

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2225

S. P. 700

In Senate, February 18, 1976

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Huber of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT to Revise and Reallocate Appropriations from the General Fund for the Expenditures of State Government for the Fiscal Years Ending June 30, 1976 and June 30, 1977 and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government.

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

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

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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,

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

Sec. 1. Appropriations from General Fund. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1976 and June 30, 1977 the following sums or as much thereof as shall severally be found necessary, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated.

Sec. 2. Allotments required. Upon receipt of allotments duly approved by the Governor and Council based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these appropriations, together with expenditures for other purposes necessary to the conduct of State Government on the basis of such allotments and not otherwise. Allotments for personal services, capital expenditures and amounts for all other departmental expenses shall not exceed the amounts shown in the budget document or as they may be revised by the Committee on Appropriations and Financial Affairs unless recommended by the State Budget Officer and approved by the Governor and Council.

Sec. 3. Temporary curtailment of allotments. Whenever it appears to the Commissioner of Finance and Administration that the anticipated income and other available funds of the State will not be sufficient to meet the expenditures authorized by the Legislature, he shall so report to the Governor and Council and they may temporarily curtail allotments equitably so that expenditures will not exceed the anticipated income and other available funds.

Sec. 4. Personal Services appropriation. The figures in parentheses shown above each dollar amount provided for Personal Services in this Act, or as adjusted by legislative action, shall represent the total number of permanent positions at any one time. The appropriations made for Personal Services are made with the provision that the total number of permanent positions in any account shall not be increased during either year of the biennium over the total numbers shown in parentheses and used by the Legislature in computing the total dollars to be made available for Personal Services. The amounts appropriated for Personal Services include funds for the state's share of state employees retirement. The State Controller shall transfer the state's share to the Maine State Retirement System as soon as practicable after each payroll is paid.

Sec. 5. Personal Services review. The Budget Office, during this biennium, shall continually review with all departments the status of their personnel with the purpose of determining that all departments are expending Personal Service moneys within the intent of the Legislature and shall report any expenditures contrary to such intent to the Governor and Council and the Legislative Finance Officer.

Sec. 6. Personal Services savings and flexibility. Savings accruing within appropriations made for permanent positions may be used for nonrecurring personal services or retirement costs when recommended by the department head and the State Budget Officer, and approved by the Governor and Council. Any classification of a position and any allocation or reallocation of a position made by the director or the State Personnel Board pursuant to this section shall become effective on the first day of the fiscal year following approval by the State Budget Officer and the appropriation of funds therefor, except that the State Budget Officer may, if he determines that sufficient funds exist, authorize an effective date prior to the first day of the ensuing fiscal year. Copies of all actions and certifications shall be furnished to the Legislative Finance Officer.

Sec. 7. Merit rating required. The State Personnel Board is directed to require merit ratings on each individual who is recommended for a salary increase on a form prescribed by the board. Department heads are directed that the granting of merit increases be scrutinized and documented carefully. It is the intent of the Legislature that in instances where merit increases are not earned and warranted they shall be denied. The Governor and the State Budget Officer when next preparing a budget may include only sufficient funds for merit increases for a maximum of 60% of those eligible. The State Budget Officer shall instruct departments to prepare their next work programs on this basis. Each of the increments within the 7 steps provided for in the compensation plan shall be awarded on the basis of merit without regard to longevity.

Sec. 8. Number of necessary employees. The Governor and the State Budget Officer when next preparing a Budget Document may at their discretion adjust the figures in parentheses, representing numbers of permanent positions, to reflect the number of positions which in their opinion is necessary to the proper operation of each department, institution or agency.

Sec. 9. New or expanded programs. No department shall establish new programs or expand existing programs beyond the scope of those programs already established, recognized and approved by the Legislature, until such program and the method of financing shall be submitted to the Budget Office for evaluation and recommendation to the Legislature and until funds are made available therefor by the Legislature.

Sec. 10. Federally funded programs. It is the intent of the Legislature that in the event matching federal funds are not available as anticipated for programs in this Act, there is no obligation to provide state funds in excess of the appropriations listed in this Act. Positions entirely or partially funded by federal or other than state sources of funds shall be considered as limited period positions, notwithstanding the figures in parentheses representing numbers of employees, should such funds be withdrawn or reduced.

Sec. 11. Travel limitations. It is the intent of the Legislature that out-of-state travel be limited. Any state employee who travels out-of-state on state business, such as law enforcement, collecting, bidding, industrial development, loans, etc., may continue to do so. The Legislature directs that department heads hold down cost of all travel where it is not absolutely needed. Any state employee who travels in-state shall not be reimbursed for noon meals, unless the meal is part of an organized meeting, or program or overnight travel.

