

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2247

S.P. 847

In Senate, May 27, 1999

**An Act to Fund the Collective Bargaining Agreements and Benefits of
Employees Covered by Collective Bargaining and for Certain Employees
Excluded from Collective Bargaining.**

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MICHAUD of Penobscot. (GOVERNOR'S BILL).
Cosponsored by Representative TOWNSEND of Portland and
Senators: DOUGLASS of Androscoggin, HARRIMAN of Cumberland, MILLS of Somerset,
Representatives: BERRY of Livermore, HATCH of Skowhegan, KNEELAND of Easton,
TREADWELL of Carmel.

2 **Sec. A-3. Adjustment of salary schedules for fiscal year 1999-00.**
Effective at the beginning of the pay week commencing closest to
4 July 1, 1999, the salary schedules for employees in the
administrative services bargaining unit, law enforcement services
6 bargaining unit, operations, maintenance and support services
unit, professional and technical services unit and the
8 supervisory services unit must be adjusted by 3%, consistent with
the terms of the collective bargaining agreements.

10 **Sec. A-4. Adjustment of salary schedules for fiscal year 2000-01.**
Effective at the beginning of the pay week commencing closest to
12 July 1, 2000, the salary schedules for employees in the
administrative services bargaining unit, law enforcement services
14 bargaining unit, operations, maintenance and support services
unit, professional and technical services unit and the
16 supervisory services unit must be adjusted by 2%, consistent with
the terms of the collective bargaining agreements.

20 **Sec. A-5. Addition of new salary step for fiscal year 2000-01.**
Effective at the beginning of the pay week commencing closest to
22 January 1, 2001, the salary schedules for employees in the
administrative services bargaining unit, law enforcement services
24 bargaining unit, operations, maintenance and support services
unit, professional and technical services unit and the
26 supervisory services unit must be adjusted by adding a new pay
step 4% greater than the current highest step and eliminating the
28 first step, consistent with the terms of the collective
bargaining agreements.

30 **Sec. A-6. Other employees; similar and equitable treatment.**
Employees in classifications included in the administrative
32 services bargaining unit, law enforcement services bargaining
unit, operations, maintenance and support services unit,
34 professional and technical services unit and the supervisory
services unit who are excluded from collective bargaining
36 pursuant to the Maine Revised Statutes, Title 26, section 979-A,
subsection 6, paragraphs E and F, must be given equitable
38 treatment on a pro rata basis similar to that treatment given
employees covered by the collective bargaining agreements.

42

PART B

44

46 **Sec. B-1. Costs to the General Fund.** Costs to the General Fund
must be provided in the Salary Plan program, referred to in Part
E, section 1 of this Act, in the amount of \$871,000 for the
48 fiscal year ending June 30, 2000, and in the amount of \$2,046,000
for the fiscal year ending June 30, 2001, to implement the

2 economic terms of the collective bargaining agreement made by the
3 State and the American Federation of State, County, and Municipal
4 Employees, Council #93 for the institutional services bargaining
5 unit.

6 **Sec. B-2. Adjustment of salary schedules for fiscal year 1999-00.**

7 Effective at the beginning of the pay week commencing closest to
8 July 1, 1999, the salary schedules for employees in the
9 institutional services bargaining unit must be adjusted by 3%,
10 consistent with the terms of the collective bargaining agreement.

12 **Sec. B-3. Adjustment of salary schedules for fiscal year 2000-01.**

13 Effective at the beginning of the pay week commencing closest to
14 July 1, 2000, the salary schedules for employees in the
15 institutional services bargaining unit must be adjusted by 2%,
16 consistent with the terms of the collective bargaining agreement.

18 **Sec. B-4. Addition of new salary step for fiscal year 2000-01.**

19 Effective at the beginning of the pay week commencing closest to
20 January 1, 2001, the salary schedules for employees in the
21 institutional services bargaining unit must be adjusted by adding
22 a new pay step 4% greater than the current highest step and
23 eliminating the first step, consistent with the terms of the
24 collective bargaining agreement.

26 **Sec. B-5. Other employees; similar and equitable treatment.**

27 Employees in classifications included in the institutional
28 services bargaining unit who are excluded from collective
29 bargaining pursuant to the Maine Revised Statutes, Title 26,
30 section 979-A, subsection 6, paragraphs E and F, must be given
31 equitable treatment on a pro rata basis similar to that treatment
32 given employees covered by the collective bargaining agreement.

34 **PART C**

36 **Sec. C-1. Costs to the General Fund.**

37 Costs to the General Fund
38 must be provided in the Salary Plan program, referred to in Part
39 E, section 1 of this Act, in the amount of \$251,000 for the
40 fiscal year ending June 30, 2000, and in the amount of \$627,000
41 for the fiscal year ending June 30, 2001, to implement the
42 economic terms of the collective bargaining agreement made by the
43 State and the Maine State Troopers Association for the Maine
44 State Police bargaining unit.

