

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 43

S.P. 29

In Senate, January 6, 1999

**An Act to Amend the State Compensation Commission Laws.**

(EMERGENCY)

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by President LAWRENCE of York.  
Cosponsored by Representative ROWE of Portland and  
Senators: PINGREE of Knox, RAND of Cumberland, SMALL of Sagadahoc,  
Representatives: CAMPBELL of Holden, MURPHY of Kennebunk, SAXL of Portland.

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

Whereas, this legislation needs to take effect immediately to allow the State Compensation Commission the time necessary to complete its work and file its report; 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 §2-B**, as corrected by RR 1997, c. 2, §3, is amended to read:

**§2-B. State Compensation Commission**

**1. State Compensation Commission; membership.** The State Compensation Commission, established in Title 5, section 12004-G, subsection 26-D and referred to in this section as the "commission," consists of 5 members appointed as follows:

A. Two members, not from the same political party, appointed by the President of the Senate;

B. Two members, not from the same political party, appointed by the Speaker of the House; and

C. One member appointed by a majority of the members appointed under paragraphs A and B, who serves as chair of the commission.

The 5 members must be residents of the State and appointed from the public. A person may not be appointed who is a Legislator at the time of appointment.

All members must be appointed for a term to coincide with the legislative biennium. A vacancy must be filled in the same manner as the original appointment for the balance of the unexpired term.

The members of the commission are entitled to a per diem, expenses and allowances at the same rate as Legislators.

**2. Duties of commission.** The commission must issue its first report no later than ~~January 1, 1998~~ April 15, 1999. No

later than January 1st of every even-numbered year thereafter,  
the commission shall submit to the Legislature a report of the  
commission. The report must contain:

A. A description of the commission's activities;

B. The recommendations of the commission for all regular  
and special sessions of the next Legislature concerning:

(1) Compensation of Legislators and representatives of  
Indian tribes, including, but not limited to, all  
payments for: salaries, meals, housing, travel, mileage  
and all other expenses and allowances; additional  
service as President of the Senate, as Speaker of the  
House or as a member of leadership; and for constituent  
services; and

(2) Compensation for the Attorney General, the  
Secretary of State, the Treasurer of State and the  
State Auditor;

C. The reasons for its recommendations;

D. Drafts of any legislation required to implement its  
recommendations; and

E. Any other material and recommendations that commission  
members may wish to submit.

Before reporting as required in this subsection and subsequent to  
giving public notice, the commission shall hold a public hearing  
on the report. Subsequent to reporting, the commission shall  
meet, if requested, with the Governor, the Legislative Council  
and legislative committees to discuss the report.

**3. Appointments; meetings.** ~~The--4--appointments--by--the  
presiding-officers--must--be--made--no--later--than--15--days--following  
September-19--1997.~~ The Executive Director of the Legislative  
Council must be notified by the presiding officers once the  
~~selections--have~~ appointment of the initial 4 members has been  
made. Within 15 days of the appointment of the initial 4  
members, the Chair of the Legislative Council shall call and  
convene the first meeting of the commission.

**4. Staff assistance.** The commission shall request staff  
assistance from the Legislative Council.

**5. Legislation.** The commission may submit legislation  
required to implement its recommendations.

2       **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

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6                               **SUMMARY**

8       This bill delays the first reporting deadline for the State  
Compensation Commission to April 15, 1999, clarifies that the  
commission is authorized to submit legislation and makes a  
10 technical change in the requirements of the appointment process.