

MAINE STATE LEGISLATURE

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S.
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STATE OF MAINE
SENATE
FIRST SPECIAL SESSION
107TH LEGISLATURE

SENATE AMENDMENT "D " to COMMITTEE AMENDMENT "B" to
H.P. 1846, L.D. 2015, Bill, "AN ACT Increasing State, Maine
Maritime Academy and University of Maine Employees' Pay."

Amend said Amendment by striking out all of the 2nd
paragraph and inserting in place thereof the following:
'Further
/amend said Bill by striking out all of the emergency
preamble and inserting in place thereof the following:

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

Whereas, the cost of living in the United States has risen
dramatically; and

Whereas, industrial wages in the United States and in the
State of Maine have risen in an attempt to keep pace with the
spiral of inflation; and

Whereas, state employees have enjoyed no like abatement
of the steady diminution of their real wages; and

Whereas, this legislation is vitally necessary to provide
a wage increase for state employees to absorb at least in part
the impact of double-digit inflation and to restore wages to a
respectable level; 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,

Further amend said Amendment in PART A in that part designated "Compensation Plan" by striking out all of the first 2 lines and the first paragraph and inserting in place thereof the following:

' <u>Compensation Plan</u>	
Personal Services	1,000,000

Provides funds for implementation of \$11 per week across-the-board salary increase for state employees. This increase to become effective the first pay period in July, 1976.'

Further amend said Amendment in PART A in that part designated "Compensation Plan" by striking out all of the 3rd paragraph and inserting in place thereof the following:

'Salary increases. An amount of \$11 shall be added to the weekly dollar amount of each step of the current State Salary Plan and new hourly rates shall be computed to reflect this increase, based on a 40-hour week.'

Further amend said Amendment in PART A under the caption "Human Services" by striking out all of that part relating to "Aid to Families with Dependent Children" and inserting in place thereof the following:

'Aid to Families with Dependent Children	
All Other	(5,188,400)
All Other	1,000,000

To be used as of October 1, 1976 solely for the purpose of increasing AFDC grants for all eligible recipients.

Further amend said Amendment in PART A in that part designated "Mental Health and Corrections", by striking out all of that part relating to "Contingency" which is all 4 lines before that part relating to "Cerebral Palsy Centers"

Amendment

Further amend said / in PART A in the last line in "TOTAL GENERAL FUND - PART A" so that the total reads correctly.

Further amend said Amendment in PART C by inserting before section 1 the following:

'Sec. 1. 5 MRSA §8, 1st sentence, as last amended by 1973, c. 765, §1, is further amended to read:

The State shall pay for the use of privately owned automobiles for travel by employees of the State in the business of the State not more than ~~12¢~~ 13¢ per mile for miles actually travelled by such employees on such business in any one fiscal year.'

Further amend said Amendment in PART C by renumbering sections 1 to 20 to be sections 2 to 21.

Further amend said Amendment by striking out all of PART D and inserting in place thereof the following:

PART D

Employees Salary Plan

Sec. 1. Salary increases; classified employees. Appropriation is made

from the General Fund in Part A for the purpose of implementing the salary schedules, included in section 3, recommended by the study authorized by chapter 100 of the private and special laws of 1974, hereinafter referred to as "the study." Each classified employee shall be assigned to the salary grade in section 3 recommended for his class by the study, or as determined by the Temporary Compensation Review Board, as hereinafter provided, at the same relative step (i.e., A to A, B to B, C to C, D to D, E to E, X to F, Y to G), that he is at in the range to which he is assigned on the date preceding the effective date of this Act, provided that no employee shall be assigned to any step in the recommended range above the A step if such assignment results

in an increase in salary in excess of 10% and, provided further, that if placing any employee on the same relative step in the recommended range results in a decrease in salary, such employee's salary shall be increased to the first higher step within the recommended range which results in an increase in salary, provided that the salary of any classified employee whose present base salary exceeds step G of the recommended range shall not be reduced so long as any such employee remains employed in his current classification.

Sec. 2. Salary increases: unclassified employees not subject to Governor and Council determination. Unclassified employees not subject to Governor and Council salary determination shall be assigned to the step in the salary range in Schedule I or Schedule Ia in section 3 in which their position is assigned, as recommended by the study, or as determined by the Temporary

Compensation Review Board as hereinafter provided, which results in an increase over their current actual salary, provided that in no case shall any salary of an unclassified employee be increased if his current salary exceeds step G of the recommended range, in which case such present salary shall be maintained so long as the employee remains employed in his present position.

