

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1987

H.P. 1335

House of Representatives, June 11, 2025

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**An Act to Fund Collective Bargaining Agreements with Executive  
Branch Employees and Continue the Voluntary Employee Incentive  
Program**

(EMERGENCY)

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

*Robert B. Hunt*

ROBERT B. HUNT  
Clerk

Presented by Representative GATTINE of Westbrook. (GOVERNOR'S BILL)

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

3       **Whereas,** certain obligations and expenses incident to the agreement for resolution  
4 signed August 29, 2024 have been incurred; and

5       **Whereas,** certain obligations and expenses incident to the operation of state employee  
6 collective bargaining agreements will become due and payable immediately; and

7       **Whereas,** it is the responsibility of the Legislature to act upon those portions of  
8 collective bargaining agreements negotiated by the executive branch that require legislative  
9 action; and

10       **Whereas,** the Governor and the Legislature share a desire to address in a timely  
11 manner the needs of certain state employees excluded from collective bargaining units; and

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

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

17       **Sec. 1. Adjustment of salary schedules for fiscal years 2025-26 and 2026-27.**

18       The salary schedules for the executive branch employees in bargaining units represented  
19 by the American Federation of State, County and Municipal Employees, the Maine State  
20 Troopers Association, the Maine State Law Enforcement Association, the Maine Service  
21 Employees Association, the Fraternal Order of Police and any other certified bargaining  
22 representative for an executive branch bargaining unit must be adjusted consistent with the  
23 terms of any collective bargaining agreements ratified by October 31, 2023.

24       **Sec. 2. Adjustment of salary schedules for fiscal year 2026-27.**

25       The salary  
26 schedules for the executive branch employees in bargaining units represented by the  
27 American Federation of State, County and Municipal Employees, the Maine State Troopers  
28 Association, the Maine State Law Enforcement Association, the Maine Service Employees  
29 Association, the Fraternal Order of Police and any other certified bargaining representative  
30 for an executive branch bargaining unit must be adjusted consistent with the terms of any  
31 agreements made between May 1, 2026 and December 31, 2026, including any collective  
32 bargaining agreement achieved through the process outlined in the agreement for resolution  
33 between the State of Maine and the Maine Service Employees Association, SEIU Local  
34 1989 effective August 29, 2024, regarding the study of the classification system for the  
35 executive branch of the State of Maine. This section does not apply to any successor  
collective bargaining agreement with a term beginning on or after July 1, 2025.

36       **Sec. 3. Costs associated with the \$2,000 lump-sum payment made in**  
37 **October 2024 per the agreement for resolution between the State of Maine and**  
38 **the Maine Service Employees Association, SEIU Local 1989 effective August**  
39 **29, 2024.**

40       1. An amount not to exceed \$9,132,794 in the Salary Plan program, General Fund  
41 account in the Department of Administrative and Financial Services may be transferred, by  
42 financial order upon the recommendation of the State Budget Officer and approval of the

1 Governor, to fund the \$2,000 lump-sum payment made in October 2024 from non-General  
2 Fund and non-Highway Fund accounts per the agreement for resolution between the State  
3 of Maine and the Maine Service Employees Association, SEIU Local 1989 effective  
4 August 29, 2024. Funds must be transferred to the Departments and Agencies - Statewide  
5 program, General Fund account within the Department of Administrative and Financial  
6 Services.

7 2. Notwithstanding any provision of law to the contrary, the State Controller may  
8 authorize the transfer, in an amount not to exceed \$9,132,794, of Personal Services  
9 expenditures associated with the \$2,000 lump-sum payment made in October 2024 per the  
10 agreement for resolution between the State of Maine and the Maine Service Employees  
11 Association, SEIU Local 1989 effective August 29, 2024 from any non-General Fund and  
12 non-Highway Fund account to the Departments and Agencies - Statewide program,  
13 General Fund account within the Department of Administrative and Financial Services.

14 3. Notwithstanding any provision of law to the contrary, the State Controller on or  
15 before July 31, 2025 shall transfer the unobligated balance from the Departments and  
16 Agencies - Statewide program, General Fund account to the Salary Plan program, General  
17 Fund account within the Department of Administrative and Financial Services.

18 **Sec. 4. New, temporary and seasonal employees; similar and equitable**  
19 **treatment.** The Governor is authorized to grant similar and equitable treatment consistent  
20 with this Act for employees in classifications included in bargaining units subject to  
21 collective bargaining agreements described in section 7 of this Act who are excluded from  
22 collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A,  
23 subsection 6, paragraph F.

24 **Sec. 5. Confidential employees; similar and equitable treatment.** The  
25 Governor is authorized to grant similar and equitable treatment consistent with this Act for  
26 confidential employees. For the purposes of this section, "confidential employees" means  
27 those employees within the executive branch, including probationary employees, who are  
28 in positions excluded from collective bargaining units pursuant to the Maine Revised  
29 Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

30 **Sec. 6. Employee salaries subject to Governor's adjustment or approval.**  
31 The Governor is authorized to grant similar and equitable treatment consistent with this  
32 Act for those unclassified employees whose salaries are subject to the Governor's  
33 adjustment or approval.

