

MAINE STATE LEGISLATURE

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L.D. 2459
(Filing No. S- 412)

STATE OF MAINE
SENATE
111TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to H.P. 1858, L.D. 2459,
Bill, "AN ACT to Implement Certain Recommendations of
the State Compensation Commission."

Amend the Bill in PART A by striking out all of
section 3 and inserting in its place the following:

'Sec. 3. 3 MRSA §162-A, sub-§§3, 4 and 5 are en-
acted to read:

3. Range 86. The salaries of the following state
officials and employees shall be within salary range
86:

Secretary of State; and

Treasurer of State.

4. Range 88. The salary of the State Auditor
shall be within salary range 88.

5. Range 89. The salary of the Attorney General
shall be within salary range 89.'

Further amend the Bill in PART B in section 1 in
that part designated "§2." by striking out all of the
3rd and 4th paragraphs and inserting in their place
the following:

Each member of the Senate and House of Represen-
tatives shall ~~recei~~be entitled to a meal allowance
in the amount of \$26 and a housing allowance in the
amount of \$45 \$24 for each day in attendance at ses-
sions of the Legislature and for each day he occupies
overnight accommodations away from home either imme-
diately preceding or immediately following attendance

1 at daily sessions of the Legislature. In lieu of the
 2 meal and housing allowance, each member shall be en-
 3 titled to a daily meal allowance in the amount of ~~\$21~~
 4 \$26 and actual daily mileage allowances in an amount
 5 up to but not exceeding \$24 per day. Each member
 6 shall also receive an annual allowance for constitu-
 7 ent services in the amount of ~~\$300~~ \$330.

8 The President of the Senate and the Speaker of
 9 the House of Representatives shall receive an addi-
 10 tional 50% above regular compensation, the majority
 11 and minority leaders of the Senate and House of Rep-
 12 resentatives shall receive an additional 25% above
 13 regular compensation and the assistant majority and
 14 minority leaders of the Senate and House of Represen-
 15 tatives shall receive an additional 12 1/2% above
 16 regular compensation.'

17 Further amend the Bill in PART B in section 1 in
 18 that part designated "§2." in the 3rd paragraph from
 19 the end in the 10th line (page 4, line 31 in L.D.) by
 20 inserting after the word "meal" the following:
 21 'allowance in the amount of \$26'; in the 11th line
 22 (page 4, line 32 in L.D.) by inserting after the word
 23 "and" the word 'a' and by striking out the underlined
 24 figure "\$50" and inserting in its place the under-
 25 lined figure '\$24'; in the 3rd line from the end
 26 (page 4, line 41 in L.D.) by striking out the under-
 27 lined figure "\$23" and inserting in its place the un-
 28 derlined figure '\$26'; and in the last line (page 4,
 29 line 43 in L.D.) by striking out the following: "\$24
 30 \$27" and inserting in its place the following: '\$24'

31 Further amend the Bill in PART C in section 4 in
 32 that part designated "§4." in subsection 2 by strik-
 33 ing out all of paragraphs A, B and C and inserting in
 34 their place the following:

35 'A. For the period from December 1, 1984, to
 36 June 30, 1985, \$29,806;

37 B. For fiscal year 1986, \$58,760;

1 C. For fiscal year 1987, \$65,224;

2 D. For fiscal year 1988, \$71,746; and

3 E. For fiscal year 1989, and thereafter,
4 \$77,300.'

5 Further amend the Bill in PART C in section 4 in
6 that part designated "§4." in subsection 4 in the
7 last line (page 7, line 20 in L.D.) by striking out
8 the underlined word "August" and inserting in its
9 place the underlined word "December'

10 Further amend the Bill in PART C in section 6 in
11 that part designated "§6." in the 5th line (page 7,
12 line 29 in L.D.) by striking out the underlined word
13 "August" and inserting in its place the underlined
14 word "December'

15 Further amend the Bill in PART C in section 7 in
16 that part designated "§102." in subsection 2 by
17 striking out all of paragraphs A, B and C and insert-
18 ing in their place the following:

19 'A. For the period from December 1, 1984, to
20 June 30, 1985, \$29,339;

21 B. For fiscal year 1986, \$57,841;

22 C. For fiscal year 1987, \$63,625;

23 D. For fiscal year 1988, \$68,715; and

24 E. For fiscal year 1989 and thereafter,
25 \$73,100;'

26 Further amend the Bill in PART C in section 7 in
27 that part designated "§102." in subsection 4 in the
28 last line (page 9, line 4 in L.D.) by striking out
29 the underlined word "August" and inserting in its
30 place the underlined word "December'

SENATE AMENDMENT " A" to H.P. 1858, L.D. 2459

1 Further amend the Bill in PART C in section 9 in
2 that part designated "§104." in the 5th line (page 9,
3 line 13 in L.D.) by striking out the underlined word
4 "August" and inserting in its place the underlined
5 word 'December'

