

# MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1961

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DATE: 4-16-04

(Filing No. H-948)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
121ST LEGISLATURE  
SECOND SPECIAL SESSION

HOUSE AMENDMENT "A" to S.P. 806, L.D. 1961, Bill, "An Act To Clarify Legislative Pay"

Amend the bill in section 1 in the first paragraph in the last line (page 1, line 33 in L.D.) by inserting after the following: "apply" the following: 'for the duration of the special session that occurs prior to the statutory adjournment date of the first regular session or the 2nd regular session that ended immediately prior to the special session. After the regular session statutory adjournment date before which a special session began, the members of the Senate and the House of Representatives must each be compensated \$100 for every day's attendance at that special session held after that adjournment date plus expenses and mileage pursuant to this section for the rest of that special session. Any special session per diem that would have been paid if not for the exception stated in this paragraph must be used to construct and maintain the State's portion of the Maine Veterans Memorial Cemetery in Springvale; revenue in excess of the amount needed for this purpose must be allocated to the Maine Military Family Relief Fund'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 37-B MRSA §158 is enacted to read:

**§158. Maine Military Family Relief Fund**

The Maine Military Family Relief Fund is established as a nonlapsing fund administered according to rules adopted by the

R. 9/8

HOUSE AMENDMENT "A" to S.P. 806, L.D. 1961

2 Adjutant General. The Adjutant General is authorized to make  
3 grants from the Maine Military Family Relief Fund to families of  
4 persons who are members of the Maine National Guard or residents  
5 of the State who are members of the Reserves of the Armed Forces  
6 of the United States who have been called to military duty. The  
7 Military Bureau shall adopt rules establishing eligibility  
8 criteria for the grants. Rules adopted pursuant to this section  
9 are routine technical rules as defined in Title 5, chapter 375,  
10 subchapter 2-A.

11 **Sec. 3. Lapsed balances.** Notwithstanding any provision of  
12 law, the amount calculated by the Executive Director of the  
13 Legislative Council to be the amount of legislative special  
14 session compensation earned by Legislators prior to the statutory  
15 adjournment date of the 2nd Regular Session must lapse from the  
16 unencumbered balance forward of the Legislature to the General  
17 Fund at the close of the fiscal year that ends June 30, 2004.

18 **Sec. 4. Appropriations and allocations.** The following  
19 appropriations and allocations are made.

22 **DEFENSE, VETERANS AND EMERGENCY**  
23 **MANAGEMENT, DEPARTMENT OF**

24 **Veterans Services 0110**

25 Initiative: Appropriates funds for the State's share of the  
26 costs of constructing a veterans' cemetery in Springvale. The  
27 General Fund will be reimbursed for this cost with funding from  
28 the Federal Government.  
29

32	<b>General Fund</b>	<b>2003-04</b>	<b>2004-05</b>
33	All Other	\$0	\$500,000
34			
35			
36	General Fund Total	\$0	\$500,000

38 **Maine Military Family Relief Fund**

39 Initiative: Appropriates funds for the Maine Military Family  
40 Relief Fund. By June 30, 2005, the State Controller shall  
41 transfer these funds to the Maine Military Family Relief Fund as  
42 established by Title 37-B, section 158.  
43

44	<b>General Fund</b>	<b>2003-04</b>	<b>2004-05</b>
45	All Other	\$0	\$270,000
46			
47			
48	General Fund Total	\$0	\$270,000

50 **Maine Military Family Relief Fund**

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HOUSE AMENDMENT "A" to S.P. 806, L.D. 1961

2 Initiative: Allocates funds for the Maine Military Family Relief  
Fund.

4	<b>Other Special Revenue Funds</b>	<b>2003-04</b>	<b>2004-05</b>
6	All Other	\$0	\$270,000
8	Other Special Revenue Funds Total	<u>\$0</u>	<u>\$270,000</u>

10 **DEFENSE, VETERANS AND EMERGENCY  
MANAGEMENT, DEPARTMENT OF**

12	<b>DEPARTMENT TOTALS</b>	<b>2003-04</b>	<b>2004-05</b>
14	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$770,000</b>
16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>0</b>	<b>270,000</b>
18	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$1,040,000'</b></u>

20 Further amend the bill by relettering or renumbering any  
nonconsecutive Part letter or section number to read  
consecutively.

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**SUMMARY**

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This amendment provides that the nonpayment of special session per diem applies only until the statutory adjournment date of the regular session that immediately preceded the special session. If the special session extends beyond the statutory adjournment date of the regular session, then Legislators are entitled to the special session per diem.

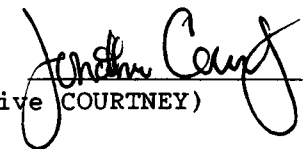
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This amendment also requires that any special session per diem not paid because the special session is held prior to the statutory adjournment date for a regular session must be used to construct and maintain a Maine veterans memorial cemetery in Springvale. If there is any revenue left, it must be allocated to the Maine Military Family Relief Fund, as established in this amendment.

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SPONSORED BY:   
(Representative COURTNEY)

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TOWN: Sanford      **FISCAL NOTE REQUIRED**  
(See attached)

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**HOUSE AMENDMENT**



**121st Maine Legislature  
Office of Fiscal and Program Review**

**LD 1961  
An Act to Clarify Legislative Pay**

**LR 2882(07)  
Fiscal Note for House Amendment " " to Committee Amendment " "  
Sponsor: Rep. Courtney  
Fiscal Note Required: Yes**

**Fiscal Note**

	<b>2003-04</b>	<b>2004-05</b>	<b>Projections 2005-06</b>	<b>Projections 2006-07</b>
<b>Net Cost (Savings)</b>				
General Fund	(\$770,000)	\$270,000	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$770,000	\$0	\$0
Other Special Revenue Funds	\$0	\$270,000	\$0	\$0
<b>Revenue</b>				
General Fund	\$0	\$500,000	\$0	\$0
<b>Transfers</b>				
General Fund	\$770,000	\$0	\$0	\$0
Other Special Revenue Funds	\$0	\$270,000	\$0	\$0

**Fiscal Detail and Notes**

The cost to the Legislature of paying the \$100/day special session pay through an assumed April 16, 2004 adjournment date is approximately \$770,000. In addition, legislators will be entitled to the \$55 per diem for attendance at committee meetings on days the Legislature was not in session. The total cost avoided can not be determined at this time, but would be used to pay the state's share of costs of the Maine Veterans Memorial Cemetery in Springvale and provide support to families of Maine residents serving in the military or the national guard.

This amendment includes a General Fund appropriation of \$500,000 in fiscal year 2004-05 for the Veterans Services program in the Department of Defense, Veterans and Emergency Management to establish a veterans cemetery in Springvale. The General Fund will be reimbursed by the federal government for the total amount of this appropriation.

This amendment also includes a General Fund appropriation of \$270,000 in fiscal year 2004-05 for the Maine Military Family Relief Fund program in the Department of Defense, Veterans and Emergency Management. These funds are be transferred to the dedicated Maine Military Family Relief Fund for which an allocation of \$270,000 in fiscal year 2004-05 has been included.