

**§2. Salary, expenses and travel of Members of the Legislature and representatives of Indian tribes**

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. Each member of the Senate and the House of Representatives must receive a 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. Beginning December 1, 2001, 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 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. [PL 2011, c. 380, Pt. QQQQ, §1 (AMD).]

The first regular session of the Legislature, after its convening, shall adjourn no later than the 3rd Wednesday in June and the 2nd regular session of the Legislature shall adjourn no later than the 3rd Wednesday in April. The Legislature, in case of emergency, may by a vote of 2/3 of the members of each House present and voting, extend the date for adjournment for the first or 2nd regular session by no more than 5 legislative days, and in case of further emergency, may by a vote of 2/3 of the members of each House present and voting, further extend the date for adjournment by 5 additional legislative days. The times for adjournment for the first and 2nd regular sessions may also be extended for one additional legislative day for the purpose of considering possible objections of the Governor to any bill or resolution presented to the Governor by the Legislature under the Constitution of Maine, Article IV, Part Third, Section 2. [PL 2019, c. 475, §11 (AMD).]

A member of the Senate or House of Representatives may not be absent without leave for more than 5 legislative days in the first regular session or for more than 3 legislative days in the second regular session. A member who violates this paragraph must have the member's salary reduced by an amount as determined by the Legislative Council for each legislative day of absence without leave. At the beginning of each Legislature, the Legislative Council shall establish policies and procedures to record attendance for each legislative day and set the salary reduction for members who violate this paragraph. [PL 2015, c. 134, §1 (NEW).]

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 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. [RR 2001, c. 2, Pt. A, §1 (COR).]

Each member of the Senate and House of Representatives must be reimbursed for actual regular airfare expenses from the member's place of abode to Augusta for one round trip each week when the Legislature is in regular session and, when the Legislature is not in regular session, for days when meetings or daily sessions are held, as long as the distance from the member's place of abode to Augusta is more than 150 miles, the mileage is determined by the most reasonable direct route and reimbursement is capped at commercial flight rate. [PL 2019, c. 475, §12 (AMD).]

The President of the Senate and the Speaker of the House of Representatives shall receive an additional 50% above regular compensation, the majority and minority leaders of the Senate and House of Representatives shall receive an additional 25% above regular compensation and the assistant majority and minority leaders of the Senate and House of Representatives shall receive an additional 12 1/2% above regular compensation. [PL 1975, c. 750, §1 (RPR).]

In addition to the salary paid for the first and 2nd regular sessions of the Legislature, when a special session is called, the members of the Senate and House of Representatives must each be compensated \$100 for every day's attendance, expenses and mileage pursuant to this section; except that if a special session is called during the time period specified in this section for a first regular session or 2nd regular session, the special session per diem does not apply. [PL 2003, c. 691, §1 (AMD); PL 2003, c. 691, §2 (AFF).]

No additional expenses may be paid to Legislators from the Legislative Account unless authorized by the President of the Senate or Speaker of the House of Representatives during any regular session. [PL 1985, c. 693, §5 (AMD).]

The member of the Penobscot Indian Nation, the member of the Passamaquoddy Indian Tribe and, beginning with the Second Regular Session of the 125th Legislature, the member of the Houlton Band of Maliseet Indians elected to represent their tribes at the Legislature are entitled to receive a salary equal to the salary of members of the Senate and the House of Representatives, including a cost-of-living adjustment, for each regular session and allowance for meals, constituent service, housing and travel expenses to the same extent as members of the House of Representatives for attendance at each legislative session or authorized committee meeting. For the duration of any special session of the Legislature, they are entitled to receive the same per diem payment and allowances, including housing, meal and travel expenses, as any member of the Senate and House of Representatives. [PL 2009, c. 636, Pt. A, §2 (AMD).]

The President of the Senate or the Speaker of the House shall, at all times, whether the Legislature be in session or not, have the authority to approve accounts and vouchers for payment. [PL 1975, c. 750, §1 (RPR).]

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 \$55 for every day's attendance when meetings or daily sessions are held, a meal allowance in the amount of \$32 and a housing allowance whereby actual lodging expenses will be reimbursed at the single-room rate, provided that 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 be paid at the same rate paid to state employees. In lieu of the meal and housing allowance, each member shall be entitled to a daily meal allowance in the amount of \$32 and actual daily mileage allowances. [PL 1989, c. 501, Pt. O, §5 (AMD); PL 1989, c. 600, Pt. B, §§9, 10 (AMD); PL 1989, c. 878, Pt. D, §§14, 15 (AMD).]

The expenses of members of the Legislature traveling outside the State shall be reimbursed for their actual expenses provided that the expense vouchers are approved by the President of the Senate or the Speaker of the House of Representatives. [PL 1977, c. 564, §2 (NEW).]

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 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. [PL 1989, c. 501, Pt. O, §6 (AMD); PL 1989, c. 600, Pt. B, §§9, 10 (AMD); PL 1989, c. 878, Pt. D, §§14, 15 (AMD).]

Legislators may purchase one set of the Maine Revised Statutes Annotated at the State's cost, which may not be resold. [RR 2013, c. 2, §3 (COR).]

#### SECTION HISTORY

PL 1965, c. 342 (AMD). PL 1965, c. 412, §§2,3 (AMD). PL 1967, c. 469 (AMD). PL 1967, c. 531 (AMD). P&SL 1969, c. 197, §D1 (AMD). PL 1969, c. 489, §§1,2,4 (AMD). PL 1971, c. 112 (AMD). P&SL 1971, c. 178, §§3,4,4A,4B, 6 (AMD). PL 1971, c. 197, §§1,2 (AMD). PL 1971, c. 544, §§3,4 (AMD). PL 1973, c. 14, §1 (AMD). PL 1973, c. 472 (AMD). PL 1973, c. 781, §1 (AMD). PL 1975, c. 51 (AMD). PL 1975, c. 652 (AMD). PL 1975, c. 750, §§1,3 (RPR). PL 1977, c. 564, §2 (AMD). PL 1977, c. 696, §16 (AMD). PL 1979, c. 544, §§3,4 (AMD). PL 1981, c. 702, §§X1-X6 (AMD). PL 1983, c. 853, §§B1,2 (AMD). PL 1985, c. 2 (AMD). PL 1985, c. 166 (AMD). PL 1985, c. 693, §5 (AMD). PL 1985, c. 737, §§C2,6 (AMD). PL 1987, c. 402, §B1 (AMD). PL 1987, c. 816, §KK1 (AMD). PL 1989, c. 68, §C1 (AMD). PL 1989, c. 501, §§O1-6,22 (AMD). PL 1989, c. 600, §§B9,10 (AMD). PL 1989, c. 878, §§D14,15 (AMD). PL 1991, c. 4 (AMD). PL 1991, c. 824, §§B13,14 (AFF). PL 1997, c. 309, §1 (AMD). PL 1999, c. 509, §§1,2 (AMD). RR 2001, c. 2, §A1 (COR). PL 2001, c. 504, §1 (AMD). PL 2003, c. 20, §F1 (AMD). PL 2003, c. 691, §1 (AMD). PL 2003, c. 691, §2 (AFF). PL 2009, c. 213, Pt. LL, §1 (AMD). PL 2009, c. 431, §1 (AMD). PL 2009, c. 636, Pt. A, §2 (AMD). PL 2011, c. 380, Pt. QQQQ, §1 (AMD). RR 2013, c. 2, §3 (COR). PL 2015, c. 134, §1 (AMD). PL 2019, c. 475, §11, 12 (AMD).

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