

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: I would like to ask Delegate Bard whether in the 17 states that permit legislative sessions to be established by the legislature, is the salary on a flat basis, or is there some consideration given to the number of days, and, therefore, a per diem basis?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: Delegate Koss, there the salaries are all on an annual basis. This is a highly important point that Delegate Koss raised.

We believe that under the legislatively determined session you do not have one salary for 90 days, as we now have, plus additional salaries whenever committee members meet, on a per diem basis or a per hour basis. As some of you know, we have gotten into some difficulty in the last few years.

Here is the way they run, on an annual basis: Alaska, \$8,748; California, \$16,000; Illinois, \$9,000; Massachusetts, \$8,400; Michigan, \$15,000;; New York, \$18,000; Pennsylvania, \$12,000; Wisconsin, \$8,625 to \$9,975.

There are differences according to office holders; some get slightly higher salaries, but they are all annual. This is the beauty of the legislatively determined session. You do not have to work into it by circuitous means increasing salaries by per diem additions beyond 90 days. Your constituents know you are working year-'round, because you are, anyway. It is all annual.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: Do you have any information on how the situations in those states have worked out under this provision? How long, in fact, have the sessions been? To what extent has the legislatively determined session exceeded what had been the previous constitutional limitation?

DELEGATE BARD: I can tell you as far as one state with which I have had experience, because I have taught at their state university, but a few blocks from the capitol. That is that Nebraska first started out having somewhat longer sessions; then they came back to short ones when required and when Nebraska needed to have a long one in order to move toward a sales tax and income tax decision, they had it.

In other words, they had the session as a long one when it was required. Then they went back the following year to a short

one. They cut the cloth according to the garment. This we think is the way it has operated in all 17.

THE CHAIRMAN: Delegate Mason.

DELEGATE MASON: Delegate Bard, do you have an opinion as to whether or not this flexible legislative session would change the character of the legislature or compensation, as to the type of delegate who would run for a flexible session as opposed to one who would run for a 90 day session?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: I would say that as far as many members who are now in the legislature and who to my own way of thinking are topflight people, they work year-'round, anyway. They would see their job with fullness, they would feel happier about the fact that when they see their constituents beyond the 90 days, their constituents would see the time they spend with them as legislative time. The legislator would not need to tell them that he was really spending legislative time.

As for new people, I know in the state which I know best there were more women who ran under a legislatively determined session because they did have the time to move in within this than previous to this.

I would say this would tend to get some people of great background who would see this as having more stature—plus the salary would be greater.

THE CHAIRMAN: Delegate Mason.

DELEGATE MASON: Would this flexible session encourage more housewives, women, and retired people to run for the legislature?

DELEGATE BARD: Retired people I do not think necessarily as such, no. It might encourage some. I think it would encourage lots of good lawyers who could see adjustments such as that made, as in a number of the 17 states, far better adjustments than to keep you away from your job day after day for three months.

There are adjustments within the weekly schedule that can be made that are beautiful adjustments not to injure your practice. They are extended downward. It would help all around.

THE CHAIRMAN: Delegate Hargrove.

DELEGATE HARGROVE: Delegate Bard, what would happen to the bills which