

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2245

H.P. 1646 House of Representatives, February 11, 1988
Submitted by the State Compensation Commission pursuant
to the Maine Revised Statutes Annotated, Title 3, section 2-A.
EDWIN H. PERT, Clerk

Reference to the Joint Standing Committee on
Appropriations and Financial Affairs suggested and printing
ordered under Joint Rule 18.

STATE OF MAINE

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

AN ACT to Implement Certain
Recommendations of the State
Compensation Commission.

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2
3
4

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

7 Sec. 1. 3 MRSA §2, first ¶, as amended by PL
8 1985, c. 737, Pt. C, §§2 and 6, is further amended to
9 read:

1 Each member of the Senate and House of
2 Representatives, beginning with the first Wednesday of
3 December, ~~1986~~ 1988, and thereafter, shall
4 receive ~~\$9,000~~ \$10,000 in the first year and \$6,000
5 in the 2nd year of each biennium, and shall be paid
6 for travel at each legislative session once each week
7 at the same rate per mile to and from his place of
8 abode as state employees receive, the mileage to be
9 determined by the most reasonable direct route, except
10 that Legislators may be reimbursed for tolls paid for
11 travel on the Maine Turnpike provided they have a
12 receipt for payment of the tolls, such tolls to be
13 reimbursed where Legislators use the Maine Turnpike in
14 traveling to and from sessions of the Legislature or
15 in performance of duly authorized committee
16 assignments. Each Legislator is entitled to mileage on
17 the first day of the session, and such amounts of his
18 salary and expenses at such times as the Legislature
19 may determine during the session, and the balance at
20 the end thereof.

21 Sec. 2. 3 MRSA §2, 3rd ¶, as amended by PL
22 1985, c. 693, §5, is further amended to read:

23 Each member of the Senate and House of
24 Representatives shall be entitled to a meal allowance
25 in the amount of ~~\$26~~ \$30 and a housing allowance in
26 the amount of ~~\$34~~ \$38 for each day in attendance at
27 sessions of the Legislature and for each day he
28 occupies overnight accommodations away from home
29 either immediately preceding or immediately following
30 attendance at daily sessions of the Legislature. In
31 lieu of the meal and housing allowance, each member
32 shall be entitled to a daily meal allowance in the
33 amount of ~~\$26~~ \$30 and actual daily mileage
34 allowances in an amount up to but not exceeding ~~\$34~~
35 \$38 per day. Each member of the Senate shall also
36 receive an annual allowance for constituent services
37 in the amount of \$1,000. Each member of the House of
38 Representatives shall also receive an annual allowance
39 for constituent services in the amount of \$500.

40 Sec. 3. 3 MRSA §2, 5th ¶, as repealed and
41 replaced by PL 1975, c. 750, §1, is amended to read:

1 The President of the Senate and the Speaker of the
2 House of Representatives shall receive an additional
3 ~~50%~~ ~~60%~~ above regular compensation, the majority and
4 minority leaders of the Senate and House of
5 Representatives shall receive an additional ~~25%~~ ~~30%~~
6 above regular compensation and the assistant majority
7 and minority leaders of the Senate and House of
8 Representatives shall receive an additional ~~12 1/2%~~
9 ~~15%~~ above regular compensation. The 2 chairmen of
10 each of the joint standing committees of the
11 Legislature shall receive an additional 5% above
12 regular compensation, and those Legislators of the
13 minority party serving on a joint standing committee
14 of the Legislature who have been designated by their
15 minority leaders to serve as minority lead-people
16 shall receive an additional 2 1/2% above regular
17 compensation, except that each joint standing
18 committee may have no more than 2 minority
19 lead-people, one member of the minority party from the
20 Senate and one member of the minority party from the
21 House of Representatives. In no case may any
22 Legislator receive more than one compensation
23 differential. For purposes of this section, "minority
24 lead-people" means those Legislators designated by
25 their minority leaders to report to their caucuses on
26 the activities within their joint standing committees.

27 **Sec. 4. 3 MRSA §2, 6th ¶, as amended by PL**
28 **1985, c. 693, §5, is further amended to read:**

29 In addition to the salary paid for the first and
30 2nd regular sessions of the Legislature, when a
31 special session is called, the members of the Senate
32 and House of Representatives shall each be ~~paid~~ \$55
33 compensated \$100 for every day's attendance, expenses
34 and mileage as aforesaid.

