only state to statutorily require its compensation commission to base the study and recommendations upon maintaining a citizen Legislature in Utah while still compensating members fairly for their service in order that all individuals would have an opportunity to serve.⁴³ The statute further states that in developing recommendations, the commission shall consider the salaries of other similar state legislators.

Depending on the commission's enacting legislation, once a recommendation is made, it may require legislative action or may be automatically implemented barring a resolution from the Legislature or citizens rejecting it. In some states, the commission instead presents its recommendations to the Governor for inclusion in the annual budget proposal. Finally, other states' commissions may make recommendations that are then placed on the ballot for a vote by the citizens. Of the three comparator states with a compensation commission, all have similar statutory requirements. See **Table B-3** below for specifics on the number of members appointed, membership restrictions, and statutory duties of the compensation commissions in Idaho, Kansas, and Utah.

⁴¹ LSO Research review of information provided by the National Conference of State Legislatures and the Council of State Governments.

⁴² Nev. Rev. Stat. §218A.630 (2019), available at: <https://www.leg.state.nv.us/NRS/NRS-218A.html#NRS218ASec630>

⁴³ Utah Code Ann. §36-2-4 (2019), available at: <https://le.utah.gov/xcode/Title36/Chapter2/36-2-S5.html>

Table B-3. Compensation Commissions in Idaho, Kansas and Utah.

Title	Members Appointed	Membership Restrictions	Duties
Idaho ⁴⁴	Three members appointed by the Governor and three members appointed by the Supreme Court.	Members shall be Idaho residents and may not be an official or employee of the State of Idaho or any county, municipality or other unit of local government, or of any agency or institution to which any state funds are appropriated.	The Committee will set the compensation rate every even numbered year.
Kansas ⁴⁵	Seven members with the President of the Senate, Speaker of the House, Majority Leader of the House and Senate, Minority Leader of the House and Senate and the Governor each appointing one member.	Members may not be current lobbyists or a member of the legislature or have been a lobbyist or member of the legislature two years prior to the appointment.	The Commission shall meet during even numbered years to study compensation and expense allowances and make recommendations to the legislative coordinating council and the governor.
Utah ⁴⁶	Seven members appointed by the governor, not more than four of whom shall be from the same political party.	No member shall be an employee of the legislative, judicial, or executive branch. When appointing members, the Governor shall consider representation from major geographic areas and a broad cross section of occupations.	The commission shall study and formulate recommendations concerning the salary levels for Utah state legislators and submit to each member of the Legislature, by January 2nd of each even-numbered year, recommendations on changes, if any, which should be made in the salary plan and its administration for state legislators.

⁴⁴Idaho Code §67-406a (2019), available at:

<https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH4/SECT67-406a/>

⁴⁵ Kan. Stat. Ann. §46-3101 (2019), available at:

http://www.kslegislature.org/li/b2019_20/statute/046_000_0000_chapter/046_031_0000_article/046_031_0001_section/046_031_0001_k/

⁴⁶Utah Code Ann. §36-2-4 (2019), available at: https://le.utah.gov/xcode/Title36/Chapter2/36-2-S4.html?v=C36-2-S4_1800010118000101

APPENDIX C-LEGISLATIVE BENEFITS

Figure C-1: Wyoming Retirement System Elected Officials – Opt-Out Eligibility

