

MAINE STATE LEGISLATURE

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Date: 4/12/18

L.D. 1878
(Filing No. H-752)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1310, L.D. 1878, Bill, "An Act To Increase the Annual Salary of the Governor and To Increase the Per Diem Meal and Housing Allowances Paid to Legislators"

Amend the bill by striking out the title and substituting the following:

'An Act To Increase the Annual Salary of the Governor and To Increase the Per Diem Meal, Mileage and Housing Allowances Paid to Legislators'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 2 MRSA §1-A, sub-§1, ¶A, as amended by PL 1987, c. 422, is further amended to read:

A. The amount of the retirement allowance is ~~3/8 of the annual salary being paid the current Governor on the date the former Governor reaches age 60 or leaves office, which ever comes later.~~ as follows:

(1) If a former Governor is 60 years of age or older upon leaving office, 3/8 of the annual salary being paid to the former Governor on the last day in office; or

(2) If a former Governor is under 60 years of age upon leaving office, 3/8 of the annual salary being paid to the current Governor on the date the former Governor reaches 60 years of age.'

Amend the bill in section 2 in the indented paragraph in the 12th line (page 1, line 31 in L.D.) by striking out the following: "\$38" and inserting the following: '\$38 \$75'

Amend the bill by adding after section 3 the following:

'Sec. 4. 3 MRSA §2-B, as amended by PL 2017, c. 242, §§1 and 2, is further 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

COMMITTEE AMENDMENT

1 this section as ~~the "commission,"~~ "the commission," consists of 5 members appointed,
2 except as provided in subsection 6, in January of every odd-numbered year at the first
3 regular session of each Legislature as follows:

- 4 A. Two members appointed by the President of the Senate;
5 B. Two members appointed by the Speaker of the House; and
6 C. One member appointed by a majority of the members appointed under paragraphs
7 A and B, who serves as chair of the commission.

8 The 5 members must be residents of the State and appointed from the public. A person
9 may not be appointed who is currently or has previously been a Legislator or a legislative
10 employee.

11 ~~All~~ Except as provided in subsection 6, all members must be appointed for a term to
12 coincide with the legislative biennium. A vacancy must be filled in the same manner as
13 the original appointment for the balance of the unexpired term.

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

16 **2. Duties of commission.** ~~No~~ Except as provided in subsection 6, no later than May
17 1st of every odd-numbered year and January 15th of every even-numbered year the
18 commission shall submit to the Legislature an interim report of the commission, and no
19 later than November 15th of every even-numbered year the commission shall submit to
20 the Legislature a final report of the commission. In the 3rd year of each gubernatorial
21 term of office, the interim report must contain a recommendation for compensation of the
22 Governor as established in Title 2, section 1. A report under this subsection must
23 contain:

- 24 A. A description of the commission's activities;
25 B. The recommendations of the commission:

26 (1-A) For the report required in the 3rd year of a gubernatorial term, for
27 compensation for the Governor, including all payments for salaries, meals,
28 housing, travel, mileage, constituent services and all other expenses and
29 allowances;

30 (1-B) For compensation for justices and judges, including all payments for
31 salaries, meals, housing, travel, mileage and all other expenses and allowances,
32 and for additional services by any justice or judge. Nothing in this subparagraph
33 prevents the judicial branch from making recommendations to the Governor or
34 Legislature for compensation for justices and judges, including, but not limited
35 to, recommendations made by the Chief Justice of the Supreme Judicial Court in
36 preparing the budget of the judicial branch as required by Title 4, section 1; and

37 (1-C) For compensation of Legislators, representatives of Indian tribes, Secretary
38 and Assistant Secretary of the Senate and Clerk and Assistant Clerk of the House
39 of Representatives, including all payments for salaries, meals, housing, travel,
40 mileage, constituent services and all other expenses and allowances, and for
41 additional services by the President of the Senate, Speaker of the House of
42 Representatives and members of legislative leadership;

- 1 C. The reasons for its recommendations;
2 D. Drafts of any legislation required to implement its recommendations; and
3 E. Any other material and recommendations that commission members may wish to
4 submit.

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

9 **3. Appointments; meetings.** The Executive Director of the Legislative Council
10 must be notified by the presiding officers once the appointment of the initial 4 members
11 has been made. Within 15 days of the appointment of the initial 4 members, the Chair of
12 the Legislative Council shall call and convene the first meeting of the commission.

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

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

17 **6. Convening of commission in September 2018.** Notwithstanding any provision
18 of law to the contrary, the commission must be appointed and convened, and shall
19 undertake a review and submit a report in accordance with this subsection.

20 A. No later than September 1, 2018, the appointing authorities set forth in subsection
21 1 shall appoint the 5 members of the commission in accordance with the requirements
22 set forth in subsection 1.

23 B. The commission convened pursuant to this subsection shall undertake a review of
24 compensation required pursuant to subsection 2, paragraph B, subparagraph 1-C and
25 shall submit no later than January 2, 2019 to the Legislature a final report containing
26 the commission's recommendations.

