

MAINE STATE LEGISLATURE

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1 (GOVERNOR'S BILL)
2 (EMERGENCY)
3 FIFTH SPECIAL SESSION
4

5 ONE HUNDRED AND TENTH LEGISLATURE
6

7 **Legislative Document**

No. 2153

9 H. P. 2421 House of Representatives, May 13, 1982
Reference to the Committee on Appropriations and Financial
Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Pearson of Old Town.

10 Cosponsor: Representative C. W. Smith of Mars Hill.

11
12 **STATE OF MAINE**
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 **AN ACT to Fund and Implement Certain**
18 **Collective Bargaining Agreements and Benefits**
19 **for Other State and Judicial Employees.**
20

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

24 Whereas, the 90-day period may not terminate until
25 after the beginning of the next fiscal year; and

26 Whereas, certain obligations and expenses incident to
27 the operation of state collective bargaining agreements will
28 become due and payable immediately; and

29 Whereas, it is the responsibility of the Legislature to
30 act upon those portions of tentative collective bargaining
31 agreements negotiated by the Executive Branch which require
32 legislative action; and

1 employee's contribution established by the Revised Statutes,
2 Title 5, section 1095, plus the amount of the state's con-
3 tribution which would be payable on the 6% sum if it were
4 earnable compensation; upon payment of these amounts the
5 employee shall be entitled to consideration of the 6% for
6 purposes of average final compensation.

7 **Sec. 4. Adjustment of salary schedule.** Effective the
8 pay week closest to May 1, 1982, the salary schedule for
9 employees in the Administrative Services, Professional and
10 Technical Services, Operations, Maintenance and Support Ser-
11 vices, Law Enforcement Services and Supervisory Services
12 bargaining units shall be adjusted by 10 1/2% consistent
13 with the terms of the collective bargaining contracts.

14 **Sec. 5. Adjustment of salary schedule steps of bar-**
15 **gaining units.** Effective the pay week closest to July 1,
16 1982, the salary schedule steps for employees in the Admin-
17 istrative Services, Professional and Technical Services,
18 Operations, Maintenance and Support Services, Law Enforce-
19 ment Services and Supervisory Services bargaining units
20 shall be adjusted consistent with the terms of the collec-
21 tive bargaining contracts.

22 **Sec. 6. Basic group life insurance.** Effective the pay
23 week closest to May 1, 1982, the State shall pay basic group
24 life insurance premiums for employees in the Administrative
25 Services, Professional and Technical Services, Operations,
26 Maintenance and Support Services, Law Enforcement Services
27 and Supervisory Services bargaining units who are partici-
28 pants in the state's basic group plan on May 1, 1982. The
29 State shall pay basic group life insurance premiums for bar-
30 gaining unit employees who enroll through established proced-
31 ures on or after May 1, 1982. The State shall hold a
32 30-day open enrollment period starting June 1, 1982 for all
33 bargaining unit employees who wish to participate in the
34 state's basic group life insurance plan. Effective July 1,
35 1982, the State shall pay the premiums of basic group life
36 insurance for employees enrolled during this open enrollment
37 period and the coverage shall be effective July 1, 1982.
38 This provision does not diminish the right of employees to
39 carry additional insurance on themselves or dependents.

40 **Sec. 7. New employees, similar and equitable treat-**
41 **ment.** Employees in classifications included in the Adminis-
42 trative Services, Professional and Technical Services, Oper-
43 ations, Maintenance and Support Services, Law Enforcement
44 Services and Supervisory Services bargaining units, but who
45 are excluded from collective bargaining pursuant to the
46 Revised Statutes, Title 26, section 979-A, subsection 6,

1 paragraphs E and F, shall be given similar and equitable
2 treatment as employees covered by relevant contracts.
3 Except for intermittent employees and nonstatus employees in
4 acting capacity or project positions, terms shall include
5 the 6% sum on a prorated basis.

6 **Sec. 8. Carrying clause.** Any balances remaining from
7 previous salary accounts and special accounts established by
8 this Act shall not lapse but shall be carried forward to
9 June 30, 1983, to be expended for state employee salary
10 increases.

11 **PART B**

12 **5 MRSA §8, 2nd sentence,** as amended by PL 1979, c. 739,
13 §1, is further amended to read:

14 For employees and state officers and officials not subject
15 to any such agreement, the State shall pay ~~20¢~~ 21¢ per mile
16 effective May 1, 1982 and 22¢ per mile effective July 1,
17 1982 for miles actually traveled by such employees on such
18 state business.

19 **PART C**

20 **Sec. 1. Repeal of previous funding and authorization**
21 **of salary increases.** That section of Public Law 1981, chap-
22 ter 702, Part B, that provided funding and authorization to
23 implement a salary increase to the Judicial Department
24 employees is repealed.

25 **Sec. 2. Appropriations from the General Fund for the**
26 **Judicial Department.** There is appropriated from the General
27 Fund to the Judicial Department for Personal Services the
28 sum of \$161,795 for the fiscal year ending June 30, 198 and
29 \$561,752 for the fiscal year ending June 30, 1983. Any bal-
30 ance remaining within the appropriation for Personal Ser-
31 vices on June 30, 1982, shall not lapse, but shall be car-
32 ried forward to meet the purposes of this Act.

33 **Sec. 3. Implementation authorization.** The Judicial
34 Department is authorized to grant its employees whose sal-
35 aries are set other than by statute salary increases and
36 benefits equivalent to those provided in Part A.

37 **PART D**

38 **Sec. 1. Authorization to adjust expenditure levels.**
39 The Governor is authorized to adjust the level of expendi-
40 tures within the appropriations and allocations made by the

1 Section 2 provides authorizing language for the
2 approval and use of the funds.

3 Section 3 provides for a lump sum cash settlement for
4 bargaining unit members covering the period July 1, 1981 to
5 April 30, 1982.

6 Section 4 provides for the adjustment of salary sched-
7 ules by an increase of 10 1/2% effective the pay week clos-
8 est to May 1, 1982 for bargaining unit members.

9 Section 5 provides for salary schedule step adjustments
10 for bargaining unit members, yielding a step increase for
11 all members above the first step and an assurance of a
12 resulting minimum weekly increase of \$11.20 effective the
13 pay week closest to July 1, 1982.

14 Section 6 provides for state-paid life insurance for
15 current bargaining unit members and provides for a 30-day
16 open enrollment for bargaining unit members not yet enrolled
17 in the group life insurance plan.

18 Section 7 provides for equitable treatment of proba-
19 tionary and other employees in classifications in bargaining
20 units addressed by this Act.

21 Section 8 provides that funds shall be carried forward.

22 Part B provides that employees not covered by any col-
23 lective bargaining agreement are paid mileage allowance at
24 the same rate as state employees covered by collective bar-
25 gaining agreements.

26 Part C provides funding and authorization for the Judi-
27 cial Department to provide eligible employees with salary
28 increases and benefits equivalent to those provided in Part
29 A.

30 Part D authorizes the Governor to adjust the level of
31 state expenditures within appropriations and allocations
32 made by the Legislature to provide the necessary additional
33 funding required to fund this Act. It also permits the Gov-
34 ernor to transfer balances in allotment reserves to the Spe-
35 cial Compensation Account for the first 3 quarters of fiscal
36 year 1983.

1 Part E provides that funds appropriated for Capital
2 Improvements for fiscal year 1982 will be carried forward
3 and not lapse until June 30, 1983.

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