Sec. 3. Classified positions and unclassified employees not subject to Governor and Council determination. The Personnel Director and State Budget Officer shall be responsible for ensuring that unclassified employees are assigned to a proper pay grade according to the same policy and procedure applicable to classified employees within authorized funds. Classified positions and unclassified employees not subject to Governor and Council determination shall be assigned to the appropriate pay grade in the following schedule:

SCHEDULE I

Grade	Point	Range	A	B	C	D	E	F	G
1	76	81	5,200.00	5,470.40	5,740.80	6,032.00	6,323.20	6,635.20	6,968.00
2	82	87	5,324.80	5,595.20	5,886.40	6,177.60	6,489.60	6,801.60	7,155.20
3	88	94	5,449.60	5,740.80	6,011.20	6,323.20	6,635.20	6,968.00	7,321.60
4	95	101	5,616.00	5,886.40	6,177.60	6,489.60	6,822.40	7,155.20	7,508.80
5	102	109	5,782.40	6,052.80	6,364.80	6,676.80	7,009.60	7,363.20	7,737.60
6	110	118	5,948.80	6,240.00	6,552.00	6,884.80	7,217.60	7,592.00	7,966.40
7	119	127	6,136.00	6,448.00	6,760.00	7,092.80	7,446.40	7,820.80	8,216.00
8	128	137	6,344.00	6,656.00	6,988.80	7,342.40	7,716.80	8,091.20	8,507.20
9	138	147	6,552.00	6,884.80	7,217.60	7,592.00	7,966.40	8,361.60	8,777.60
10	148	159	6,780.80	7,134.40	7,488.00	7,862.40	8,257.60	8,652.80	9,089.60
11	160	171	7,030.40	7,384.00	7,758.40	8,153.60	8,548.80	8,985.60	9,422.40
12	172	184	7,300.80	7,654.40	8,028.80	8,444.80	8,860.80	9,297.60	9,776.00
13	185	198	7,592.00	7,966.40	8,361.60	8,777.60	9,214.40	9,672.00	10,171.20
14	199	214	7,904.00	8,299.20	8,715.20	9,152.00	9,609.60	10,088.00	10,587.20
15	215	230	8,236.80	8,652.80	9,089.60	9,547.20	10,025.60	10,524.80	11,044.80
16	231	248	8,590.40	9,027.20	9,484.80	9,963.20	10,462.40	10,982.40	11,523.20
17	249	267	8,985.60	9,422.40	9,900.80	10,400.00	10,920.00	11,460.80	12,027.40
18	268	288	9,401.60	9,859.20	10,358.40	10,878.40	11,419.20	12,001.60	12,604.80
19	289	310	9,859.20	10,358.40	10,878.40	11,419.20	11,980.80	12,584.00	13,208.00
20	311	334	10,337.60	10,857.60	11,398.40	11,980.80	12,584.00	13,208.00	13,873.60
21	335	360	10,857.60	11,419.20	11,980.80	12,584.00	13,208.00	13,873.60	14,560.00
22	361	388	11,440.00	12,022.40	12,604.80	13,249.60	13,915.20	14,601.60	15,329.60
23	389	418	12,043.20	12,646.40	13,291.20	13,956.80	14,643.20	15,392.00	16,161.60
24	419	450	12,708.80	13,332.80	13,998.40	14,705.60	15,454.40	16,224.00	17,035.20
25	451	484	13,395.20	14,060.80	14,768.00	15,516.80	16,286.40	17,097.60	17,950.40