Sec. 12. Equipment to be reviewed. The Commissioner of Finance and Administration, through the State Purchasing Agent or such other agent as he may choose, shall conduct a thorough review of all types of equipment, owned, leased or otherwise available to the several departments and agencies of the State, regardless of the source of supporting funds, combining their use, providing centralized facilities, or eliminating existing equipment and facilities, as he believes to be in the most economical, most efficient and best interests of the State.

Sec. 13. Increased productivity. The State Budget Officer and the State Director of Personnel are directed to study state benefit plans such as sick leave and vacation and make recommendations that would result in increased productivity through improved administration and usage.

Sec. 14. Motor vehicle replacement policy. The State Purchasing Agent is directed to require that requisitions for replacement motor vehicles include the age and total mileage of the motor vehicle being replaced. For the purposes of this section, motor vehicles are defined as passenger cars, panel and pickup trucks, excluding those vehicles operated by the State Police. It is the intent of the Legislature that motor vehicles shall have been in service for at least 5 years or 50,000 miles before they are replaced. This policy shall also be adopted by the State Budget Officer when next preparing a Budget Document. Exceptions to the established replacement policy shall require the prior approval of the Governor and Council.

Sec. 15. Significant action recommended by Budget Officer. The Budget Office shall inform the Committee on Appropriations and Financial Affairs through the Legislative Finance Office of significant action recommended by it in the performance of the budget responsibilities hereby assigned.

Sec. 16. Other Fund payments. There shall be paid from the General Highway Fund and All Other Revenue Funds the cost of accounting, auditing, purchasing and legal services furnished from the General Fund appropriations. This revenue shall be credited to the General Fund.

Sec. 17. Year end closing. The Controller is authorized to close the books as soon as practicable after the close of the fiscal years ending June 30, 1976 and June 30, 1977. Any bills presented after those dates may be paid from appropriations for the ensuing year on recommendation of the Controller if within the amounts of approved allotments.

Sec. 18. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state moneys, except those that carry forward as provided by law, shall lapse to Unappropriated Surplus as provided by the Revised Statutes of 1964, Title 5, section 1544. At the end of each fiscal year, all encumbered appropriation balances shall not be carried more than once, except in those accounts which carry forward from year to year by law.

Sec. 19. Other appropriation measures. It is intended that the language in the preceding sections of this Act shall apply to all other appropriation measures enacted by the Legislature.

PART A

	Appropriations from General Fund	
	1975-76	1976-77
Finance and Administration		
Capital Construction and Improvements		
Chapters 103, P & S 1973		
Stevens School	\$ (96,000)	\$ —

	Appropriations from General Fund	
	1975-76	1976-77
Parks and Recreation	(410,000)	—
Aeronautics	(200,000)	—
<p>The appropriations remaining in the above named Departments from Chapter 103 of the Private and Special Laws of 1973, may be expended among the projects enumerated in that Act in a manner determined appropriate by the respective departments.</p>		
Elderly Householder's Tax and Rent Refund		
All Other	(175,000)	\$ 800,000
<p>The appropriation for FY 75-76 was in excess of need, however, the appropriation for FY 76-77 is not sufficient to cover estimated needs.</p>		
Employees Group Health Insurance Program		
All Other	—	712,000
<p>Funds the second year of the biennium. Includes \$200,000 for the University of Maine and \$12,000 for the Maine Maritime Academy.</p>		
Compensation Plan		
Personal Services	—	1,000,000
<p>Provides funds for implementation of the new employees compensation plan as recommended by the Governor.</p>		
Attorney General—Office of the		
Chief Medical Examiner		
Personal Services	21,000	21,000
All Other	35,000	35,000
<p>Provides funds for an increase in salary for the new Chief Medical Examiner and for regular operating expenses.</p>		
Treasurer of State		
Departmental Operations		
All Other	(500,000)	400,000
<p>Funds appropriated for FY 75-76 were in excess of needs for the Inventory</p>		

	Appropriations from General Fund	
	1975-76	1976-77
Tax Reimbursement, however, the appropriation for FY 75-76 is not sufficient.		
Legislative		
Legislature		
All Other	675,000	—
Provides funds for the Special Session of the 107th Legislature.		
Judicial		
Supreme Judicial and Superior Positions	—	(3)
Personal Services	—	45,500
All Other	—	9,800
Capital	—	2,000
Provides positions and funds for the seventh Justice.		
Educational and Cultural Services		
General Purpose Aid to Local Schools		
All Other	1,500,000	1,500,000
Appropriates funds to cover a projected shortfall in Federal Revenue Sharing Funds.		
North American Indian Scholarship		
All Other	—	10,000
Additional funds for Indian Scholarships.		
Peter Dana Point		
All Other	—	14,000
Provides funds for Special and Adult Education and repair of buildings.		
Pleasant Point		
All Other	—	17,500
Provides funds for Special and Adult Education and repair of buildings.		
Indian Island		
All Other	—	13,000

