

# MAINE STATE LEGISLATURE

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1 (After Deadline)  
2 FIRST REGULAR SESSION  
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE  
5

6 Legislative Document

No. 1544

8 S.P. 587

In Senate, May 17, 1985

9 Approved for introduction by a majority of the Legislative Council  
10 pursuant to Joint Rule 27.

11 Reference to the Committee on State Government suggested and ordered  
printed.

Presented by Senator Perkins of Hancock.  
12

Cosponsored by President Pray of Penobscot, Speaker Martin of Eagle  
Lake and Representative Murphy of Kennebunk.

13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FIVE  
17

18 AN ACT to Establish Legislative Council  
19 Oversight of Expenditures for Joint Standing  
20 Committees, Joint Select Committees and  
21 Legislative Investigating Committees.  
22

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

25 Sec. 1. 3 MRSA §165, sub-§9 is enacted to read:

26 9. Oversight of expenditures. Itemized budget  
27 estimates shall be presented to the Legislative Council  
28 for approval before the committee proceeds with  
29 its authorized work. Budgets must contain, but not  
30 be limited to, the following categories:

31 A. Personnel. The committee shall justify to  
32 the Legislative Council the need for full-time or  
33 part-time staff beyond the resources available  
34 through the nonpartisan legislative staff agen-  
35 cies and in specific relation to the authorized

1 scope of work. The Legislative Council shall  
2 specifically authorize the level of staffing ef-  
3 fort and type of staffing arrangements including,  
4 but not limited to:

5 (1) Secretarial staff;

6 (2) Contractual staff; and

7 (3) Technical and professional consultants;

8 B. Salary and benefits. The Legislative Council  
9 shall adopt general policies regarding compensa-  
10 tion of staff hired specifically for joint select  
11 and special committees including, but not limited  
12 to:

13 (1) Clerical and research staff. Existing  
14 legislative salary scales shall be used; and

15 (2) Special, technical or professional con-  
16 sultation. The Legislative Council shall  
17 establish a ceiling for a daily rate or for  
18 total fees to be paid to a particular firm.  
19 Ceilings shall be renegotiated only with  
20 prior Legislative Council authorization.

21 All proposed salaries and fees shall be reviewed  
22 by the Legislative Council prior to any commit-  
23 ment to hire.

24 The Legislative Council shall establish a policy  
25 regarding the availability of state-paid benefits  
26 to temporary employees;

27 C. Committee members. The committee shall pro-  
28 pose compensation for committee members, includ-  
29 ing per diem compensation and compensation for  
30 meals and mileage;

31 D. Travel. Staff and consultants hired to work  
32 specifically with a joint select committee or  
33 joint special committee shall be reimbursed for  
34 expenses incurred in the performance of committee  
35 work as follows.

- 1                   (1) There shall be no reimbursement for  
2                   mileage to and from an employee's residence  
3                   and Augusta.
- 4                   (2) Reimbursement at the rate in effect for  
5                   all state employees for all in-state travel  
6                   shall be as authorized by the committee  
7                   chairmen.
- 8                   (3) Any reimbursement of out-of-state  
9                   travel expenses on behalf of the committee  
10                  must be approved in advance by the Legisla-  
11                  tive Council upon request of the committee  
12                  chairmen.
- 13                  (4) Any reimbursement of expenses for au-  
14                  thorized out-of-state travel shall be reim-  
15                  bursed according to policies governing  
16                  travel by Legislators.
- 17                           (a) Reimbursement for airplane fares  
18                           shall be according to the actual fare  
19                           which shall be for coach class only.
- 20                           (b) Reimbursement for hotel costs  
21                           shall be according to the actual cost,  
22                           provided that the government rate shall  
23                           be requested.
- 24                           (c) Reimbursement for meals shall be  
25                           according to the actual cost, provided  
26                           that a maximum of \$26 a day shall be  
27                           allowed for those meals for which re-  
28                           ceipts are provided.
- 29                           (d) Reimbursement for taxi, limosine  
30                           or parking costs shall be according to  
31                           the actual cost, provided that re-  
32                           ceipts shall be required for any amount  
33                           over \$5.
- 34                           (e) Other expenses shall be reimbursed  
35                           based on actual costs, which shall be  
36                           based on receipts where available. Al-  
37                           coholic beverages, HBO, valet and other  
38                           similar goods or services are specifi-  
39                           cally excluded;

- 1        E. Advertising for public hearings;  
2        F. Printing;  
3        G. Telephone;  
4        H. Miscellaneous supplies; and  
5        I. Any other categories as the Legislative Council  
6        may from time to time direct.

7        The Legislative Council shall review the budget re-  
8        quest and base its approval of the total budget on  
9        the projected line item expenditures.

10       The Legislative Council shall issue written guide-  
11       lines to committee members and committee staff re-  
12       garding reimbursable expenditures.

13       The Legislative Administrative Director shall process  
14       payments of expenditures only to the maximum budgeted  
15       for each line category.

16       The Legislative Council shall establish monthly sta-  
17       tus reports to the Legislative Council by the commit-  
18       tee chairmen relative to the committee's work status  
19       and by the Legislative Administrative Director re-  
20       garding the financial status of the committee.

