

# MAINE STATE LEGISLATURE

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April 30, 1963

Henry L. Cranshaw, State Controller

Bureau of Accounts & Control

George C. West, Deputy

Attorney General

Travel Expense of Members of the Legislature

Question: Is a member of the legislature who does not attend a single daily session of the House or Senate for an entire week entitled to receive his travel check?

Answer: No.

Article IV, Part Third, Section 7 of the Constitution provides in the second sentence: "The expenses of the members of the house of representatives in traveling to the legislature, and returning therefrom, once in each week of each session and no more, shall be paid by the state out of the public treasury to every member, who shall seasonably attend, in the judgment of the house, and does not depart therefrom without leave."

Payment for travel shall be paid "to every member, who shall seasonably attend, in the judgment of the house, and does not depart therefrom without leave."

It is obvious that the Constitutional provision intends that a member will receive his travel only when he attends legislative sessions. Further than that, the Constitution provides that the legislative body is to make the determination as to whether a member does "seasonably attend."

This office cannot make such a determination. It is solely for the legislative body to make this determination.

George C. West  
Deputy Attorney General

GCW:H  
cc: Honorable Robert Marden  
cc: Honorable David Kennedy