26	485	522	13,915.20	14,622.40	15,350.40	16,120.00	16,931.20	17,763.20	18,657.60
27	523	562	14,456.00	15,184.00	15,932.80	16,723.20	17,576.00	18,449.60	19,364.80
28	563	605	14,913.60	15,662.40	16,432.00	17,264.00	18,116.80	19,032.00	19,988.80
29	606	652	15,537.60	16,328.00	17,139.20	17,992.00	18,886.40	19,843.20	20,820.80
30	653	702	16,182.40	16,993.60	17,825.60	18,720.00	19,656.00	20,654.40	21,673.60
	703	757	16,848.00	17,680.00	18,574.40	19,489.60	20,467.20	21,486.40	22,568.00
	758	815	17,576.00	18,449.60	19,364.80	20,342.40	21,361.60	22,422.40	23,545.60
33	816	878	18,345.60	19,260.80	20,217.60	21,236.80	22,297.60	23,400.00	24,564.80
34	879	945	19,156.80	20,134.40	21,132.80	22,193.60	23,296.00	24,460.80	25,688.00
35	946	1018	20,051.20	21,070.40	22,110.40	23,233.60	24,377.60	25,604.80	26,894.40
36	1019	1097	21,028.80	22,089.60	23,192.00	24,356.80	25,563.20	26,852.80	28,184.00
37	1098	1181	22,089.60	23,192.00	24,336.00	25,563.20	26,832.00	28,184.00	29,598.40
38	1182	1272	23,192.00	24,356.80	25,563.20	26,852.80	28,184.00	29,598.40	31,075.20
39	1273	1370	24,419.20	25,646.40	26,915.20	28,267.20	29,681.60	31,158.40	32,718.40
40	1371	1476	25,771.20	27,060.80	28,412.80	29,827.20	31,324.80	32,881.80	34,528.00
41	1477	1590	27,123.20	28,475.20	29,859.60	31,387.20	32,947.20	34,611.20	36,337.60

Any position requiring a licensed physician shall be assigned to the appropriate grade in the following schedule:

SCHEDULE Ia

(Physicians)

Grade	Point	Range	A	B	C	D	E	F	G
50	606	652	19,864.00	20,862.40	21,902.40	23,004.80	24,148.80	25,355.20	26,624.00
51	653	702	20,488.00	21,528.00	22,588.80	23,732.80	24,918.40	26,166.40	27,476.80
52	703	757	21,153.60	22,214.40	23,337.60	24,502.40	25,729.60	26,998.40	28,350.40
53	758	815	21,881.60	22,984.00	24,128.00	25,334.40	26,603.20	27,934.40	29,328.00
54	816	878	22,651.20	23,795.20	24,980.80	26,228.80	27,539.20	28,912.00	30,368.00
55	879	945	23,504.00	24,668.80	25,896.00	27,206.40	28,558.40	29,993.60	31,491.20
56	946	1018	24,377.60	25,604.80	26,873.60	28,225.60	29,640.00	31,116.80	32,676.80
	1019	1097	25,355.20	26,624.00	27,955.20	29,348.80	30,825.60	32,364.80	33,966.40
	1098	1181	26,395.20	27,726.40	29,099.20	30,555.20	32,094.40	33,696.00	35,380.80
	1182	1272	27,518.40	28,891.20	30,326.40	31,844.80	33,446.40	35,110.40	36,857.60
60	1273	1370	28,724.80	30,160.00	31,678.40	33,259.20	34,923.20	36,670.40	38,500.80
61	1371	1476	30,076.80	31,574.40	33,155.20	34,819.20	36,566.40	38,396.80	40,310.40
62	1477	1590	31,428.80	33,009.60	34,652.80	36,379.20	38,209.60	40,123.20	42,120.00

The annual salary figures in Schedules I and Ia above shall be converted to hourly rates by dividing by 2080 and converted to weekly rates by dividing by 52.

Sec. 4 Temporary Compensation Review Board. There is hereby established a Temporary Compensation Review Board which, notwithstanding any other provisions of law, shall have exclusive jurisdiction to hear appeals from employees, their designated representatives and from State appointed authorities concerning the allocation of classifications and unclassified employees to pay grades provided in section 3 of this Part as recommended by the study. The decision of the board on any appeal concerning the assignment of any position or classification to a salary range shall be final and binding on the parties, except as hereinafter provided. The board shall ensure that the current job specification or position description is correct and that the job has been properly evaluated by use of the Hay Guide Chart Job Profile Evaluation Method.

← This proper evaluation shall include the accurate consideration of job environment for each classification, including consideration of any possible

hazards associated with the classification, any physical or mental discomforts which pertain to that classification or any nonstandard working hours which pertain to the classification. This proper evaluation shall also include evaluation of the accuracy of the comparison of various classifications of employment in the public sector to those in the private sector including requirements of duties of each classification of employment, the amount of total ←————→ compensation for that classification of job in the private sector and the accuracy of the classification of the position in the public sector.