	Appropriations from General Fund	
	1975-76	1976-77
Provides funds for Special and Adult Education and repair of buildings.		
Osteopathic Loan Fund		
All Other	—	30,000
Human Services		
Medical Care		
All Other	(300,000)	1,080,000
Intermediate Care		
All Other	—	1,584,500
Aid to Families with Dependent Children		
All Other	(2,419,200)	(1,769,200)
Cystic Fibrosis		
All Other	—	17,500
General Assistance		
All Other	965,000	539,000
Special Resolves		
All Other	(1,600)	(1,600)
Priority Social Services		
Elderly		
All Other	—	144,000
Non Elderly		
Personal Services	—	(5) 65,000
All Other	—	469,000
Child Welfare		
All Other	(375,000)	375,000
Bureau of Rehabilitation		
All Other	—	25,200
Office of Dental Health		
Personal Services	—	(1) 23,000

Savings projected in programs are re-allocated to areas of need. Additional appropriation is required in 1976-77 to continue Cystic Fibrosis, Priority Social Services, and Bureau of Rehabilitation and the Office of Dental Health programs which were funded for the first year only by the 107th Legislature at the Regular Session.

	Appropriations from General Fund	
	1975-76	1976-77
Governor's Committee on Children and Youth		
Unallocated	—	3,000
Advisory Council on the Status of Women		
Unallocated	—	2,500
Maine Human Services Council		
Personal Services	—	(1) 17,300
All Other	—	10,800
Mental Health and Corrections		
Community Mental Health		
All Other	—	335,000
Funds to pick up the declining federal share of support to mental health centers.		
Pineland Center		
All Other	—	300,000
Funds to allow Pineland Center to meet the intermediate care facility standards.		
Correctional Program Improvement		
All Other	—	100,000
Maintenance of community programs for juvenile and adult correctional clients (halfway houses, etc.).		
Community Mental Retardation Services		
All Other	—	100,000
Maintenance of programs in three regions of the State supplying services, training, monitoring of boarding and nursing homes with retarded citizens.		
Pharos House		
All Other	—	15,000
Maintenance of halfway house which does house inmates in prerelease status.		
Cerebral Palsy Centers		
All Other	—	20,000
TOTAL GENERAL FUND	<u>—</u>	<u>20,000</u>
	\$(1,280,800)	\$ 8,064,800

	Allocations from Federal Revenue Sharing Fund	
	1975-76	1976-77
Educational and Cultural Services		
General Purpose Aid to Local Schools		
Unallocated	\$(1,500,000)	\$(1,500,000)

PART B

Sec. 1. 5 MRSA § 10 is amended to read:

§ 10. Payment of wages

All state officers and employees, except temporary and seasonal employees, shall be paid their salaries or wages ~~weekly~~ **biweekly**, the dates of payment to be determined by the State Controller. Any state officer, whose salary is established at an annual rate, shall receive ~~weekly~~ **biweekly** a sum which will, in the year's aggregate, most nearly equal the annual rate. Payment may be made once in each calendar month ~~or fortnightly~~ to such state officers and employees as consent to such time of payment. Temporary and seasonal employees of the State shall be paid at such times as the ~~Commissioner of Finance and Administration~~ **State Controller** shall specify. **The manner and timing of conversion to biweekly payroll will be determined by the State Controller in such a manner as to minimize any adverse cash flow impact on state employees or the State as a result of this change.**

Sec. 2. 5 MRSA § 150, 2nd ¶, as last amended by PL 1971, c. 176, § 1, is further amended to read:

The Treasurer of State, with the approval of the Governor and Council, may negotiate a temporary loan or loans in anticipation of taxes levied for that fiscal year but not exceeding a total of ~~\$10,000,000~~ **\$25,000,000 at any one time**. The Treasurer of State is directed to pay such loan or loans in anticipation of taxes ~~during within such one year of such borrowing~~ and there is appropriated for any year in which the Treasurer of State and the Governor and Council deem it necessary to borrow in anticipation of taxes the sum of ~~\$10,000,000~~ **\$25,000,000**.

