

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Increase the Salaries of the Governor and Legislators**

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

**Sec. 1. 2 MRSA §1**, as amended by PL 1993, c. 361, Pt. B, §1, is further amended to read:

### **§ 1. Residence; office hours; secretary; salary**

The ~~Governor shall have his~~Governor's official residence ~~at~~is located in Augusta during ~~his~~the Governor's term of office, and ~~the Governor shall keep his~~the Governor's office at the State House open for the transaction of the business of the State during all normal working hours of the State House.

In the absence of the Governor, ~~his~~the Governor's private secretary shall be in attendance and the private secretary shall devote ~~his~~the entire time to the duties of ~~his~~the private secretary's office.

Until the first Wednesday of January 1987, the Governor ~~shall receive~~receives an annual salary of \$35,000. Beginning the first Wednesday of January 1987, the Governor ~~shall receive~~receives an annual salary of \$70,000. Beginning the first Wednesday of January following the election of a Governor who is not in office on December 2, 2020, the Governor receives an annual salary of \$125,000.

A former Governor may accept as a personal gift from the State at the end of ~~his~~the Governor's final term the desk and chair used by that Governor as Governor.

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

~~Each~~Until the first Wednesday of December 2020, each member of the Senate and House of Representatives, ~~beginning with the first Wednesday of December 2000 and thereafter,~~ is entitled to \$10,815 in the first year and \$7,725 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 \$9,270 in each year of the biennium. Beginning the first Wednesday of December 2020 and thereafter, each member of the Senate and House of Representatives is entitled to \$20,000 in the first year and \$15,000 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 \$17,500 in each year of the biennium. Each member of the Senate and the House of Representatives must receive ~~a~~an annual cost-of-living adjustment in annual legislative salary, except that the percentage increase may not exceed 5% in any year, ~~and except that the percentage increase may not exceed 3% beginning with the fiscal year ending June 30, 2014~~in any year. Beginning December 1, ~~2001~~2022, the salary for each legislative session must be adjusted each December 1st by the percentage change in the Consumer Price Index for the most recently concluded fiscal year; ~~except that no member of the Senate or the House of Representatives may receive a cost-of-living adjustment in annual legislative salary for the Second Regular Session of the 124th Legislature, and except that no member of the Senate or the House of Representatives may receive a cost-of-living adjustment in annual legislative salary for~~

~~the Second Regular Session of the 125th Legislature and the First Regular Session and the Second Regular Session of the 126th Legislature, and any percentage change in the Consumer Price Index for the fiscal years ending June 30, 2011, June 30, 2012 and June 30, 2013 may not be applied to the base salary.~~ In addition, each Legislator is entitled to be paid once each week 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 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 those amounts of salary and expenses at such times as the Legislature may determine during the session, and the balance at the end of the session.

**Sec. 3. 3 MRSA §2, 4th ¶**, as corrected by RR 2001, c. 2, Pt. A, §1, is 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~~\$40 and a housing allowance in the amount of ~~\$38~~\$60 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~~\$40 and actual daily mileage allowances in an amount up to but not exceeding ~~\$38~~\$60 per day. Each member of the Senate also receives an annual allowance for constituent services in the amount of \$2,000, \$1,300 in January and \$700 in the month following adjournment of the regular session. Each member of the House of Representatives also receives an annual allowance for constituent services in the amount of \$1,500, \$1,005 in January and \$495 in the month following adjournment of the regular session. Notwithstanding this section, during the first regular session of each legislative biennium, a member of the Senate or the House of Representatives may elect to receive the first payment of the annual allowance for constituent services in December following convening of the Legislature by notifying the Executive Director of the Legislative Council in the manner prescribed by the executive director. The Executive Director of the Legislative Council shall inform Legislators of the choice available for payment of the allowance for constituent services in the first year of the legislative biennium and of any tax implications associated with exercising that choice.

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

The President of the Senate, the Speaker of the House of Representatives, the floor leaders and their assistants and members of a committee, with the approval of the President of the Senate or the Speaker of the House of Representatives as to members of a committee, may also meet on days when the Legislature is not in daily session at any convenient location within the State. Each member of the Senate and House of Representatives ~~shall receive~~ is entitled to \$55 for every day's attendance when meetings or daily sessions are held, a meal allowance in the amount of ~~\$32~~\$40 and a housing allowance whereby actual lodging expenses will be reimbursed at the single-room rate, ~~provided that as long as~~ provided that as long as a receipt is submitted to the Executive Director of the Legislative Council for each day in attendance at such meetings

or daily sessions and for each day that member occupies overnight accommodations away from home either immediately preceding or immediately following attendance at daily sessions of the Legislature, and actual daily mileage allowances, which ~~shall~~must be paid at the same rate paid to state employees. In lieu of the meal and housing allowance, each member ~~shall be~~is entitled to a daily meal allowance in the amount of ~~\$32~~\$40 and actual daily mileage allowances.

**Sec. 5. 3 MRSA §2, 13th ¶**, as amended by PL 1989, c. 501, Pt. O, §6; c. 600, Pt. B, §§9 and 10; and c. 878, Pt. D, §§14 and 15, is further amended to read:

If a member of the Legislature dies or otherwise vacates the office, the successor is entitled to a salary from the date of seating, computed as follows: ~~two hundred ten dollars~~\$210 per week times the number of weeks remaining in the calendar year if the vacancy occurs in the first year and \$150 per week for the number of weeks remaining in the calendar year if the vacancy occurs in the 2nd year. Beginning the first Wednesday of December 2020 and thereafter, the successor is entitled to a salary from the date of seating, computed as follows: \$400 per week multiplied by the number of weeks remaining in the calendar year if the vacancy occurs in the first year and \$300 per week multiplied by the number of weeks remaining in the calendar year if the vacancy occurs in the 2nd year. Beginning December 1, 2022, the salary under this paragraph for each legislative session must be adjusted each December 1st by the percentage change in the Consumer Price Index for the most recently concluded fiscal year.

**Sec. 6. Effective date.** This Act takes effect December 2, 2020.

## SUMMARY

This bill increases the Governor's salary from \$70,000 per year to \$125,000 per year. Since the Constitution of Maine prohibits the increase of the salary of a sitting Governor, this increase does not take effect until the election of a Governor not in office on December 2, 2020.

This bill also, beginning with the 130th Maine Legislature, increases the salary of Maine Legislators from \$14,862 in the first year and \$10,613 in the 2nd year of a biennium, after adjustment for inflation, to \$20,000 in the first year and \$15,000 in the 2nd year of a biennium and the salary of a person who succeeds a member of the Legislature who dies or otherwise vacates office. This bill retains the annual cost-of-living adjustment for salary and clarifies that it applies to a successor's salary. This bill also increases the per diem meal and housing allowances paid to Legislators from \$32 and \$38 to \$40 and \$60, respectively.