46 **Sec. C-2. Costs to the Highway Fund.**

Costs to the Highway Fund
must be provided in the Salary Plan program, referred to in

2 Part E, section 1 of this Part, to cover the costs to the Highway
4 Fund in the amounts of \$376,240 for the fiscal year ending June
6 30, 2000, and in the amount of \$940,731 for the fiscal year
8 ending June 30, 2001, to implement the economic terms of the
collective bargaining agreement made by the State and the Maine
State Troopers Association for the Maine State Police bargaining
unit.

10 **Sec. C-3. Adjustment of salary schedules for fiscal year 1999-00.**

12 Effective at the beginning of the pay week commencing closest to
14 July 1, 1999, the salary schedules for employees in the Maine
State Police bargaining unit must be adjusted by 3%, consistent
with the terms of the collective bargaining agreement.

16 **Sec. C-4. Adjustment of salary schedules for fiscal year 2000-01.**

18 Effective at the beginning of the pay week commencing closest to
20 July 1, 2000, the salary schedules for employees in the Maine
State Police bargaining unit must be adjusted by 2%, consistent
with the terms of the collective bargaining agreement.

22 **Sec. C-5. Addition of new salary step for fiscal year 2000-01.**

24 Effective at the beginning of the pay week closest to January 1,
26 2001, the salary schedules for employees in the Maine State
Police bargaining unit must be adjusted by adding a new pay step
4% greater than the current highest step and eliminating the
first step, consistent with the terms of the collective
bargaining agreement.

28 **Sec. C-6. Other employees; similar and equitable treatment.**

30 Employees in classifications included in the Maine State Police
32 bargaining unit who are excluded from collective bargaining
pursuant to the Maine Revised Statutes, Title 26, section 979-A,
34 subsection 6, paragraphs E and F, must be given equitable
treatment on a pro rata basis similar to that treatment given
employees covered by the collective bargaining agreement.

38 **PART D**

40 **Sec. D-1. Definition of confidential employees.** For the purpose
42 of this Part, "confidential employees" means those employees
within the executive branch, including probationary employees,
44 who are in positions excluded from bargaining units pursuant to
the Maine Revised Statutes, Title 26, section 979-A, subsection
6, paragraphs B, C, D, I and J.

46 **Sec. D-2. Costs to the General Fund.** Costs to the General Fund
48 must be provided in the Salary Plan program, referred to in Part
E, section 1 of this Act, in the amount of \$740,000 for the

2 fiscal year ending June 30, 2000, and in the amount of \$1,770,000
3 for the fiscal year ending June 30, 2001, to fund salary and
4 benefit changes for confidential employees.

6 **Sec. D-3. Costs to the Highway Fund.** Costs to the Highway Fund
7 must be provided in the Salary Plan program, referred to in Part
8 E, section 1 of this Act, in the amount of \$68,137 for the fiscal
9 year ending June 30, 2000, and in the amount of \$163,757 for the
10 fiscal year ending June 30, 2001, to fund salary and benefit
11 changes for confidential employees.

12 **Sec. D-4. Adjustment of salary schedules for fiscal year 1999-00.**
13 Effective at the beginning of the pay week commencing closest to
14 July 1, 1999, the salary schedules for confidential employees
15 must be adjusted by 3%.

16 **Sec. D-5. Adjustment of salary schedules for fiscal year 2000-01.**
17 Effective at the beginning of the pay week commencing closest to
18 July 1, 2000, the salary schedules for confidential employees
19 must be adjusted by 2%.

22 **Sec. D-6. Addition of new salary step for fiscal year 2000-01.**
23 Effective at the beginning of the pay week closest to January 1,
24 2001, the salary schedules for confidential employees must be
25 adjusted by adding a new pay step 4% greater than the current
26 highest step and eliminating the first step, to provide similar
27 and equitable treatment for confidential employees.

28 **Sec. D-7. Employees whose salaries are subject to the Governor's**
29 **adjustment or approval.** The Governor is authorized to grant
30 similar and equitable treatment consistent with this Part for
31 those unclassified employees whose salaries are subject to the
32 Governor's adjustment or approval.

34 **Sec. D-8. Employees of the legislative branch.** The Legislative
35 Council may approve salary and benefit increases for employees
36 within the legislative branch, including constitutional officers
37 and the State Auditor, not subject to collective bargaining.

40 PART E

42 **Sec. E-1. Transfer from the Salary Plan program and special account**
43 **funding.** The Salary Plan program in the Department of
44 Administrative and Financial Services may be made available as
45 needed through allotment by financial order, upon the
46 recommendation of the State Budget Officer and approval of the
47 Governor, to be used for

2 the implementation of collective bargaining agreements for state
employees and for other economic items contained in this Act in
4 fiscal years 1999-00 and 2000-01. Positions supported from
sources other than the General Fund and the Highway Fund must be
6 funded whenever possible from those other sources.

8 **Sec. E-2. Authorization for reimbursement of costs associated with
contract resolution.** The Department of Administrative and Financial
10 Services may be reimbursed from the Salary Plan program for the
costs of contract resolution, administration, implementation and
12 other costs required by the process of collective bargaining and
negotiation procedures.

