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Date: (Filing No. H- )

**STATE AND LOCAL GOVERNMENT**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT “ ” 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.

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

12	<b>EXECUTIVE DEPARTMENT</b>		
13	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
14			
15	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
16			
17	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$0</b></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	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
32	All Other	\$0	\$684,530
33			

1	GENERAL FUND TOTAL	\$0	\$684,530
2	<b>LEGISLATURE</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
4			
5	GENERAL FUND	\$0	\$686,254
6			
7	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<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	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
15	All Other	\$0	\$7,759
16			
17	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$7,759</u>

18 **PROGRAM EVALUATION AND**  
 19 **GOVERNMENT ACCOUNTABILITY, OFFICE**  
 20 **OF**

21	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
22			
23	GENERAL FUND	\$0	\$7,759
24			
25	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$7,759</u>

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

31  
 32 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
 33 section number to read consecutively.

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**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)**