

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2115

H.P. 1508

House of Representatives, February 20, 2020

An Act To Implement the Recommendations of the State Compensation Commission

Reported by Representative MARTIN of Sinclair for the Joint Standing Committee on State and Local Government pursuant to the Maine Revised Statutes, Title 3, section 2-B, subsection 2.

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 "Robert B. Hunt".

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 2 MRSA §1, 3rd ¶**, as amended by PL 2019, c. 475, §6, is further
3 amended to read:

4 Until the first Wednesday of January 1987, the Governor receives an annual salary of
5 \$35,000. Beginning the first Wednesday of January 1987, the Governor is entitled to
6 receive an annual salary of \$70,000. Beginning the first Wednesday of January following
7 the election of a Governor who is not in office on December 2, 2020, the Governor is
8 entitled to receive an annual salary of \$135,000.

9 **Sec. 2. 2 MRSA §2**, as amended by PL 2019, c. 475, §9, is further amended to
10 read:

11 **§2. Expense account**

12 The "Governor's Expense Account" must be credited with those amounts that are
13 appropriated by the Legislature for that purpose. This appropriation must be available for
14 expenditure by the Governor at the Governor's discretion. This account is not subject to
15 audit, except as to total amount to be paid. Beginning the first Wednesday of January
16 following the election of a Governor who is not in office on December 2, 2020, the
17 Governor's Expense Account must be provided \$40,000 per year.

18 **Sec. 3. 3 MRSA §2, first ¶**, as amended by PL 2011, c. 380, Pt. QQQQ, §1, is
19 further amended to read:

20 ~~Each~~ Until the first Wednesday of December 2020, each member of the Senate and
21 House of Representatives, ~~beginning with the first Wednesday of December 2000 and~~
22 ~~thereafter~~, is entitled to \$10,815 in the first year and \$7,725 in the 2nd year of each
23 biennium, except that if a Legislator who is a recipient of retirement benefits from the
24 federal Social Security Administration files a written request with the Executive Director
25 of the Legislative Council within one week after the biennium commences, the Legislator
26 is entitled to \$9,270 in each year of the biennium. Beginning the first Wednesday of
27 December 2020 and thereafter, each member of the Senate and House of Representatives
28 is entitled to \$16,000 for each year of the biennium. Each member of the Senate and the
29 House of Representatives must receive a an annual cost-of-living adjustment in ~~annual~~
30 legislative salary, except that the percentage increase may not exceed 5% in any year, and
31 ~~except that the percentage increase may not exceed 3% beginning with the fiscal year~~
32 ~~ending June 30, 2014 in any year.~~ Beginning December 1, ~~2004~~ 2022, the salary for each
33 legislative session must be adjusted each December 1st by the percentage change in the
34 Consumer Price Index for the most recently concluded fiscal year; ~~except that no member~~
35 ~~of the Senate or the House of Representatives may receive a cost-of-living adjustment in~~
36 ~~annual legislative salary for the Second Regular Session of the 124th Legislature, and~~
37 ~~except that no member of the Senate or the House of Representatives may receive a cost-~~
38 ~~of-living adjustment in annual legislative salary for the Second Regular Session of the~~
39 ~~125th Legislature and the First Regular Session and the Second Regular Session of the~~
40 ~~126th Legislature, and any percentage change in the Consumer Price Index for the fiscal~~
41 ~~years ending June 30, 2011, June 30, 2012 and June 30, 2013 may not be applied to the~~

1 ~~base salary.~~ In addition, each Legislator is entitled to be paid once each week for travel at
2 each legislative session ~~once each week~~ at the ~~same~~ rate of 58¢ per mile to and from that
3 Legislator's place of abode ~~as state employees receive~~, the mileage to be determined by
4 the most reasonable direct route, except that Legislators may be reimbursed for tolls paid
5 for travel on the Maine Turnpike as long as they have a receipt for payment of the tolls,
6 such tolls to be reimbursed when Legislators use the Maine Turnpike in traveling to and
7 from sessions of the Legislature or in performance of duly authorized committee
8 assignments. Each Legislator is entitled to mileage on the first day of the session, and
9 those amounts of salary and expenses at such times as the Legislature may determine
10 during the session, and the balance at the end of the session.

