

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 2238

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H.P. 1616

House of Representatives, January 25, 1990

Submitted by the State Compensation Commission pursuant to the Maine Revised Statutes Annotated, Title 3, section 2-A.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

*Ed Pert*

EDWIN H. PERT, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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**An Act to Implement Certain Recommendations of the State  
Compensation Commission.**

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(EMERGENCY)



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

Whereas, the State Compensation Commission has recommended  
salary increases for the State's justices and judges,  
constitutional officers, the State Auditor and commissioners of  
the Public Utilities Commission and Workers' Compensation  
Commission; and

Whereas, these salary increases will become payable as of  
July 1, 1990; 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. 2 MRSA §1, 3rd ¶,** as enacted by PL 1985, c. 693, §1,  
is amended to read:

Until the first Wednesday of January 1987, the Governor  
shall receive an annual salary of \$35,000. Beginning the first  
Wednesday of January 1987, the Governor shall receive an annual  
salary of \$70,000. Beginning the first Wednesday of January  
1991, the Governor shall receive an annual salary of \$87,500.

**Sec. 2. 2 MRSA §6-A, sub-§1,** as amended by PL 1985, c. 693,  
§§2 and 14 and c. 737, Pt. C, §5, is further amended to read:

**1. Chair.** The salary of the chairman ~~chair~~ chair of the  
commission shall be within salary range 91, step G, for fiscal  
year 1987; and salary range 91, step H, for fiscal year 1988, and  
annually thereafter, except that effective July 1, 1990 the  
salary of the chair of the commission shall be equal to 102.5% of  
salary range 91, step H, upon completion of the 3rd year of the  
chair's first term.

**Sec. 3. 2 MRSA §6-A, sub-§2-A** is enacted to read:

**2-A. Senior commission member.** For the purposes of this  
section, "senior commission member" means any commissioner, other  
than the chair, who has completed the 3rd year of a first term.  
Effective July 1, 1990, the salary of the senior commission  
members shall be equal to 102.5% of salary range 90, step H.

2           **Sec. 4. 2 MRSA §7, sub-§2, ¶A**, as amended by PL 1989, c. 502,  
Pt. A, §5, is further amended to read:

4           A. For the chair, a salary within salary range 91, step G,  
6           for fiscal year 1987; and a salary within salary range 91,  
step H, for fiscal year 1988; and annually thereafter,  
8           except that, effective July 1, 1990, the salary of the chair  
shall be equal to 102.5% of salary range 91, step H, upon  
completion of the 3rd year of the chair's first term;

10           **Sec. 5. 2 MRSA §7, sub-§2, ¶B**, as amended by PL 1985, c. 693,  
12           §§4 and 14, is further amended to read:

14           B. For the members, a salary within salary range 90, step  
16           G, for fiscal year 1987; and a salary within salary range  
90, step H, for fiscal year 1988; and annually thereafter;  
18           and

20           **Sec. 6. 2 MRSA §7, sub-§2, ¶C** is enacted to read:

22           C. Effective July 1, 1990, for senior commission members, a  
salary equal to 102.5% of salary range 90, step H. For the  
purposes of this section, "senior commission member" means  
24           any member, other than the chair, who has completed the 3rd  
year of a first term.

26           **Sec. 7. 3 MRSA §162-B, first ¶**, as amended by PL 1989, c. 501,  
28           Pt. O, §§7 and 22 and c. 596, Pt. C, §8, is further amended to  
read:

30           Notwithstanding any other provisions of law, the salaries of  
32           the following state officials shall be at the salary ranges  
indicated in this section. At the time of initial appointment,  
34           the salary of the Secretary of State and the Treasurer of State  
shall be set at the Step C D of the official's respective range.  
36           At the time of initial appointment, the salaries of the Attorney  
General and the State Auditor shall be set at Step E of their  
38           salary ranges. The Legislative Council may adjust the salary of  
each official by one step for each year of continuous service  
40           after the initial appointment to office.

42           **Sec. 8. 3 MRSA §162-B, sub-§§1 and 2**, as amended by PL 1989, c.  
44           501, Pt. O, §§7 and 22 and c. 596, Pt. C, §8, are further amended  
to read:

46           **1. Range 89.** The salary of the following state officials  
and employees shall be within salary range ~~88~~ 89, but shall not  
48           be less than Step C D in that range:

50           A. Secretary of State; and

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B. Treasurer of State.

2. **Range 90.** The salary of the State Auditor shall be within salary range 89 90, but shall not be less than Step E in that range.

**Sec. 9. 4 MRSA §4, sub-§2,** as repealed and replaced by PL 1989, c. 501, Pt. O, §§9 and 22 and c. 596, Pt. C, §§1 and 8, is repealed and the following enacted in its place:

2. Associate justice; salary. Each associate justice of the Supreme Judicial Court shall receive a salary as follows:

- A. For fiscal year 1990, \$80,392;
- B. For fiscal year 1991, \$84,412;
- C. For fiscal year 1992, \$88,633; and
- D. For fiscal year 1993, and thereafter, \$93,065.

**Sec. 10. 4 MRSA §102, sub-§2,** as repealed and replaced by PL 1989, c. 501, Pt. O, §§12 and 22 and c. 596, Pt. C, §§2 and 8, is repealed and the following enacted in its place:

2. Associate justice; salary. Each associate justice of the Superior Court shall receive a salary as follows:

- A. For fiscal year 1990, \$76,024;
- B. For fiscal year 1991, \$79,825;
- C. For fiscal year 1992, \$83,816; and
- D. For fiscal year 1993, and thereafter, \$88,007.