35 **Sec. 5. 3 MRSA §162-B, as enacted by PL 1983,**
36 **c. 862, §§5 and 6, is amended to read:**

37 **§162-B. Salaries of constitutional officers**

38 Notwithstanding any other provisions of law, the
39 salaries of the following state officials shall be at

1 the salary ranges indicated in this section. At the
2 time of initial appointment the salary of the
3 Secretary of State, the State Auditor and the
4 Treasurer of State shall be set at the first step of
5 the official's respective range. At the time of
6 initial appointment, the salary salaries of the
7 Attorney General and the State Auditor shall be set at
8 Step E of his their salary range. The Legislative
9 Council may adjust the salary of each official by one
10 step for each year of continuous service after the
11 initial appointment to office.

12 The salary ranges shall be as provided by law for
13 confidential employees who take the salary increase
14 option instead of state payment of retirement
15 contribution. No other state salary may be paid.
16 These officials are not eligible for state payment of
17 employee retirement contributions.

18 1. Range 87. The salary of the following state
19 officials and employees shall be within salary range
20 ~~87, but shall not exceed Step 6 in that range:~~

21 A. Secretary of State; and

22 B. Treasurer of State.

23 2. Range 88. The salary of the State Auditor
24 shall be within salary range 88, but shall not
25 exceed be less than Step G E in that range.

26 3. Range 90. The salary of the Attorney General
27 shall be within salary range 90, but shall not be less
28 than Step E and ~~shall not exceed Step 6~~ in that
29 range.

30 Sec. 6. 3 MRSA §801, sub-§1-A is enacted to
31 read:

32 1-A. Waiver provision. Any Legislator may
33 petition the presiding officer for a waiver from the
34 membership provisions of subsection 1, if it can be
35 demonstrated that membership in the Maine Legislative
36 Retirement System will create or exacerbate a
37 Legislator's federal income tax liability due to the

1 ownership of another retirement plan. The Office of
2 the Executive Director of the Legislative Council
3 shall provide assistance as requested by the
4 Legislator or presiding officer. The presiding
5 officer shall respond to the Legislator's petition
6 within 30 days and shall provide copies of the
7 decision to the Executive Director of the Legislative
8 Council and the Executive Director of the Maine State
9 Retirement System.

10 **Sec. 7. Appropriation.** The following funds are
11 appropriated from the General Fund to carry out the
12 purposes of this Act.

13 1988-89

14 AUDIT, DEPARTMENT OF

15 Personal Services \$ 8,965

16 Provides funds for the
17 salary of the State
18 Auditor per the Maine
19 Revised Statutes,
20 Title 3, section 162-B.

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22 Personal Services \$227,500

23 All Other 180,500

24
25 Total \$408,000

26 Provides funds to
27 implement salary,
28 meals, lodging and
29 constituent service
30 allowance increases
31 per the Maine Revised
32 Statutes, Title 3,
33 section 2.

34
35 TOTAL APPROPRIATIONS \$416,965

1 STATEMENT OF FACT

2 This bill implements the recommendations of the
3 State Compensation Commission made in their 2nd
4 interim report as follows:

5 The State Compensation Commission has recommended
6 7 changes in legislative compensation effective with
7 the seating of the 114th Legislature, including:
8 increasing first regular session salaries by \$1,000 to
9 \$10,000; increasing the compensation received by
10 legislative leadership to 60% above regular
11 compensation for the presiding officers, 30% above
12 regular compensation for the majority and minority
13 leaders and 15% above regular compensation for the
14 assistant majority and assistant minority leaders;
15 establishing a compensation differential of 5% above
16 regular compensation for committee chairmen and 2 1/2%
17 above regular compensation for minority "lead-people";
18 authorizing special session compensation at the rate
19 of \$100 per legislative day; increasing meals
20 allowance by \$4 to \$30 per day and the lodging, or
21 mileage in lieu of lodging, allowance by \$4 to \$38 per
22 day; increasing the annual constituent service
23 allowance for Senators by \$500 to \$1,000; and creating
24 a waiver provision from mandatory membership in the
25 Maine Legislative Retirement System for those members
26 with a tax conflict.

27 The commission has recommended eliminating
28 statutory language that prohibits the constitutional
29 officers from reaching the top 2 steps of their salary
30 ranges. Also, the commission has recommended that the
31 State Auditor, like the Attorney General, be allowed
32 to start at Step E of the salary range in recognition
33 of the professional certification requirements for the
34 position.

35 Further information on these recommendations may
36 be found in the State Compensation Commission's
37 Interim Report dated January 15, 1988.

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