11 **Sec. 4. 3 MRSA §2, 4th ¶**, as corrected by RR 2001, c. 2, Pt. A, §1, is amended to
12 read:

13 Except as provided in this section, each member of the Senate and House of
14 Representatives is entitled to a meal allowance in the amount of \$32 and a housing
15 allowance in the amount of ~~\$38~~ \$50 for each day in attendance at sessions of the
16 Legislature and for each day the member occupies overnight accommodations away from
17 home either immediately preceding or immediately following attendance at daily sessions
18 of the Legislature. The presiding officers may establish reasonable policies regarding
19 allowances for meals and overnight accommodations for the day immediately preceding
20 the session, which may include policies regarding whether an allowance is paid, whether
21 the full amount or a portion of the statutory allowance is paid and whether receipts are
22 required. In lieu of the meal and housing allowance, each member is entitled to a daily
23 meal allowance in the amount of \$32 and actual daily mileage allowances in an amount
24 up to but not exceeding ~~\$38~~ \$50 per day. Each member of the Senate also receives an
25 annual allowance for constituent services in the amount of \$2,000, \$1,300 in January and
26 \$700 in the month following adjournment of the regular session. Each member of the
27 House of Representatives also receives an annual allowance for constituent services in the
28 amount of \$1,500, \$1,005 in January and \$495 in the month following adjournment of the
29 regular session. Notwithstanding this section, during the first regular session of each
30 legislative biennium, a member of the Senate or the House of Representatives may elect
31 to receive the first payment of the annual allowance for constituent services in December
32 following convening of the Legislature by notifying the Executive Director of the
33 Legislative Council in the manner prescribed by the executive director. The Executive
34 Director of the Legislative Council shall inform Legislators of the choice available for
35 payment of the allowance for constituent services in the first year of the legislative
36 biennium and of any tax implications associated with exercising that choice.

37 **Sec. 5. 3 MRSA §2, 6th ¶**, as repealed and replaced by PL 1975, c. 750, §1, is
38 amended to read:

39 The President of the Senate and the Speaker of the House of Representatives ~~shall~~
40 receive are entitled to an additional 50% above regular compensation, the majority and
41 minority leaders of the Senate and House of Representatives ~~shall receive are entitled to~~
42 an additional 25% above regular compensation and the assistant majority and minority
43 leaders of the Senate and House of Representatives ~~shall receive are entitled to~~ an
44 additional 12 1/2% above regular compensation. Beginning the first Wednesday of

1 December 2020, the Legislative Council may approve additional compensation for
2 committee chairs.

3 **Sec. 6. 3 MRSA §2, 11th ¶**, as amended by PL 1989, c. 501, Pt. O, §5; c. 600, Pt.
4 B, §§9 and 10; and c. 878, Pt. D, §§14 and 15, is further amended to read:

5 The President of the Senate, the Speaker of the House of Representatives, the floor
6 leaders and their assistants and members of a committee, with the approval of the
7 President of the Senate or the Speaker of the House of Representatives as to members of a
8 committee, may also meet on days when the Legislature is not in daily session at any
9 convenient location within the State. Each member of the Senate and House of
10 Representatives ~~shall receive~~ is entitled to \$55 for every day's attendance when meetings
11 or daily sessions are held, a meal allowance in the amount of \$32 and a housing
12 allowance whereby actual lodging expenses will be reimbursed at the single-room rate,
13 ~~provided that as long as~~ a receipt is submitted to the Executive Director of the Legislative
14 Council for each day in attendance at such meetings or daily sessions and for each day
15 that member occupies overnight accommodations away from home either immediately
16 preceding or immediately following attendance at daily sessions of the Legislature, and
17 actual daily mileage allowances ~~which shall be paid at the same rate paid to state~~
18 ~~employees at the rate of 58¢ per mile to and from that Legislator's place of abode, the~~
19 mileage to be determined by the most reasonable direct route. In lieu of the meal and
20 housing allowance, each member ~~shall be~~ is entitled to a daily meal allowance in the
21 amount of \$32 and actual daily mileage allowances.

22 **Sec. 7. 3 MRSA §2, 13th ¶**, as amended by PL 1989, c. 501, Pt. O, §6; c. 600, Pt.
23 B, §§9 and 10; and c. 878, Pt. D, §§14 and 15, is further amended to read:

24 If a member of the Legislature dies or otherwise vacates the office, the successor is
25 entitled to a salary ~~from the date of seating, for that calendar year that is~~ computed as
26 follows: ~~two hundred ten dollars per week times the number of weeks remaining in the~~
27 ~~calendar year if the vacancy occurs in the first year and \$150 per week for the number of~~
28 ~~weeks remaining in the calendar year if the vacancy occurs in the 2nd year~~ the annual
29 salary for that office divided by 52, the result of which is multiplied by the number of
30 weeks between the date of the successor's seating and the end of that calendar year.

31 **Sec. 8. 3 MRSA §2-B, sub-§1, ¶C**, as enacted by PL 1997, c. 506, §1, is
32 amended to read:

33 C. One member who serves as chair of the commission ~~appointed by a majority of~~
34 ~~the members appointed under paragraphs A and B, who serves as chair of the~~
35 ~~commission~~ by the President of the Senate in January of 2021 and every 4 years
36 thereafter and by the Speaker of the House in January 2023 and every 4 years
37 thereafter.