34 **Sec. 7. Costs to General Fund and Highway Fund.** Costs to the General Fund  
35 and Highway Fund must be provided wholly or in part through a transfer of Personal  
36 Services appropriations within and between departments and agencies from the Salary Plan  
37 program, General Fund account in the Department of Administrative and Financial  
38 Services in an amount up to the full amount the Salary Plan program, General Fund account  
39 has accrued as of the date an agreement is reached with the respective bargaining agents to  
40 implement the economic terms of the most recent collective bargaining agreements, as  
41 specified in sections 1, 2 and 3 of this Act, entered into by the State and the American  
42 Federation of State, County and Municipal Employees, the Maine State Troopers  
43 Association, the Maine State Law Enforcement Association, the Maine Service Employees  
44 Association, the Fraternal Order of Police and any other certified bargaining representative  
45 for an executive branch bargaining unit to provide equitable treatment of employees

1 excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26,  
2 section 979-A, subsection 6, paragraph F and, notwithstanding Title 26, section 979-D,  
3 subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for  
4 confidential employees.

5 **Sec. 8. Transfer of Personal Services appropriations between programs**  
6 **and departments; General Fund.** Notwithstanding the Maine Revised Statutes, Title  
7 5, section 1585 or any other provision of law to the contrary, available balances in the  
8 General Fund for Personal Services in fiscal year 2025-26 and fiscal year 2026-27 may be  
9 transferred by financial order between programs and departments within the General Fund  
10 upon recommendation of the State Budget Officer and approval of the Governor to be used  
11 for costs associated with collective bargaining agreements for state employees, as specified  
12 in sections 1, 2 and 3 of this Act.

13 **Sec. 9. Transfer from Salary Plan program and special account funding.**  
14 The Salary Plan program, General Fund account in the Department of Administrative and  
15 Financial Services may be made available as needed in allotment by financial order upon  
16 the recommendation of the State Budget Officer and approval of the Governor to be used  
17 for the implementation of the collective bargaining agreements for state employees, as  
18 specified in sections 1, 2 and 3 of this Act, and for other economic items contained in this  
19 Act in fiscal year 2025-26 and fiscal year 2026-27. Except as outlined in section 3 of this  
20 Act, positions supported from sources of funding other than the General Fund and the  
21 Highway Fund must be funded from those other sources.

22 **Sec. 10. Transfer of Personal Services allocations between programs and**  
23 **departments; Highway Fund.** Notwithstanding the Maine Revised Statutes, Title 5,  
24 section 1585 or any other provision of law to the contrary, available balances in the  
25 Highway Fund for Personal Services in fiscal year 2025-26 and fiscal year 2026-27 may  
26 be transferred by financial order between programs and departments within the Highway  
27 Fund upon recommendation of the State Budget Officer and approval of the Governor to  
28 be used for costs associated with collective bargaining agreements for state employees, as  
29 specified in sections 1, 2 and 3 of this Act.

30 **Sec. 11. Authorization for reimbursement of costs associated with study of**  
31 **classification system for executive branch.** The Department of Administrative and  
32 Financial Services may be reimbursed up to \$1,000,000 from the Salary Plan program,  
33 General Fund account in the Department of Administrative and Financial Services for  
34 resources necessary to conduct a study of the classification system for the executive branch  
35 of State Government, to be prepared and submitted by a consultant by December 31, 2025,  
36 as outlined in the agreement for resolution between the State of Maine and the Maine  
37 Service Employees Association, SEIU Local 1989 effective August 29, 2024.

38 **Sec. 12. Authorization for reimbursement of costs associated with contract**  
39 **resolution.** The Department of Administrative and Financial Services may be reimbursed  
40 from the Salary Plan program, General Fund account in the Department of Administrative  
41 and Financial Services for the costs of contract resolution, administration and  
42 implementation and other costs required by the process of collective bargaining and  
43 negotiation procedures.

44 **Sec. 13. Voluntary employee incentive programs.**

1. Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use special voluntary employee incentive programs for state employees, including a 50% workweek, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

2. Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the State shall continue to pay health and dental insurance benefits for a state employee who applies and is approved to participate in a voluntary employee incentive program under subsection 1 based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

3. Notwithstanding the Maine Revised Statutes, Title 5, sections 903 and 18056 and any other provision of law to the contrary, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for a state employee who applies and is approved to participate in a voluntary employee incentive program under subsection 1 are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

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

## SUMMARY

This bill implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association, the Maine Service Employees Association, the Fraternal Order of Police and any other certified bargaining representative for an executive branch bargaining unit and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

The bill specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary.

The bill provides for the adjustment of certain salary schedules in fiscal year 2025-26 and in fiscal year 2026-27 consistent with agreements ratified by October 31, 2023. The bill provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

The bill authorizes the use of amounts in the Department of Administrative and Financial Services, Salary Plan program, up to \$9,132,794, to fund the \$2,000 lump-sum payment made in October 2024 from non-General Fund and non-Highway Fund accounts per the agreement for resolution between the State of Maine and the Maine Service Employees Association, SEIU Local 1989 effective August 29, 2024.

The bill authorizes the Department of Administrative and Financial Services to be reimbursed up to \$1,000,000 for resources necessary to conduct a study of the classification system for the executive branch of State Government, to be prepared and submitted by a consultant by December 31, 2025, as outlined in the agreement for resolution between the

1 State of Maine and the Maine Service Employees Association, SEIU Local 1989 effective  
2 August 29, 2024.

3 The bill directs the Commissioner of Administrative and Financial Services to offer for  
4 use special voluntary employee incentive programs for state employees, including a 50%  
5 workweek, flexible position staffing and time off without pay.