

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 2168

S.P. 770

In Senate, April 7, 1999

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

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Reported by President LAWRENCE of York for the State Compensation Commission pursuant to Maine Revised Statutes, Title 3, section 2-B, subsection 5.

Reference to the Committee on State and Local Government suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

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

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**Sec. 1. 3 MRSA §2, first ¶**, as amended by PL 1991, c. 4, is further amended to read:

Each member of the Senate and House of Representatives, beginning with the first Wednesday of December ~~1990~~ 2000 and thereafter, is entitled to ~~\$10,500~~ \$15,750 in the first year and ~~\$7,500~~ \$11,250 in the 2nd year of each biennium, except that if a Legislator who is a recipient of retirement benefits from the federal Social Security Administration files a written request with the Executive Director of the Legislative Council within one week after the biennium commences, the Legislator is entitled to ~~\$9,000~~ \$13,500 in each year of the biennium. In addition, each Legislator is entitled to be paid for travel at each legislative session once each week at the same rate per mile to and from that Legislator's place of abode as state employees receive, the mileage to be determined by the most reasonable direct route, except that Legislators may be reimbursed for tolls paid for travel on the Maine Turnpike provided as long as they have a receipt for payment of the tolls, such tolls to be reimbursed when Legislators use the Maine Turnpike in traveling to and from sessions of the Legislature or in performance of duly authorized committee assignments. Each Legislator is entitled to mileage on the first day of the session, and ~~such~~ those amounts of salary and expenses at such times as the Legislature may determine during the session, and the balance at the end ~~thereof~~ of the session.

**Sec. 2. 3 MRSA §2, 3rd ¶**, as amended by PL 1997, c. 309, §1, is further amended to read:

Except as provided in this section, each member of the Senate and House of Representatives is entitled to a meal allowance in the amount of \$32 and a housing allowance in the amount of \$38 for each day in attendance at sessions of the Legislature and for each day the member occupies overnight accommodations away from home either immediately preceding or immediately following attendance at daily sessions of the Legislature. The presiding officers may establish reasonable policies regarding allowances for meals and overnight accommodations for the day immediately preceding the session, which may include policies regarding whether an allowance is paid, whether the full amount or a portion of the statutory allowance is paid and whether receipts are required. In lieu of the meal and housing allowance, each member is entitled to a daily meal allowance in the amount of \$32 and actual daily mileage allowances in an amount up to but not exceeding \$38 per day. Each member of the Senate also receives an annual allowance for constituent services in the amount of ~~\$1,000~~ \$2,000, ~~\$650~~ \$1,300 at the start of each regular session and ~~\$350~~ \$700 in the month following adjournment of the regular session. Each member

2 of the House of Representatives also receives an annual allowance  
3 for constituent services in the amount of \$750 ~~\$1,500~~, \$500  
4 ~~\$1,005~~ at the start of each regular session and \$250 ~~\$495~~ in the  
5 month following adjournment of the regular session.

6 **Sec. 3. 3 MRSA §162-B**, as amended by PL 1989, c. 596, Pt. C,  
7 §8 and affected by PL 1991, c. 824, Pt. B, §§13 and 14, is  
8 further amended to read:

10 **§162-B. Salaries of constitutional officers**

12 Notwithstanding any other provisions of law and with the  
13 exception of the Attorney General, the salaries of the following  
14 state officials ~~shall-be~~ are at the salary ranges indicated in  
15 this section. At the time of initial appointment, the salary  
16 salaries of the Secretary of State and, the Treasurer of State  
17 shall-be and the State Auditor are set at the Step C E of the  
18 official's respective range. ~~At the time of initial appointment,~~  
19 ~~the salaries of the Attorney General and the State Auditor shall~~  
20 ~~be set at Step E of their salary ranges.~~ The Legislative Council  
21 may adjust the salary of each official by one step for each year  
22 of continuous service after the initial appointment to office.

24 The salary ranges ~~shall-be~~ are as provided by law for  
25 confidential employees who take the salary increase option  
26 instead of state payment of retirement contribution. No other  
27 state salary may be paid. These officials are not eligible for  
28 state payment of employee retirement contributions.

30 ~~1. Range 88. The salary of the following state officials~~  
31 ~~and employees shall be within salary range 88, but shall not be~~  
32 ~~less than Step C in that range.~~

34 ~~A. Secretary of State, and~~

36 ~~B. Treasurer of State.~~

38 **2. Range 89.** The salary salaries of the State Auditor  
39 ~~shall-be,~~ the Secretary of State and the Treasurer of State are  
40 within salary range 89, but shall may not be less than Step E in  
41 that range.