27 The duties of the commission appointed and convened pursuant to this subsection are
28 concluded upon the submission to the Legislature of its final report pursuant to paragraph
29 B.

30 This subsection is repealed January 2, 2019.

31 **Sec. 5. Appropriations and allocations.** The following appropriations and
32 allocations are made.

33 **EXECUTIVE DEPARTMENT**

34 **Administration - Executive - Governor's Office 0165**

35 Initiative: Appropriates funds for the salary and benefit costs of increasing the Governor's
36 salary from \$70,000 to \$150,000 beginning in January of 2019.

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1	GENERAL FUND	2017-18	2018-19
2	Personal Services	\$0	\$66,185
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$66,185</u>

5 **Office of Policy and Management Z135**

6 Initiative: Deappropriates funds on a one-time basis from savings to be achieved by a
7 reorganization of the Governor's Office of Policy and Management.

8	GENERAL FUND	2017-18	2018-19
9	Personal Services	\$0	(\$66,185)
10			
11	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$66,185)</u>

12	EXECUTIVE DEPARTMENT		
13	DEPARTMENT TOTALS	2017-18	2018-19
14			
15	GENERAL FUND	\$0	\$0
16			
17	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>

18 **LEGISLATURE**

19 **Citizen Trade Policy Commission Z173**

20 Initiative: Appropriates funds for an increase in the daily meal allowance from \$32 to
21 \$50, the daily housing allowance from \$38 to \$75 and the daily maximum mileage
22 allowance from \$38 to \$75.

23	GENERAL FUND	2017-18	2018-19
24	All Other	\$0	\$1,724
25			
26	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,724</u>

27 **Legislature 0081**

28 Initiative: Appropriates funds for an increase in the daily meal allowance from \$32 to
29 \$50, the daily housing allowance from \$38 to \$75 and the daily maximum mileage
30 allowance from \$38 to \$75.

31	GENERAL FUND	2017-18	2018-19
32	All Other	\$0	\$684,530
33			

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1 GENERAL FUND TOTAL \$0 \$684,530

2	LEGISLATURE		
3	DEPARTMENT TOTALS	2017-18	2018-19
4			
5	GENERAL FUND	\$0	\$686,254
6			
7	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$686,254</u>

8 **PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY,**
 9 **OFFICE OF**

10 **Office of Program Evaluation and Government Accountability 0976**

11 Initiative: Appropriates funds for an increase in the daily meal allowance from \$32 to
 12 \$50, the daily housing allowance from \$38 to \$75 and the daily maximum mileage
 13 allowance from \$38 to \$75.

14	GENERAL FUND	2017-18	2018-19
15	All Other	\$0	\$7,759
16			
17	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$7,759</u>

18	PROGRAM EVALUATION AND		
19	GOVERNMENT ACCOUNTABILITY, OFFICE		
20	OF		
21	DEPARTMENT TOTALS	2017-18	2018-19
22			
23	GENERAL FUND	\$0	\$7,759
24			
25	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$7,759</u>

26	SECTION TOTALS	2017-18	2018-19
27			
28	GENERAL FUND	\$0	\$694,013
29			
30	SECTION TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$694,013</u>

32 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
 33 section number to read consecutively.

COMMITTEE AMENDMENT

SUMMARY

This amendment clarifies that the increase in the Governor's salary contained in the bill will not affect the calculation of the retirement allowance of the current Governor. The amendment also increases the daily maximum mileage allowance for Legislators from \$38 to \$75, which aligns with the increase in the daily maximum housing allowance proposed in the bill.

This amendment requires that, no later than September 1, 2018, the State Compensation Commission be appointed and convened and that the commission review the compensation of Legislators, representatives of Indian tribes, Secretary and Assistant Secretary of the Senate and Clerk and Assistant Clerk of the House of Representatives and submit a report that includes its recommendations to the Legislature by January 2, 2019.

The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)



128th MAINE LEGISLATURE

LD 1878

LR 2936(02)

An Act To Increase the Annual Salary of the Governor and To Increase the Per Diem Meal and Housing Allowances Paid to Legislators

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-752)
 Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	\$0	\$694,013	\$581,020	\$832,513
Appropriations/Allocations				
General Fund	\$0	\$694,013	\$581,020	\$832,513

Fiscal Detail and Notes

This bill includes an appropriation of \$66,185 in fiscal year 2018-19 to the Executive Department for the salary and benefit costs of increasing the Governor's salary from \$70,000 to \$150,000 beginning in January of 2019. It also includes a one-time deappropriation of \$66,185 in fiscal year 2018-19 to the Executive Department from savings to be achieved by a reorganization of the Governor's Office of Policy and Management. It includes an appropriation of \$694,013 in fiscal year 2018-19 to the Legislature for an increase in the daily meal allowance from \$32 to \$50, the daily housing allowance from \$38 to \$75 and the daily maximum mileage allowance from \$38 to \$75.