21       The committee shall request approval from the Legis-  
22       lative Council for any variation in the line budget  
23       before incurring any obligations not already approved  
24       by the Legislative Council.

25       Sec. 2. 3 MRSA §414 is enacted to read:

26       §414. Oversight of expenditures

27       The Legislative Council shall provide oversight  
28       over expenditures for legislative investigating com-  
29       mittees as follows.

30       1. Itemized budget estimates. Itemized budget  
31       estimates shall be presented to the Legislative Coun-  
32       cil for approval before the committee proceeds with  
33       its authorized work. Budgets must contain, but not  
34       be limited to, the following categories:

1           A. Personnel. The committee shall justify to  
2 the Legislative Council the need for full-time or  
3 part-time staff beyond the resources available  
4 through the nonpartisan legislative staff agen-  
5 cies and in specific relation to the authorized  
6 scope of work. The council shall specifically  
7 authorize the level of staffing effort and type  
8 of staffing arrangements including, but not lim-  
9 ited to:

- 10                   (1) Secretarial staff;
- 11                   (2) Contractual staff; and
- 12                   (3) Technical and professional consultants;

13           B. Salary and benefits. The Legislative Council  
14 shall adopt general policy regarding compensation  
15 of staff hired specifically for joint, select and  
16 special committees including, but not limited to:

- 17                   (1) Clerical and research staff. Existing  
18 legislative salary scales shall be used; and
- 19                   (2) Special, technical or professional con-  
20 sultation. The Legislative Council shall  
21 establish a ceiling for a daily rate or for  
22 total fees to be paid to a particular firm.  
23 Ceilings shall be renegotiated only with  
24 prior Legislative Council authorization.

25           All proposed salaries and fees shall be reviewed  
26 by the Legislative Council prior to any commit-  
27 ment to hire.

28           The Legislative Council shall establish a policy  
29 regarding the availability of state-paid benefits  
30 to temporary employees;

31           C. Committee members. The committee shall pro-  
32 pose compensation for committee members, includ-  
33 ing per diem compensation and compensation for  
34 meals and mileage;

35           D. Travel. Staff and consultants hired to work  
36 specifically with an investigating committee  
37 shall be reimbursed for expenses incurred in the  
38 performance of committee work as follows.

1                   (1) There shall be no reimbursement for  
2 mileage to and from an employee's residence  
3 and Augusta.

4                   (2) Reimbursement at the rate in effect for  
5 all state employees for all in-state travel  
6 shall be as authorized by the committee  
7 chairmen.

8                   (3) Any reimbursement of out-of-state  
9 travel expenses on behalf of the committee  
10 must be approved in advance by the Legisla-  
11 tive Council upon request of the committee  
12 chairmen.

13                   (4) Any reimbursement of expenses for au-  
14 thorized out-of-state travel shall be reim-  
15 bursed according to policies governing  
16 travel by Legislators.

17                   (a) Reimbursement for airplane fares  
18 shall be according to the actual fare  
19 which shall be for coach class only.

20                   (b) Reimbursement for hotel costs  
21 shall be according to the actual cost,  
22 provided that the government rate shall  
23 be requested.

24                   (c) Reimbursement for meals shall be  
25 according to the actual cost, provided  
26 that a maximum of \$26 a day shall be  
27 allowed for those meals for which re-  
28 ceipts are provided.

29                   (d) Reimbursement for taxi, limosine  
30 or parking costs shall be according to  
31 the actual cost, provided that re-  
32 ceipts shall be required for any amount  
33 over \$5.

34                   (e) Other expenses shall be reimbursed  
35 based on actual costs, which shall be  
36 based on receipts where available. Al-  
37 coholic beverages, HBO, valet and other  
38 similar goods or services are specifi-  
39 cally excluded;

- 1           E. Advertising for public hearings;
- 2           F. Printing;
- 3           G. Telephone;
- 4           H. Miscellaneous supplies; and
- 5           1. Any other categories as the Legislative Council  
6           may from time to time direct.
- 7           2. Council review. The Legislative Council  
8           shall review the budget request and base its approval  
9           of the total budget on the projected line item ex-  
10           penditures.
- 11           3. Written guidelines. The Legislative Council  
12           shall issue written guidelines to committee members  
13           and committee staff regarding reimbursable expendi-  
14           tures.
- 15           4. Process of payment by the Legislative Admin-  
16           istrative Director. The Legislative Administrative  
17           Director shall process payments of expenditures only  
18           to the maximum budgeted for each line category.
- 19           5. Monthly status reports. The Legislative  
20           Council shall establish monthly status reports to the  
21           Legislative Council by the committee chairmen rela-  
22           tive to the committee's work status and by the Legis-  
23           lative Administrative Director regarding the finan-  
24           cial status of the committee.
- 25           6. Variations in budget. The committee shall  
26           request approval from the Legislative Council for any  
27           variation in the line budget before incurring any ob-  
28           ligations not already approved by the Legislative  
29           Council.



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STATEMENT OF FACT

The purpose of this bill is to establish a set of guidelines and a method by which the Legislative Council may oversee expenditures for joint standing committees, joint select committees and legislative investigating committees.

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