42 **3. Range 91.** The salary of the Attorney General ~~shall-be~~  
43 ~~within salary range 91, but shall not be less than Step E in that~~  
44 ~~range is identical to that established by Title 4, section 157,~~  
45 subsection 4, paragraph A.

48 **Sec. 4. 3 MRSA §851**, as amended by PL 1993, c. 410, Pt. L,  
49 §3-A, is further amended to read:

50 **§851. Eligibility for retirement**

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2 Upon written application to the board setting forth the date  
upon which the member chooses to terminate employment, any member  
4 may retire on a service retirement allowance upon meeting one of  
the following.

6 **1. Age 60 years; 8 years of creditable service on July 1,**  
1993. Any member in service may retire on or after the member's  
8 60th birthday. Any member not in service may retire at the age of  
60 years or thereafter ~~provided that~~ as long as the member has at  
10 least ~~10~~ 8 years of creditable service or ~~5~~ 4 full terms as a  
Legislator. Creditable service as a member of the Maine State  
12 Retirement System after service as a member of the Maine  
Legislative Retirement System is used in determining the  
14 completion of ~~10~~ 8 years of creditable service.

16 This subsection applies to members who, on July 1, 1993, have ~~10~~  
8 years of creditable service or have reached 60 years of age and  
18 are in service on that date.

20 **1-A. Age 62; less than 8 years creditable service on July**  
1, 1993. Any member in service may retire on or after the  
22 member's 62nd birthday. Any member not in service may retire at  
the age of 62 years or thereafter ~~provided that~~ as long as the  
24 member has at least ~~10~~ 8 years of creditable service or ~~5~~ 4 full  
terms as a Legislator. Creditable service as a member of the  
26 Maine State Retirement System after service as a member of the  
Maine Legislative Retirement System is used in determining the  
28 completion of ~~10~~ 8 years of creditable service.

30 This subsection applies to members who are not covered under  
subsection 1.

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**2. Early retirement; 8 years of creditable service on July**  
34 **1, 1993.** Any member in service who has completed at least 25  
years of creditable service, may retire any time before the  
36 member's 60th birthday. Creditable service as a member of the  
Maine State Retirement System after service as a member of the  
38 Maine Legislative Retirement System is used in determining the  
completion of 25 years of creditable service. The retirement  
40 allowance is determined in accordance with section 852, except  
that it is reduced by multiplying the retirement allowance by a  
42 fraction that represents the ratio of the amount of a life  
annuity due at age 60 years to the amount of a life annuity due  
44 at the age of retirement. The tables of annuities in effect at  
the date of retirement are used for this purpose.

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This subsection applies to members who, on July 1, 1993, have ~~10~~  
48 8 years of creditable service.

50 **2-A. Early retirement; less than 8 years creditable service**  
**on July 1, 1993.** Any member in service who has completed at  
52 least 25 years of creditable service may retire any time

2 before the member's 62nd birthday. Creditable service as a  
3 member of the Maine State Retirement System after service as a  
4 member of the Maine Legislative Retirement System is used in  
5 determining the completion of 25 years of creditable service.  
6 The retirement allowance is determined in accordance with section  
7 852, except that it is reduced by 6% for each year that the  
8 member's age precedes age 62. The tables of annuities in effect  
at the date of retirement are used for this purpose.

10 This subsection applies to members who, on July 1, 1993, do not  
11 have 10 8 years of creditable service.

12 **Sec. 5. 3 MRSA §852, sub-§1, ¶B,** as enacted by PL 1985, c.  
14 507, §1, is amended to read:

16 B. Any member who has 10 8 or more years of creditable  
17 service at retirement shall-be is entitled to a minimum of  
18 \$100 per month.

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## 22 SUMMARY

23 This bill implements the recommendations of the State  
24 Compensation Commission. The bill makes the following changes to  
the laws.

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27 1. It increases a Legislator's salary from \$10,500 to  
28 \$15,750 in the first year of a biennium and from \$7,500 to  
\$11,250 in the 2nd year of a legislative biennium.

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31 2. It increases the constituent service allowance.

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33 3. It increases the salaries of the Secretary of State,  
34 Treasurer of State and Attorney General.

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37 4. It amends the laws governing eligibility for legislative  
38 retirement by reducing from 10 to 8 the number of years of  
creditable service necessary.