

another bill to raise legislative pay—this one filed by Rep. Monroe Buchanan (R-Mitchell) to grant longevity pay to legislators (House Bill 1060)—also went nowhere fast, despite having 50 co-sponsors. As it stands, it takes a special act of the General Assembly to raise legislative pay, and it's a step nobody seems willing to take, so legislative pay seems stuck in a stalemate.

Meanwhile, legislators such as Sutton, who tries to maintain a law practice in Pembroke, are stuck in a struggle to earn a sufficient living—ergo, the rising tide of retirees mentioned by Sutton and several others. Sutton fears that a legislature that is too old may be out of touch with the times. "I find it very difficult to believe that a group of 60- and 70-year-olds can sit down and make the proper decision about whether a 16- to 17-year-old should lose his license," says Sutton. "They're thinking 'Ozzie and Harriet'

days, and we're in 'Walker Texas Ranger' days."

To Sutton, the notion that North Carolina currently has a citizen legislature is wishful thinking. That's because he envisions a citizen legislature as one in which every citizen can take the opportunity to serve if elected. That currently is not the case due to long hours and low pay, Sutton says. "It is an absolute myth that every citizen can become a legislator," says Sutton.

Rep. Larry Justus (R-Henderson) agrees with that assessment. "I think it's a charade to call us a citizen legislature," says Justus. "I'm one of those people who favor a full-time legislature. North Carolina is too big both in population and the budget we spend not to have continual oversight over that budget."

Although Justus acknowledges that many people would consider the current legislature to be a citizen legislature, he says the job demands "full-

Current Pay for Rank-and-File Legislators

Members of the North Carolina General Assembly draw their compensation from several different sources. These are: salary, \$13,951 per year; subsistence pay, \$104 per calendar day when the legislature is in session or when legislators are on official legislative business; expense allowance, \$6,708 per year; and mileage reimbursement, 29 cents per mile.

One way to look at reimbursement for legislative service is to combine salary, subsistence pay, and expense money for a given year. A caveat is that subsistence pay and expense money generally go to cover real costs of serving in the legislature. For lawmakers who do not live close enough to Raleigh to commute on a daily basis, there is the cost of living in Raleigh while maintaining a residence in the home district. This consumes the subsistence pay. More active legislators usually will draw more subsistence pay because they are carrying out official legislative duties that occur when the General Assembly is out of session—such as participating in legislative study committees. And expense money, which like the per diem subsistence pay is counted as income by the Internal Revenue

Service, is often used to communicate with constituents or provide other constituent services.

In 1997, the latest session year for which figures have been compiled, the highest paid rank-and-file legislators in the Senate were Sen. Fountain Odom (D-Mecklenburg) and Sen. Bob Martin (D-Pitt), at \$45,411, including salary, expense allowance, and per diem supplement. In the House, the highest paid rank-and-file member was Rep. Michael Decker (R-Forsyth) at \$46,555. The figures were driven higher in part by the length of session, which—at 212 days—was the longest on record. That's because legislators receive their per diem supplement of \$104 per day every calendar day that the legislature is in session. An average length long session in the 1990s totaled 184 days, which would have produced nearly \$3,000 less in per diem supplements than did the 1997 session. Legislators have not granted themselves a pay raise since the 1994 session, when they raised legislative salaries across the board and added the expense allowance to the base upon which legislative pension benefits are calculated. The salary increase took effect in 1995.

—Mike McLaughlin