Sec. 3. 5 MRSA § 282, 2nd ¶, as repealed and replaced by PL 1971, c. 615, § 2, is amended to read:

The commissioner may employ such other deputies, division heads, assistants and employees as may be necessary, subject to the Personnel Law, except as otherwise specifically provided.

Sec. 4. 5 MRSA § 1511 is enacted to read:

§ 1511. Reserve for operating capital

The State Controller is authorized to establish an account "Reserve for Operating Capital" and, at the close of each fiscal year, transfer from the Unappropriated Surplus of the General Fund such amounts as may be available from time to time up to an amount of \$1,000,000 per year until a maximum of \$25,000,000 shall be achieved.

Sec. 5. 5 MRSA § 1662, sub-§ 4 is amended to read:

4. Review, plans and report. To establish a **Management Services Division** to constantly review the administrative activities of other departments and agencies of the State, study organization and administration, investigate duplication of work and to formulate plans for better and more efficient management, and report periodically to the Governor and on request to the Legislature.

The State Budget Officer with the approval of the Commissioner of Finance and Administration may appoint a director of the division to serve at his pleasure and is also authorized to employ and assign to the division such employees as he deems appropriate within authorized available funds.

Sec. 6. 20 MRSA § 1461, sub-§ 4 is repealed and the following enacted in place thereof:

4. Balances. Any unencumbered balance in the Unorganized Territory School Fund in excess of \$50,000 at the end of each fiscal year shall lapse to the General Fund.

Sec. 7. PL 1975, c. 601, § 2 is amended by adding at the end the following new paragraph:

The balance of this appropriation shall not lapse as of June 30, 1976 but shall be carried forward to the fiscal year beginning July 1, 1976 and ending June 30, 1977, to be expended by the Post-secondary Education Commission for the operating expenses of the commission.

Sec. 8. P & SL 1975, c. 78, the last paragraph under the caption "EDUCATIONAL AND CULTURAL SERVICES, Education — Grant / Loan / Scholarship Fund" is amended to read:

Includes \$32,000 for 1975-1976 and \$64,000 for 1976-1977 and authorizes the State Department of Educational and Cultural Services to enter into ~~an agreement~~ **agreements** to secure four (4) positions for Maine applicants at the ~~University of Pennsylvania in a complete course of study in its School of Veterinary Medicine,~~ **an accredited school of veterinary medicine, in a complete course of study in veterinary medicine,** and to guarantee and pay to said ~~University~~ **institutions** not more than \$8,000 annually for each position.

Sec. 9. P & SL 1975, c. 78, under the caption "EXECUTIVE, Executive — State Planning Office" is amended by adding at the end the following new paragraph:

Any balance of General Fund appropriations for the Commission on Maine's Future at June 30, 1976 and June 30, 1977, shall not lapse but shall be carried forward from year to year to be expended for the same purpose.

PART C

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 of 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. 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	5,868.40	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	12,022.40
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

Grade	Point	Range	A	B	C	D	E	F	G
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	14,268.80	14,976.00	15,724.80	16,515.20	17,347.20	18,200.00	19,115.20
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	15,558.40	16,328.00	17,139.20	18,012.80	18,907.20	19,843.20	20,841.60
30	653	702	16,182.40	16,993.60	17,825.60	18,720.00	19,656.00	20,654.40	21,673.60
31	703	757	16,848.00	17,680.00	18,574.40	19,489.60	20,467.20	21,486.40	22,568.00
32	758	815	17,576.00	18,449.60	18,364.80	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	24,731.20	25,958.40	27,248.00	28,620.80	30,056.00	31,553.60	33,134.40
40	1371	1476	25,771.20	27,060.80	28,412.80	29,827.20	31,324.80	32,884.80	34,528.00
41	1477	1590	27,123.20	28,475.20	29,889.60	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
57	1019	1097	25,355.20	26,624.00	27,955.20	29,348.80	30,825.60	32,364.80	33,966.40
58	1098	1181	26,395.20	27,726.40	29,099.20	30,555.20	32,094.40	33,696.00	35,380.80
59	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	29,036.80	30,492.80	32,011.20	33,612.80	35,297.60	37,065.60	38,916.80
61	1371	1476	30,097.60	31,595.20	33,176.00	34,840.00	36,566.40	38,396.80	40,331.20
62	1477	1590	31,428.80	33,009.60	34,652.80	36,379.20	38,209.60	40,123.20	41,120.00

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 appointing 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 board may receive assistance from the staff of the Personnel Department, through the director, and the Office of Employee Relations, through the director, for factual analysis of each appeal. 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. One representative to this board shall be a member of the State Personnel Board. At least one member of the board shall be selected from a list of nominees submitted by public employee representatives. One member of the board shall be the head of a state department or representative of state management. The remaining member(s) shall be appointed from the public and shall be qualified in compensation and classification matters. Available funds may be used as necessary to provide a reasonable per diem and expenses for public members.