38 **Sec. 9. 3 MRSA §2-B, sub-§2, ¶B**, as amended by PL 2019, c. 384, §1, is further
39 amended by amending subparagraph (1-C) to read:

40 (1-C) For compensation of Legislators, and representatives of Indian tribes,
41 ~~Secretary and Assistant Secretary of the Senate and Clerk and Assistant Clerk of~~

1 the House of Representatives, including all payments for salaries, meals, housing,
2 travel, mileage, constituent services and all other expenses and allowances, and
3 for additional services by the President of the Senate, Speaker of the House of
4 Representatives and members of legislative leadership;

5 **Sec. 10. 3 MRSA §2-B, sub-§3**, as amended by PL 1999, c. 2, §1, is further
6 amended to read:

7 **3. Appointments; meetings.** The Executive Director of the Legislative Council
8 must be notified by the presiding officers once the appointment of the ~~initial 4 5~~ members
9 has been made. Within 15 days of the appointment of the ~~initial 4 members~~ after final
10 adjournment of a legislative session in odd-numbered years, the Chair of the Legislative
11 Council shall call and convene the first meeting of the commission.

12 **Sec. 11. 4 MRSA §4, sub-§1**, as amended by PL 1997, c. 643, Pt. M, §1, is
13 further amended to read:

14 **1. Chief justice Justice; salary.** ~~The~~ Until January 1, 2021, the Chief Justice of the
15 Supreme Judicial Court is entitled to receive a salary, ~~for fiscal year 1998-99 and~~
16 ~~thereafter~~, of \$111,000, to be paid biweekly. Beginning January 1, 2021 and thereafter,
17 the Chief Justice of the Supreme Judicial Court is entitled to receive an annual salary of
18 \$184,000, to be paid biweekly.

19 **Sec. 12. 4 MRSA §4, sub-§2, ¶A**, as repealed and replaced by PL 1997, c. 643,
20 Pt. M, §2, is amended to read:

21 A. ~~For fiscal year 1998-99 and thereafter~~ Until January 1, 2021, \$96,000, to be paid
22 biweekly. Beginning January 1, 2021 and thereafter, an annual salary of \$169,000, to
23 be paid biweekly.

24 **Sec. 13. 4 MRSA §4, sub-§2-B** is enacted to read:

25 **2-B. Longevity pay.** The Chief Justice of the Supreme Judicial Court may establish
26 longevity pay eligibility criteria and rates for the Associate Justices of the Supreme
27 Judicial Court. The Chief Justice is entitled to receive longevity pay pursuant to the same
28 eligibility criteria and at the same rates as associate justices.

29 **Sec. 14. 4 MRSA §6-B**, as amended by PL 2017, c. 284, Pt. XXXX, §1, is further
30 amended to read:

31 **§6-B. Per diem compensation for Active Retired Justices of the Supreme Judicial**
32 **Court**

33 Any Active Retired Justice of the Supreme Judicial Court who performs judicial
34 service at the direction and assignment of the Chief Justice of the Supreme Judicial Court
35 must be compensated for those services at the rate of ~~\$350~~ \$500 per day or \$200 per 1/2
36 day, as long as the total compensation received under this section by an Active Retired
37 Justice of the Supreme Judicial Court in any calendar year does not exceed 75% of the
38 annual salary of an Associate Justice of the Supreme Judicial Court set pursuant to
39 section 4. An Active Retired Justice of the Supreme Judicial Court who receives

1 compensation under this section does not accrue additional creditable service for benefit
2 calculation purposes and is not entitled to any other employee benefit, including health,
3 dental or life insurance.

4 **Sec. 15. 4 MRSA §102, sub-§1**, as amended by PL 1997, c. 643, Pt. M, §4, is
5 further amended to read:

6 **1. Chief justice Justice; salary.** The Until January 1, 2021, the Chief Justice of the
7 Superior Court is entitled to receive a salary, for fiscal year 1998-99 and thereafter, of
8 \$94,000, to be paid biweekly. Beginning January 1, 2021 and thereafter, the Chief
9 Justice of the Superior Court is entitled to receive an annual salary of \$160,000, to be
10 paid biweekly.

11 **Sec. 16. 4 MRSA §102, sub-§2**, as amended by PL 1997, c. 643, Pt. M, §5, is
12 further amended to read:

13 **2. Associate justice Justice; salary.** Each Justice of the Superior Court shall
14 receive a is entitled to receive an annual salary as follows:

15 A. For fiscal year 1998-99 and thereafter Until January 1, 2021, \$90,000, to be paid
16 biweekly. Beginning January 1, 2021 and thereafter, \$150,000, to be paid biweekly.

17 **Sec. 17. 4 MRSA §102, sub-§2-B** is enacted to read:

18 **2-B. Longevity pay.** The Chief Justice of the Supreme Judicial Court may establish
19 longevity pay eligibility criteria and rates for the Chief Justice and Justices of the
20 Superior Court.