6 Further amend the Bill in PART C in section 10 in
7 that part designated "§157." in subsection 4 by
8 striking out all of paragraphs A, B and C and insert-
9 ing in their place the following:

10 'A. For the period from December 1, 1984, to
11 June 30, 1985, \$28,233;

12 B. For fiscal year 1986, \$55,659;

13 C. For fiscal year 1987, \$61,225;

14 D. For fiscal year 1988, \$66,123; and

15 E. For fiscal year 1989, and thereafter,
16 \$70,176.'

17 Further amend the Bill in PART C in section 10 in
18 that part designated "§157." in subsection 7 in
19 the last line (page 11, line 23 in L.D.) by
20 striking out the underlined word "August" and in-
21 scribing in its place the underlined word
22 'December'

23 Further amend the Bill in PART C in section 12 in
24 that part designated "§157-B." in the 5th line (page
25 11, line 32 in L.D.) by striking out the underlined
26 word "August" and inserting in its place the under-
27 lined word 'December'

28 Further amend the Bill in PART C in section 15 in
29 the 4th line (page 13, line 25 in L.D.) by striking
30 out the underlined word "AUGUST" and inserting in its
31 place the underlined word 'DECEMBER'

1 Further amend the Bill in PART C in section 15 in
2 that part designated "§1201." in subsection 12 in the
3 2nd line (page 15, line 20 in L.D.) by striking out
4 the underlined words "Court and" and inserting in
5 their place the underlined word and punctuation
6 'Court,' in the 5th line (page 15, line 23 in L.D.)
7 by striking out the underlined word "August" and in-
8 serting in its place the underlined word 'December';
9 and in the 6th line (page 15, line 24 in L.D.) by
10 striking out the underlined word "August" and insert-
11 ing in its place the underlined word 'December'

12 Further amend the Bill in PART C in section 15 in
13 that part designated "§1202." in the 2nd line (page
14 16, line 9 in L.D.) by striking out the underlined
15 word "August" and inserting in its place the under-
16 lined word 'December'

17 Further amend the Bill in PART C in section 15 in
18 that part designated "§1251." in the last 2 lines
19 (page 18, lines 9 and 10 in L.D.) by striking out the
20 underlined words "separate accounts as necessary
21 within the fund" and inserting in their place the
22 following: 'separate funds or accounts within a fund,
23 as necessary'

24 Further amend the Bill in PART C in section 15 in
25 that part designated "§1252." in the 3rd line (page
26 18, line 13 in L.D.) by striking out the underlined
27 word "several"

28 Further amend the Bill in PART C in section 15 in
29 that part designated "§1253." in subsection 1 in the
30 last line (page 18, line 33 in L.D.) by inserting af-
31 ter the underlined word "fund" the underlined words
32 'established for that purpose'

33 Further Amend the Bill in PART C in section 15 in
34 that part designated "§1255." in subsection 2 in the
35 next to the last line (page 19, line 22 in L.D.) by
36 inserting after the underlined words "apply to" the
37 underlined words 'justices and'

SENATE AMENDMENT " A " to H.P. 1858, L.D. 2459

1 Further amend the Bill in PART C in section 15 in
2 that part designated "§1255." in subsection 2 in the
3 last 2 lines (page 19, lines 22 and 23 in L.D.) by
4 striking out the underlined word "August" and insert-
5 ing in its place the underlined word 'December'

6 Further amend the Bill in PART C in section 15 in
7 that part designated "1301." in the 2nd and 3rd lines
8 (page 19, lines 37 and 38 in L.D.) by striking out
9 the underlined word "August" and inserting in its
10 place the underlined word 'December'

11 Further amend the Bill in PART C in section 15 in
12 that part designated "§1305." in subsection 1, para-
13 graph B in the 2nd line (page 23, line 22 in L.D.) by
14 striking out the underlined figure "60" and inserting
15 in its place the underlined figure '45'

16 Further amend the Bill in PART C in section 15 in
17 that part designated "§1352." in subsection 1, para-
18 graph A in the last line (page 24, line 27 in L.D.)
19 by striking out the underlined word "August" and in-
20 serting in its place the underlined word 'December'

21 Further amend the Bill in PART C in section 15 in
22 that part designated "§1352." in subsection 1, para-
23 graph B in the 2nd line (page 24, line 29 in L.D.) by
24 striking out the underlined word "August" and insert-
25 ing in its place the underlined word 'December'

26 Further amend the Bill in PART C in section 15 in
27 that part designated "§1352." by striking out all of
28 subsections 2, 3 and 4 and inserting in their place
29 the following:

30 '2. Benefit for service prior to December 1,
31 1984. The earned benefit for judicial service prior
32 to December 1, 1984, shall be equal to the years of
33 service prior to December 1, 1984, not to exceed 10
34 years, divided by 10, multiplied by 75% of the salary
35 as of November 30, 1984, for the position from which

1 the judge retired.

