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Date: (Filing No. H-)

STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 273, L.D. 398, Bill, “An Act To Eliminate the Constituent Services Allowance for Legislators”

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

'An Act To Allow Legislators To Opt Out of the Constituent Services Allowance and Require Those Who Receive the Allowance To Submit Expense Records'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 3 MRSA §2, 3rd ¶, 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 and a housing allowance in the amount of \$38 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 and actual daily mileage allowances in an amount up to but not exceeding \$38 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 opt out of the annual allowance for constituent services prior to the automatic disbursement of the first payment in January or elect to receive the first payment of the annual allowance for

COMMITTEE AMENDMENT

1 constituent services in December following convening of the Legislature by notifying the
2 Executive Director of the Legislative Council in the manner prescribed by the executive
3 director. The Executive Director of the Legislative Council shall inform Legislators of
4 the choice available for payment of the allowance for constituent services in the first year
5 of the legislative biennium and of any tax implications associated with exercising that
6 choice. A member of the Senate or the House of Representatives who elects to receive
7 the allowances for constituent services shall keep records of all financial transactions
8 made using the allowances from the date of receipt of the first allowance through April
9 1st of the 2nd year of the legislative biennium and submit by April 15th of that year an
10 electronic record of those transactions to the Executive Director of the Legislative
11 Council. The Executive Director of the Legislative Council shall make available upon
12 request and free of charge records of all financial transactions made with the annual
13 allowance for constituent services by a member of the Senate or the House of
14 Representatives.'

15

SUMMARY

16 This amendment is the minority report of the committee. It changes the title and
17 strikes and replaces the bill and provides that a Legislator may opt out of receiving the
18 constituent services allowance. The amendment also provides that a Legislator who
19 elects to receive the constituent services allowance must keep a record of expenses paid
20 for with the allowance through April 1st of the 2nd year of the legislative biennium. The
21 record must be submitted by April 15th of that year to the Executive Director of the
22 Legislative Council, and the executive director must make the records available upon
23 request and free of charge.

24

FISCAL NOTE REQUIRED

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(See attached)