14 PART F

16 **Sec. F-1. 5 MRSA §8,** as amended by PL 1997, c. 3, Pt. D, §1,
18 is further amended to read:

20 **§8. Mileage allowance**

22 The State shall pay for the use of privately owned
automobiles for travel by employees of the State in the business
24 of the State such reimbursement as agreed to between the State
and their certified or recognized bargaining agent. For employees
26 and state officers and officials not subject to any such
agreement, the State shall pay ~~22¢ per mile effective July 1,
28 1982, 23¢ per mile effective July 1, 1997 and 24¢ per mile
effective July 1, 1998, 26¢ per mile effective January 1, 2000~~
30 and 28¢ per mile effective January 1, 2001 for miles actually
traveled on state business. The Governor may suspend the
32 operation of this section and require state officials and
employees to travel in automobiles owned or controlled by the
34 State, if such automobiles are available.

36 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.
38

40 SUMMARY

42 1. Part A implements the cost items in the collective
bargaining agreements reached between the State and the Maine
44 State Employees Association for employees in the administrative
services bargaining unit, law enforcement services bargaining
46 unit, operations, maintenance and support services unit,
professional and technical services unit and the supervisory
48 services unit in the following ways.

- 2 A. It determines the costs to the General Fund to fund the bargaining agreements.
- 4 B. It determines the costs to the Highway Fund to fund the bargaining agreements.
- 6
- 8 C. It provides for the adjustment of salary schedules in fiscal year 1999-00 for bargaining unit members.
- 10 D. It provides for the adjustment of salary schedules in fiscal year 2000-01 for bargaining unit members.
- 12
- 14 E. It provides for the addition of a new step at the top of the salary schedules and the elimination of the lowest step.
- 16
- 18 F. It provides for similar and equitable treatment of probationary and other employees in classifications in the administrative services bargaining unit, law enforcement services bargaining unit, operations, maintenance and support services unit, professional and technical services unit and the supervisory services unit.
- 20
- 22
- 24 2. Part B implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County, and Municipal Employees, Council #93 for employees in the institutional services bargaining unit in the following ways.
- 26
- 28 A. It determines the costs to the General Fund to fund the bargaining agreement.
- 30
- 32 B. It provides for the adjustment of salary schedules in fiscal year 1999-00 for bargaining unit members.
- 34
- 36 C. It provides for the adjustment of salary schedules in fiscal year 2000-01 for bargaining unit members.
- 38
- 40 D. It provides for the addition of a new step at the top of the salary schedules and the elimination of the lowest step.
- 42
- 44 E. It provides for similar and equitable treatment of probationary and other employees in classifications in the institutional services bargaining unit.
- 46
- 48 3. Part C implements the cost items in the collective bargaining agreements reached between the State and the Maine State Troopers Association for employees in the Maine State Police bargaining unit in the following ways.

- 2 A. It determines the costs to the General Fund to fund the bargaining agreements.
- 4 B. It determines the costs to the Highway Fund to fund the bargaining agreements.
- 6 C. It provides for the adjustment of salary schedules in
- 8 fiscal year 1999-00 for bargaining unit members.
- 10 D. It provides for the adjustment of salary schedules in
- 12 fiscal year 2000-01 for bargaining unit members.
- 14 E. It provides for the addition of a new step at the top of the salary schedules and the elimination of the lowest step.
- 16 F. It provides for similar and equitable treatment of
- 18 probationary and other employees in classifications in the Maine State Police bargaining unit.
- 20 4. Part D identifies and implements salary and benefit
- 22 adjustments for executive and legislative branch employees excluded from collective bargaining in the following ways.
- 24 A. It defines "confidential employees" covered by this Part.
- 26 B. It determines the costs to the General Fund to fund the salary and benefits for confidential employees.
- 28 C. It determines the costs to the Highway Fund to fund
- 30 salary and benefits for confidential employees.
- 32 D. It provides for the adjustment for the salary schedule for confidential employees in fiscal year 1999-00.
- 34 E. It provides for the adjustment for the salary schedule for confidential employees in fiscal year 2000-01.
- 36 F. It provides for the addition of a new step at the top of the salary schedules and the elimination of the lowest step.
- 40 G. It authorizes the Governor to grant similar and equitable treatment to unclassified employees whose salaries are subject to the Governor's adjustment or approval.
- 42 H. It authorizes the Legislative Council to approve salary and benefit changes for employees of the legislative branch, including constitutional officers and the State Auditor, not
- 44 covered by collective bargaining.
- 46
- 48

2 5. Part E authorizes use of the Salary Plan program to fund
3 the collective bargaining agreements and other cost items;
4 provides that positions supported from other funds must be funded
5 whenever possible from those other sources; and provides for
6 reimbursement to the Department of Administrative and Financial
7 Services for costs incurred in the processes of collective
8 bargaining and contract administration and related costs to those
9 processes.

10 6. Part F amends the Maine Revised Statutes, Title 5,
11 section 8 by increasing the rate of mileage reimbursement for
12 state employees for the use of their privately owned vehicles
13 from 24¢ to 26¢ effective January 1, 2000 and from 26¢ to 28¢
14 effective January 1, 2001.