2 3. Maximum benefit. No judge in service on De-
3 cember 1, 1984, or appointed on or after December 1,
4 1984, may receive a benefit which exceeds 60% of his
5 average final compensation, not including adjustments
6 under section 1358, except as provided in subsection
7 4.

8 4. Minimum benefit. Each judge in service on De-
9 cember 1, 1984, who is 50 years of age or older on
10 that date shall be entitled to a minimum benefit
11 equal to 75% of the salary as of June 30, 1984, for
12 the position from which the judge retired, increased
13 by 6%, compounded annually, for each year or part of
14 a year served subsequent to June 30, 1984, up to and
15 including June 30, 1989. For each year or part of a
16 year served subsequent to June 30, 1989, that total
17 is increased by an amount equal to the cost-of-living
18 factor granted the previous September, as determined
19 pursuant to section 1358, compounded annually.'

20 Further amend the Bill in PART C in section 15 in
21 that part designated "§1358." in subsection 1, para-
22 graph A in the 2nd line (page 36, line 5 in L.D.) by
23 inserting after the underlined word "September" the
24 following: '1985, and each September thereafter'

25 Further amend the Bill in PART C in section 15 in
26 that part designated "CHAPTER 29" in the 2nd line
27 (page 36, line 38 in L.D.) by striking out the under-
28 lined word "AUGUST" and inserting in its place the
29 underlined word 'DECEMBER'

30 Further amend the Bill in PART C in section 15 in
31 that part designated "§1401." in subsection 1 in the
32 3rd line (page 37, line 7 in L.D.) by striking out
33 the underlined word and figure "July 31" and insert-
34 ing in its place the underlined word and figure 'June
35 30' and in the 5th line (page 37, line 9 in L.D.) by
36 striking out the underlined word "August" and insert-
37 ing in its place the underlined word 'July'

SENATE AMENDMENT " A" to H.P. 1858, L.D. 2459

1 Further amend the Bill in PART C in section 15 in
2 that part designated "§1401." in subsection 2 in the
3 3rd and 4th lines (page 37, lines 14 and 15 in L.D.)
4 by striking out the underlined word "August" and in-
5 serting in its place the underlined word "December";
6 in the 5th line (page 37, line 16 in L.D.) by strik-
7 ing out the underlined word "August" and inserting in
8 its place the underlined word "December"; and in the
9 last line (page 37, line 19 in L.D.) by striking out
10 the underlined word "August" and inserting in its
11 place the underlined word "December"

12 Further amend the Bill in PART C in section 15 in
13 that part designated "§1402." in the 3rd line (page
14 37, line 22 in L.D.) by striking out the underlined
15 word "August" and inserting in its place the under-
16 lined word "December"

17 Further amend the Bill in PART C in section 15 in
18 that part designated "§1404." in the 7th line from
19 the end (page 38, line 6 in L.D.) by striking out the
20 underlined word "August" and inserting in its place
21 the underlined word "December"

22 Further amend the Bill in PART C in section 15 in
23 that part designated "§1405." in the last line (page
24 38, line 22 in L.D.) by striking out the underlined
25 word "August" and inserting in its place the under-
26 lined word "July"

27 Further amend the Bill in PART C in section 15 in
28 that part designated "§1406." in subsection 1 in the
29 2nd line (page 38, line 25 in L.D.) by striking out
30 the underlined word "August" and inserting in its
31 place the underlined word "December"

32 Further amend the Bill in PART C in section 15 in
33 that part designated "§1406." in subsection 1, para-
34 graph B in the 5th line (page 38, line 34 in L.D.) by
35 striking out the underlined word "person" and insert-
36 ing in its place the following: 'person,'

SENATE AMENDMENT "A" to H.P. 1858, L.D. 2459

1 Further amend the Bill in PART C in section 15 in
2 that part designated "§1406." in subsection 2, para-
3 graph B in the 5th line (page 39, line 7 in L.D.) by
4 striking out the underlined word "person" and insert-
5 ing in its place the following: 'person.'

