



128th MAINE LEGISLATURE

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Legislative Document

No. 1456

H.P. 1006

House of Representatives, April 18, 2017

**An Act To Return the Duties of the State Compensation
Commission To Make Recommendations for the Salaries of the
Governor and Judges**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MARTIN of Eagle Lake.
Cosponsored by Representatives: Speaker GIDEON of Freeport, GOLDEN of Lewiston,
HICKMAN of Winthrop.

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

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

4 **1. State Compensation Commission; membership.** The State Compensation
5 Commission, established in Title 5, section 12004-G, subsection 26-D and referred to in
6 this section as the "commission," consists of 5 members appointed in January of every
7 odd-numbered year at the first regular session of each Legislature as follows:

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

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

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

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

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

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

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

23 **2. Duties of commission.** The commission must issue its first report no later than
24 April 15, 1999. ~~No Beginning October 1, 2017, no later than May 1st of every odd-~~
25 numbered year and January 1st 15th of every even-numbered year ~~thereafter~~, the
26 commission shall submit to the Legislature ~~a an interim~~ report of the commission. ~~The,~~
27 and no later than November 15th of every even-numbered year the commission shall
28 submit to the Legislature a final report of the commission. In the 3rd year of each
29 gubernatorial term of office, the interim report must contain a recommendation for
30 compensation of the Governor as established in Title 2, section 1. A report under this
31 subsection must contain:

32 A. A description of the commission's activities;

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

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

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

(1-B) For compensation for justices and judges, including all payments for salaries, meals, housing, travel, mileage and all other expenses and allowances, and for additional services by any justice or judge;

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

(2) Compensation For compensation for the Attorney General, the Secretary of State, the Treasurer of State and the State Auditor, including all payments for salaries, meals, housing, travel, mileage and all other expenses and allowances, and for additional services by a constitutional officer;

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.

Sec. 3. 4 MRSA §1701, as amended by PL 2013, c. 563, §2, is repealed.

Sec. 4. 5 MRSA §12004-G, sub-§23-A, as enacted by PL 1995, c. 451, §2, is repealed.

SUMMARY

This bill amends the provisions of law regarding the State Compensation Commission, which makes recommendations for compensation for legislators and constitutional officers, by returning the commission to its previous form in the following ways:

1. Changing membership requirements;

2. Changing report requirements and reporting dates; and

3. Expanding the scope of the commission to include making recommendations for compensation of the Governor, justices and judges, the Secretary and Assistant Secretary of the Senate and the Clerk and Assistant Clerk of the House of Representatives.