

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 1193 - L.D. 1667

**An Act To Amend the Laws Governing the State Compensation Commission**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Governor's current annual salary was established in 1987 and is the lowest in the nation; and

**Whereas,** the current annual salary of members of the Legislature was established in 1999 with an annual cost-of-living increase not to exceed 3% per year; and

**Whereas,** the State Compensation Commission, established in the Maine Revised Statutes, Title 3, chapter 1, is charged to review and make recommendations on compensation for all constitutional officers on an ongoing basis; and

**Whereas,** the State Compensation Commission must complete its work, including producing a report and holding a public hearing, by January 15, 2020; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 3 MRSA §2-B, sub-§2,** as amended by PL 2017, c. 242, §2, is further amended to read:

**2. Duties of commission.** No later than ~~May 1st of every odd-numbered year and~~ January 15th of every even-numbered year the commission shall submit to the Legislature ~~an interim report of the commission, and no later than November 15th of every even-numbered year the commission shall submit to the Legislature~~ and the joint standing committee of the Legislature having jurisdiction over state and local government matters a final report of the commission. In the ~~3rd~~ last year of each gubernatorial term of office,

the ~~interim~~ report must contain a recommendation for compensation of the Governor as established in Title 2, section 1. A report under this subsection must contain:

- A. A description of the commission's activities;
- B. The recommendations of the commission:
  - (1-A) For the report required in the ~~3rd~~ last 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. Nothing in this subparagraph prevents the judicial branch from making recommendations to the Governor or Legislature for compensation for justices and judges, including, but not limited to, recommendations made by the Chief Justice of the Supreme Judicial Court in preparing the budget of the judicial branch as required by Title 4, section 1; and
  - (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;
- 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.

The joint standing committee of the Legislature having jurisdiction over state and local government matters may introduce a bill based upon the final report of the commission.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.