6 Further amend the Bill in PART C in section 16 in
7 subsection 3 in the 3rd line from the end (page 39,
8 line 28 in L.D.) by striking out the underlined word
9 and figure "July 31" and inserting in their place the
10 underlined word and figure 'November 30'

11 Further amend the Bill in PART C in section 18 in
12 the last line (page 39, line 38 in L.D.) by striking
13 out the word "August" and inserting in its place the
14 word 'December'

15 Further amend the Bill by inserting at the end
16 before the statement of fact the following:

17 'PART E

18 Appropriation. The following funds are appropri-
19 ated from the General Fund to carry out the purposes
20 of this Act.

| | | |
|----|-----------------------------|----------------|
| 21 | | <u>1984-85</u> |
| 22 | <u>ATTORNEY GENERAL,</u> | |
| 23 | <u>DEPARTMENT OF</u> | |
| 24 | Administration - | |
| 25 | Attorney General | |
| 26 | Personal Services | \$ 1,143 |
| 27 | Provides funds to implement | |
| 28 | the purposes of this Act. | _____ |
| 29 | DEPARTMENT OF | |
| 30 | ATTORNEY GENERAL | |
| 31 | TOTAL | \$ 1,143 |

(S-412)

SENATE AMENDMENT " A" to H.P. 1858, L.D. 2459

| | | |
|----|---------------------------------------|-----------|
| 1 | <u>AUDIT, DEPARTMENT OF</u> | |
| 2 | Administration - Audit | |
| 3 | Personal Services | \$ 2,386 |
| 4 | Provides funds to | |
| 5 | implement the purposes | |
| 6 | of this Act. | _____ |
| 7 | DEPARTMENT OF AUDIT | |
| 8 | TOTAL | \$ 2,386 |
| 9 | <u>JUDICIAL DEPARTMENT</u> | |
| 10 | Courts - Supreme Judicial, | |
| 11 | Superior, District and | |
| 12 | Administrative | |
| 13 | Personal Services | \$188,376 |
| 14 | Provides funds to | |
| 15 | implement the purposes | |
| 16 | of this Act. | _____ |
| 17 | JUDICIAL DEPARTMENT TOTAL | \$188,376 |
| 18 | <u>TREASURER OF STATE (OFFICE OF)</u> | |
| 19 | Administration - | |
| 20 | Treasury | |
| 21 | Personal Services | \$ 1,170 |
| 22 | Provides funds to | |
| 23 | implement the purposes | |
| 24 | of this Act. | _____ |
| 25 | TREASURER OF STATE (OFFICE OF) TOTAL | \$ 1,170 |
| 26 | <u>SECRETARY OF STATE (OFFICE OF)</u> | |
| 27 | Administration - | |
| 28 | Secretary of State | |
| 29 | Personal Services | \$ 1,170 |
| 30 | Provides funds to | |
| 31 | implement the purposes | |
| 32 | of this Act. | _____ |

| | | |
|----|--------------------------|------------|
| 1 | SECRETARY OF STATE TOTAL | \$ 1,170 |
| 2 | <u>LEGISLATURE</u> | |
| 3 | Legislature | |
| 4 | Personal Services | \$208,000 |
| 5 | All Other | 75,000 |
| 6 | Provides funds to | |
| 7 | implement the purposes | |
| 8 | of this Act. | _____ |
| 9 | <u>LEGISLATURE TOTAL</u> | \$283,000 |
| 10 | <u>TOTAL PART E</u> | \$477,245' |

11 STATEMENT OF FACT

12 This amendment makes the following changes in the
13 original bill.

14 1. It deletes any extra compensation for chair-
15 men of the joint standing committees.

16 2. It fixes the amount available to Legislators
17 for lodging at \$24 and sets the maximum for meals at
18 \$26.

19 3. It establishes salary ranges for the consti-
20 tutional officers as follows:

- 21 Secretary of State.....Range 86;
- 22 Treasurer of State.....Range 86;
- 23 State Auditor.....Range 88; and
- 24 Attorney General.....Range 89.

25 4. The judicial compensation plan will be phased
26 in over a 5-year period under this amendment instead
27 of a 3-year period as was provided in the original
28 legislation. Other minor changes in the retirement
29 plan are made to maintain the equity of the conver-

D. OF R.

SENATE AMENDMENT " A " to H.P. 1858, L.D. 2459

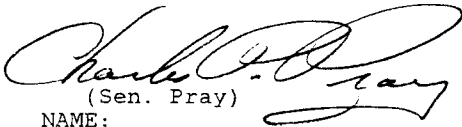
1 sion from the old retirement plan to the new retire-
2 ment plan, lowering the minimum age for the minimum
3 benefit to age 50 from age 55 and increasing the 6%
4 base salary adjustment to calculate the minimum bene-
5 fit from 3 years to 5 years.

6 5. The effective date for the new judicial sala-
7 ry levels and for the establishment of the judicial
8 retirement system is amended from August 1, 1984 to
9 December 1, 1984.

10 6. Minor technical changes are made in the lan-
11 guage of the bill to correct grammar or to conform
12 the retirement plan more nearly to the state employee
13 plan.

14 7. This amendment also adds an appropriation to
15 the bill.

16 6791041184



17 (Sen. Pray)
18 NAME:

19 COUNTY: Penobscot

Reproduced and Distributed pursuant to Senate Rule 11-A.

April 11, 1984

(S-412)