←————→ This board may receive assistance from the staff of the Personnel Department, through the Director, and the Office of State Employee Relations, through the Director, for factual analysis of each appeal. ↘

Decisions of the board resulting in an increase in compensation for any position or classification shall be effective retroactive to the effective date of sections 1, 2, 3, 5, 6 and 7 of Part D of this Act but in no event shall any such increase be made retroactive for a period in excess of 90 calendar days. ↘

↘ Any decision by the board shall not be reconsidered by the board or the Personnel Board for a period of one year. Following completion of the board's review of all initial appeals, subsequent appeals will be processed pursuant to existing Personnel Law and Rules.

↘ The Temporary Compensation Review Board shall consist of 5 members to be selected by the Governor. Two members will be selected from a list of names submitted by state employee organizations, each of which represent over 500 state employees,

2 shall be selected from a list of names submitted by the Office of State Employee Relations and one shall be selected from a list of no more than 5 names of members of the public who are mutually acceptable to the President of the Senate and the Speaker of the House of Representatives. Available funds may be used as necessary to provide a reasonable per diem and expenses for the public member.

The Temporary Compensation Review Board shall accept and begin processing appeals on May 10, 1976, and shall accept no further appeals for processing after July 1, 1976.

The Temporary Compensation Review Board shall cease to exist upon completion of review and decisions on all appeals.

Sec. 5. Salaries

Incentive Rewards

The salary limits included in the Revised Statutes, Title 2, section 6 shall be increased by 5%. The same merit step system and restrictions provided herein for classified state employees shall be applied to the base salary as established above.

Sec. 6. Utilization by other funds. Wages of employees in departments supported by the Highway Fund, Special Revenue Funds or other funds shall not be adjusted from moneys provided for the General Fund Salary Plan Fund, but shall be adjusted from funds available to the department from their own sources.

Sec. 7. Survivors' and retirees' benefits. It is the

intent of the Legislature that the salary increases provided for in sections 1, 2, 3, ⁵ and 6 of this Part shall be considered a general salary increase the equivalent of 6.4% pursuant to Title 5, section 1124 and Title 5, section 1128.

OF R.

Sec. 8. Effective date of compensation plan. The compensation provisions of Part D of this Act, sections 1, 2, 3, 5, 6, 7 and 10 shall become effective March 15, 1977 or immediately after final disposition of all appeals under section 4 of this Part, whichever is earlier.

Sec. 9. Adjustments to reflect across-the-board increase.

Any increase to the salary levels for each pay grade provided for in state salary schedules which result from sections 1, 2, 3, 5, 6 and/of this Part taking effect shall be decreased by the amount of pay increase provided for in Part A of this Act. However, in no case shall the implementation of sections 1, 2, 3, 5, 6 and/reduce the increase provided for in Part A of this Act. The salary schedules set forth in Tables 1 and of section 3 shall be adjusted accordingly.

Sec. 10. Appropriation. There is appropriated to the Department of Finance and Administration the sum of \$464,000 for fiscal year 1976-77 to be used to implement the pay increases provided for in this Part. The breakdown shall be as follows:

	<u>1976-77</u>
FINANCE AND ADMINISTRATION, DEPARTMENT OF	
Implementation of Part D of this Act	
Personal Services	\$464,000

Further amend said Amendment by striking out all of PART I.

Further amend said Amendment by inserting at the end before the Statement of Fact the following:

'Further amend said Bill by striking out all of the Emergency clause and inserting in place thereof the following:

Emergency clause. In view of the emergency cited in the preamble this Act shall become effective July 1, 1976, except the compensation provisions of Part D which shall become effective as set forth in section 8/^{of Part D,} and except for section 4 of Part D which shall become effective May 1, 1976.'

Statement of Fact

This amendment provides for an across-the-board pay increase of \$11, deletes the appropriation for the Mental Health and Corrections Contingency Fund, increases the mileage allowance to 13¢ a mile and deletes the cigarette tax. It also increases funds in AFDC using additional savings over and above those already anticipated in the budget and provides for the implementation of the Hay Report, with certain modifications set out in the amendment, on March 15, 1977 or immediately after final disposition of all appeals, whichever is earlier.

(Carbonneau)
NAME: *Robert J. Carbonneau*
COUNTY: Androscoggin
Reproduced and distributed pursuant to Senate Rule 11-A.