

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EMERGENCY
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 136

S. P. 97

In Senate, January 12, 1981

Reference to the Committee on Appropriations and Financial Affairs suggested.

MAY M. ROSS, Secretary of the Senate

Presented by Senator J. Sewall of Penobscot.

Cosponsor: Mr. J. Martin of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Adjust the Level of Compensation and Certain Statutory Duties of the Senate Secretary and House Clerk and their Assistants.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Legislature establishes statutory salaries for the Secretary of the Senate and Assistant Secretary of the Senate and Clerk of the House and Assistant Clerk of the House; and

Whereas, these officers, as all legislative employees, are excluded from the collective bargaining process; and

Whereas, it is vitally important that the statutory compensation for these legislative officers be adjusted to be commensurate with their duties; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 3 MRSA § 22, as last amended by PL 1979, c. 396, §§ 1-3, is further amended to read:

§ 22. Secretary and assistant secretary; salaries and duties

The Secretary of the Senate shall perform the usual duties of the office during the session of the Legislature, file and index all papers, which have been subject to adverse legislative action, index and supervise the preparation of the permanent senate journal. He shall perform the duties required of him by sections 21 and 23. He shall deliver to the State Archivist all papers on file in the office of the Secretary of the Senate which were considered by a session of the Legislature held ~~more than 5 years previously~~ **for the previous sessions** and the State Archivist shall inspect said papers and preserve those having permanent value. He shall receive a salary of ~~\$450~~ **\$485** per week for all official services performed by him ~~during a regular or special session of the Legislature.~~

The Assistant Secretary of the Senate shall receive a salary of ~~\$300~~ **\$350** per week for all official services performed by him during a regular or special session of the Legislature. His work shall be performed under the direction of the secretary.

All fees, charges, emoluments and other receipts of whatever nature, which may be payable to the Secretary of the Senate, the Assistant Secretary of the Senate or any employee thereof, excepting their lawful salaries and expenses properly payable to them shall be credited to the General Fund and no Secretary of the Senate, Assistant Secretary of the Senate or employee shall directly or indirectly receive a private benefit or gain from the sale or distribution of any material, information or reports from the records of such Secretary of the Senate.

The President of the Senate may authorize either the Secretary of the Senate or the Assistant Secretary of the Senate to serve on a full-time basis when the Legislature is not in regular or special session ~~at a salary of \$300 per week.~~

Sec. 2. 3 MRSA § 42, as last amended by PL 1979, c. 396, §§ 4-6, is further amended to read:

§ 42. Clerk and assistant clerk; salaries and duties

The Clerk of the House of Representatives shall perform the usual duties of his office during the session of the Legislature and index the house journal. ~~In the months of November and December next preceding the convening of the regular sessions of the Legislature, he shall keep open his office each Wednesday and Thursday for the convenience of the public and members elect of the Legislature~~ He shall perform the services required of him by sections 41 and 43. He shall receive a salary of ~~\$450~~ **\$485** per week for all official services performed by him ~~during a regular or special session of the Legislature.~~

The Assistant Clerk of the House of Representatives shall receive a salary of ~~\$300~~ **\$350** per week for all official services performed by him during a regular or special session of the Legislature. His work shall be performed under the direction of the clerk.

All fees, charges, emoluments and other receipts of whatever nature, which

may be payable to the Clerk of the House of Representatives, the Assistant Clerk of the House of Representatives, or any employee thereof, excepting their lawful salaries and expenses properly payable to them, shall be credited to the General Fund and no Clerk of the House of Representatives, Assistant Clerk of the House of Representative or employee shall directly or indirectly receive a private benefit or gain from the sale or distribution of any material, information or reports from the records of such Clerk of the House of Representatives.

The Speaker of the House of Representatives may authorize either the Clerk of the House of Representatives or the Assistant Clerk of the House of Representatives to serve on a full-time basis when the Legislature is not in regular or special session ~~at a salary of \$300 per week.~~

Emergency clause; retroactivity. In view of the emergency cited in the preamble, this Act shall take effect when approved and shall be retroactive to July 1, 1980.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.