21 **Sec. 18. 4 MRSA §157, sub-§2**, as amended by PL 1997, c. 643, Pt. M, §7, is
22 further amended to read:

23 **2. Chief Judge; salary.** The Until January 1, 2021, the Chief Judge of the District
24 Court is entitled to receive a salary, for fiscal year 1998-99 and thereafter, of \$94,000, to
25 be paid biweekly. Beginning January 1, 2021 and thereafter, the Chief Judge of the
26 District Court is entitled to receive an annual salary of \$160,000, to be paid biweekly.

27 **Sec. 19. 4 MRSA §157, sub-§3**, as amended by PL 1997, c. 643, Pt. M, §8, is
28 further amended to read:

29 **3. Deputy Chief Judge; salary.** The Until January 1, 2021, the Deputy Chief Judge
30 of the District Court is entitled to receive a salary, for fiscal year 1998-99 and thereafter,
31 of \$92,000, to be paid biweekly. Beginning January 1, 2021 and thereafter, the Deputy
32 Chief Judge of the District Court is entitled to receive an annual salary of \$155,000, to be
33 paid biweekly.

34 **Sec. 20. 4 MRSA §157, sub-§4**, as amended by PL 1997, c. 643, Pt. M, §9, is
35 further amended to read:

36 **4. Associate judge; salary.** Each Associate Judge of the District Court shall receive
37 a is entitled to receive an annual salary as follows:

1 A. For fiscal year ~~1998-99~~ and thereafter Until January 1, 2021, \$90,000, to be paid
2 biweekly. Beginning January 1, 2021 and thereafter, \$150,000, to be paid biweekly.

3 **Sec. 21. 4 MRSA §157, sub-§4-B** is enacted to read:

4 **4-B. Longevity pay.** The Chief Justice of the Supreme Judicial Court may establish
5 longevity pay eligibility criteria and rates for the Chief Judge, Deputy Chief Judge and
6 Associate Judges of the District Court.

7 SUMMARY

8 This bill is reported out by the Joint Standing Committee on State and Local
9 Government pursuant to the Maine Revised Statutes, Title 3, section 2, subsection 2. The
10 committee has not taken a position on the substance of this bill. By reporting out this bill,
11 the committee is not suggesting and does not intend to suggest that it agrees or disagrees
12 with any aspect of this bill. The committee is reporting out the bill for the sole purpose of
13 having a bill printed that can be referred to the committee for an appropriate public
14 hearing and subsequent processing in the normal course. The committee is taking this
15 action to ensure clarity and transparency in the legislative review of the proposals
16 contained in the bill.

17 This bill includes all the recommendations of the State Compensation Commission's
18 January 2020 final report including increases in the:

19 1. Salary of the Governor from \$70,000 per year to \$135,000 per year to take effect
20 after the election of a Governor not in office on December 2, 2020;

21 2. The expense account of the Governor from \$30,000 per year to \$40,000 per year;

22 3. Salary of Maine Legislators, beginning with the 130th Maine Legislature, from
23 \$14,862 in the first year and \$10,582 in the 2nd year of a biennium, after adjustment for
24 inflation, to \$16,000 in each year of the biennium;

25 4. Mileage allowance for Maine Legislators from 44¢ per mile to 58¢ per mile;

26 5. Lodging rate for Maine Legislators from \$38 per day to \$50 per day;

27 6. Salary of the Chief Justice of the Supreme Judicial Court from \$116,000 per year
28 to \$184,000 per year;

29 7. Salary of the Associate Justices of the Supreme Judicial Court from \$96,000 to
30 \$169,000 per year;

31 8. Per diem compensation for Active Retired Justices from \$350 per day to \$500 per
32 day;

33 9. Salary of the Chief Justice of the Superior Court from \$94,000 per year to
34 \$160,000 per year;

1 10. Salary of the Justices of the Superior Court from \$90,000 per year to \$150,000
2 per year;

3 11. Salary of the Chief Judge of the District Court from \$94,000 per year to
4 \$160,000 per year;

5 12. Salary of the Deputy Chief Judge of the District Court from \$92,000 per year to
6 \$155,000 per year; and

7 13. Salary of the Associate Judges of the District Court from \$90,000 per year to
8 \$150,000 per year.

9 The bill gives the Chief Justice of the Supreme Judicial Court the authority to
10 develop criteria and rates for longevity pay for all justices and judges. It moves the initial
11 meeting of the State Compensation Commission from within 15 days after appointment
12 of the members to within 15 days after adjournment of a legislative session. It requires
13 the President of the Senate and the Speaker of the House to appoint the 5th member of the
14 commission in alternating odd-numbered years. It removes the following positions from
15 the commission's review: Secretary and Assistant Secretary of the Senate and Clerk and
16 Assistant Clerk of the House of Representatives.