**Sec. 11. 4 MRSA §157, sub-§4,** as amended by PL 1989, c. 501, Pt. O, §§15 and 22 and as repealed and replaced by c. 596, Pt. C, §§3 and 8, is repealed and the following enacted in its place:

4. Associate judge; salary. Each associate judge of the District Court shall receive a salary as follows:

- A. For fiscal year 1990, \$72,983;
- B. For fiscal year 1991, \$76,632;
- C. For fiscal year 1992, \$80,464; and

2           D. For fiscal year 1993, and thereafter, \$84,487.

4           **Sec. 12. Legislative intent.** It is the intent of the Legislature  
6 that, beginning with the 115th Legislature, members of the  
Legislature are entitled to receive state payment of basic life  
insurance coverage.

8           **Sec. 13. Appropriation.** The following funds are appropriated  
10 from the General Fund to carry out the purposes of this Act.

	<b>1990-91</b>
<b>AUDIT, DEPARTMENT OF</b>	
<b>Audit - Departmental Bureau</b>	
Personal Services	\$4,481
Provides funds for the salary increase and related costs of the State Auditor pursuant to the Maine Revised Statutes, Title 3, section 162-B.	
<b>DEPARTMENT OF AUDIT TOTAL</b>	<u>\$4,481</u>
<b>JUDICIAL DEPARTMENT</b>	
<b>Courts - Supreme, Superior, District and Administrative</b>	
Personal Services.	\$281,012
Provides funds to increase the annual salary and related costs for justices and judges by 5% beginning July 1, 1990.	
<b>JUDICIAL DEPARTMENT TOTAL</b>	<u>\$281,012</u>
<b>LEGISLATURE</b>	
<b>Legislature</b>	
Personal Services	\$9,055
Provides funds for state payment of basic life insurance.	
<b>LEGISLATURE TOTAL</b>	<u>\$9,055</u>

2	<b>TREASURER OF STATE</b>	
4	<b>Administration - Treasury</b>	
6	Personal Services	\$4,781
8	Provides funds to increase the salary and	
10	related costs of the Treasurer of State	
12	pursuant to the Maine Revised Statutes,	
14	Title 3, section 162-B.	
14	<b>TREASURER OF STATE</b>	
14	<b>TOTAL</b>	<u>\$4,781</u>
16	<b>PUBLIC UTILITIES COMMISSION</b>	
18	<b>Public Utilities - Administration Division</b>	
20	Personal Services	\$1,939
22	Provides funds to increase the salary and	
24	related costs of a senior commission member	
26	pursuant to the Maine Revised Statutes,	
28	Title 2, section 6-A.	
28	<b>PUBLIC UTILITIES COMMISSION</b>	
28	<b>TOTAL</b>	<u>\$1,939</u>
30	<b>WORKERS' COMPENSATION COMMISSION</b>	
32	<b>Workers' Compensation Commission</b>	
34	Personal Services	\$11,914
36	Provides funds to increase the salary and	
38	related costs of senior commission members	
40	pursuant to the Maine Revised Statutes,	
42	Title 2, section 7.	
42	<b>WORKERS' COMPENSATION COMMISSION</b>	
42	<b>TOTAL</b>	<u>\$11,914</u>
44	<b>TOTAL APPROPRIATIONS</b>	<u>\$313,182</u>
46		
48	<b>Emergency clause.</b> In view of the emergency cited in the preamble, this Act takes effect when approved.	

## FISCAL NOTE

2  
4 Enactment of this legislation requires a General Fund  
6 appropriation of \$304,127 in fiscal year 1990-91 to fund salary  
8 increases for the constitutional officers and the State Auditor,  
10 Maine's justices and judges, and commissioners of the Public  
12 Utilities Commission and the Workers' Compensation Commission.

14 In addition, this legislation implements statutory language  
16 that will generate future costs to the General Fund. The most  
18 significant future costs will result from implementing the 2nd  
20 and 3rd annual 5% salary increase for Maine's justices and  
22 judges. It is estimated that these increases will require  
24 additional General Fund appropriations of approximately \$576,100  
26 in fiscal year 1991-92 and \$885,900 in fiscal year 1992-93.  
Other future costs items include:

1. Eventual implementation of a \$17,500 increase in the  
Governor's salary (effective upon the seating of the next newly  
elected Governor); and

2. Additional members of the Public Utilities Commission  
and Workers' Compensation Commission becoming eligible for a 2.5%  
salary increase upon completion of their 3rd year. (These costs  
will be built into the fiscal year 1992-93 biennial "current  
services" budget.)

## STATEMENT OF FACT

This bill implements the recommendations of the State  
Compensation Commission made in its January 15, 1990, 2nd interim  
report as follows:

1. Increasing the salary of the next Governor to \$87,500;

2. Implementing a 3-year judicial salary increase schedule  
of 5% each year, starting on July 1, 1990;

3. Providing state funding of Legislators' basic life  
insurance, as is provided for state employees;

4. Increasing the salary range assignments for each of the  
constitutional officers and the State Auditor and increasing the  
minimum step assignment for initial appointments of the Secretary  
of State and Treasurer of State; and

5. Authorizing a 2.5% salary increase for members of the  
Public Utilities Commission and the Workers' Compensation  
Commission upon the completion of their 3rd year of their first

2 term. These members are then called senior commission members.  
3 It is legislative intent that commissioners who completed their  
4 3rd year of their first term prior to the effective date of these  
5 provisions are not eligible for retroactive salary increases.

6 Further information on these recommendations, as well as  
7 other nonstatutory recommendations, may be found in the State  
8 Compensation Commission's 2nd interim report, dated January 15,  
9 1990.

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