



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1678

H.P. 1231

House of Representatives, March 15, 2001

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish the Legislative Compensation Commission.

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

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MILLICENT M. MacFARLAND, Clerk

Presented by Speaker SAXL of Portland. Cosponsored by Senator MARTIN of Aroostook and Representatives: MURPHY of Berwick, TUTTLE of Sanford.

2	Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following
	amendment to the Constitution of Maine be proposed:
4	Constitution, Art. IX, §24 is enacted to read:
6	Conting 24 Logicleting Comparation Consideration
8	<u>Section 24. Legislative Compensation Commission;</u> establishment of legislative compensation.
10 .	1. Legislative Compensation Commission; membership. The Legislative Compensation Commission, referred to in this section
12	as the "commission," is established and consists of 5 members appointed by the Governor. Of those 5 members, one must be a
14	member of one of the 2 major political parties and one must be a member of the other major political party.
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18	A person who is, at the time the appointments are made, a Legislator, lobbyist or lobbyist employer may not be appointed to the commission.
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22	2. Terms. Each member must be appointed for a term of 4 years, except that of the 5 initial appointed members 2 must be appointed for a term of 4 years, one must be appointed for a term
24	of 3 years, one must be appointed for a term of 2 years and one must be appointed for a term of one year.
26	muse be appointed for a cerm of one year.
28	3. Compensation. The members of the commission are entitled to compensation in an amount equal to the legislative
30	<u>per diem.</u>
32	4. Duties of commission. The commission shall issue its first report no later than November 30, 2002. No later than November 30th of every even-numbered year thereafter, the
34	commission shall issue a report. The report must contain:
36	A. A description of the commission's activities;
38	B. The recommendations of the commission for all regular and special sessions of the next Legislature concerning
40	compensation of Legislators and representatives of the Indian tribes, including, but not limited to, all payments
42	for: salaries, meals, housing, travel, mileage and all other expenses and allowances; additional service as
44	President of the Senate, as Speaker of the House or as a member of leadership; and constituent services;
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48	C. The reasons for its recommendations; and
50	D. Any other material and recommendations that commission members may wish to submit.

 5. Appointments; meetings. The 5 initial appointments by the Governor must be made no later than 45 days following the effective date of this section. The Executive Director of the Legislative Council must be notified once the selections have been made. Within 15 days of the appointment of the initial 5 members, the Chair of the Legislative Council shall call and convene the first meeting of the commission.

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

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7. Establishment of legislative compensation. Beginning
with the report issued on November 30, 2002, the recommendations contained in the commission's report regarding compensation.
expenses and allowances take effect for all regular and special sessions of the next Legislature convening in December following
the general election in what is designated the first regular session of the Legislature, unless the next Legislature enacts
legislation specifically overriding the commission's recommendations.

; and be it further

26 **Constitutional referendum procedure; form of question; effective date. Resolved:** That the municipal officers of this State shall 28 notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding 30 a statewide election, at a statewide election, on the Tuesday following the first Monday of November following the passage of 32 this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to create a Legislative Compensation Commission, the members of which will be appointed by the Governor, to make binding recommendations on the level of compensation to be paid to members of the State Legislature?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim

that fact without delay and the amendment becomes part of the 2 Constitution on the date of the proclamation; and be it further

Secretary of State shall prepare ballots. Resolved: 4 That the Secretary of State shall prepare and furnish to each city, town б and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum. 8 **SUMMARY** 10 12 This constitutional resolution establishes a Legislative Compensation Commission to review the current levels of 14 compensation provided to Maine Legislators. It provides that the 5 members of the commission be appointed by the Governor, with at least one from each of the 2 major political parties. 16 It specifies that no member of the commission may be a Legislator, 18 lobbyist or lobbyist employer at the time of the appointment. The commission's recommendations automatically take effect for 20 the next legislative session unless the Legislature enacts legislation specifically overriding commission's the 22 recommendations.