The Temporary Compensation Review Board shall cease to exist upon completion of review and decisions on all appeals, but in no event shall the board continue its duties beyond one year following the effective date of the implementation of the pay plan.

Sec. 5. 2 MRSA § 6, as last amended by P&SL 1975, c. 78, § 21, is repealed and the following enacted in place thereof:

Sec. 6. Salaries

Notwithstanding any other provision of law, the Governor, with the advice and consent of the Council, is authorized to adjust the salaries of the following state officials as indicated:

1. Range 1. The salaries of the following state officials and employees to be no more than \$28,500, except as provided in the incentive reward provisions of this section:

- Commissioner of Educational and Cultural Services;
- Commissioner of Mental Health and Corrections;
- Commissioner of Human Services;
- Commissioner of Finance and Administration;
- Commissioner of Transportation;
- Commissioner of Environmental Protection;
- Commissioner of Conservation;
- Commissioner of Manpower Affairs.

2. Range 2. The salaries of the following state officials and employees to be no more than \$24,700, except as provided in the incentive reward provisions of this section:

- Director of State Planning Office;
- Commissioner of Agriculture;

Commissioner of Public Safety;
 Commissioner of Business Regulation;
 Commissioner of Marine Resources;
 Commissioner of Defense & Veterans Services (Adjutant General);
 Director of Personnel;
 Commissioner of Inland Fisheries and Wildlife;
 State Budget Officer;
 State Controller;
 Director, State Development Office;
 State Tax Assessor.

3. Range 3. The salaries of the following state officials and employees to be no more than \$20,100, except as provided in the incentive reward provisions of this section:

Chief of State Police;
 Director of Public Improvements;
 Bank Superintendent;
 Chairman, Public Utilities Commission;
 Executive Director, Maine Labor Relations Board;
 Director, Bureau of Forestry;
 Director, Bureau of Parks and Recreation;
 Director of Alcoholic Beverages;
 Insurance Superintendent;
 Director of State Lotteries;
 Chairman, Industrial Accident Commission;
 State Purchasing Agent;
 Executive Director, Retirement System;
 Executive Director, Land Use Regulation Commission.

4. Range 4. The salaries of the following state officials and employees to be no more than \$16,800, except as provided in the incentive reward provisions of this section:

Director of Civil Emergency Preparedness;
 Public Utilities Commission members, other than the chairman;
 Industrial Accident Commission members, other than the chairman;
 Director of Veterans Services;
 Commissioner of Indian Affairs;
 Director, Bureau of Geology;
 Director, Bureau of Public Lands;
 Director, Bureau of Labor;
 Director, State Museum Bureau;
 Director, Arts and Humanities;
 General Counsel of the Public Utilities Commission;
 State Archivist;
 State Librarian;
 Director of Transportation of the Public Utilities Commission;
 Director, Office of Energy Resources;
 Deputy Adjutant General;
 Deputy Chief of State Police.

5. Range 5. The salaries of the following state officials and employees to be no more than \$15,000, except as provided in the incentive reward provisions of this section:

Secretary of the Public Utilities Commission;
Employment Security Commission members, other than the chairman;
Examiner and Chief Accountant of the Public Utilities Commission;
Executive Director, Historic Preservation Commission;
Chief Boiler Inspector and Supervisor Elevator Inspector;
Assistant Adjutant General.

6. Incentive Rewards. The Governor, with the advice and consent of the Council, is authorized to reward outstanding qualifications or performance by granting up to 3 merit steps of 10% each above the maximum specified above.

The salary of any of the state officials and employees subject to this subsection which exceeds the maximum herein specified for such official or employee shall not be reduced and may be increased pursuant to the incentive reward provisions of this section.

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. Effective date of compensation plan. The compensation provisions of Part C of this Act, sections 1, 2, 3, 5 and 6 shall become effective with the first pay period in July of 1976.

Emergency Clause. In view of the emergency cited in the preamble and except as otherwise provided in this Act, this Act shall take effect when approved.

STATEMENT OF FACT

The Executive Branch is making no recommendation regarding appropriate compensation levels for constitutional officers under this Act, because to do so would interfere with the prerogatives of the Legislative Branch to establish proper qualifications and organization of these functions and appropriate compensation levels.