

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
FIRST SPECIAL SESSION  
107TH LEGISLATURE

(Filing No. H-1236)

HOUSE AMENDMENT "J" to S. P. 790, L. D. 2341, Bill,  
"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."

Amend said Bill in PART A under the caption "Finance and  
Administration" in that part relating to Compensation Plan  
by striking out all of the first 2 lines and the first paragraph  
and inserting in place thereof the following:

'Compensation Plan

Personal Services 3,125,000

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. Also provides  
funds for implementation of the Hay Study on  
January 1, 1977.'

Further amend said Bill in PART A by adjusting the total  
in that part  
/relating to TOTAL GENERAL FUND--PART A to read correctly.

Further amend said Bill by inserting after PART G the following:

'PART H

Employees Salary Plan

Sec. 1. Salary increases; classified employees. Appropri-

ation 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 preceeding 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 ten percent 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
2	172	184	7,300.80	7,654.40	8,028.80	8,444.80	8,860.80	9,297.60	9,776.00
3	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	11,525.20
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	12,601.80
9	289	310	9,859.20	10,358.40	10,878.40	11,419.20	11,980.80	12,584.00	13,208.00
0	311	334	10,337.60	10,857.60	11,398.40	11,980.80	12,584.00	13,208.00	13,875.60
21	335	360	10,857.60	11,419.20	11,980.80	12,584.00	13,208.00	13,875.60	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	17,765.20	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
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	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	32,884.80	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	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.

The salary schedule I and Ia shall be adjusted by adding \$11 per week to each range and step.

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 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 first pay period in January 1977, 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 seven members, five to be selected by the Governor and one each by the Speaker of the House and President of the Senate. Of the five members selected by the Governor, one shall be a member of the State Personnel Board, at least

one member shall be selected from a list of nominees submitted by public employee representatives, and one member 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 <sup>180</sup> / days following the effective date of the implementation of the pay plan.

Sec. 5. 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. 6. Survivors' and retirees' benefits. It is the intent of the Legislature that the salary increases provided for in this Act shall be considered a general salary increase the equivalent of 6.4% pursuant to Title 5, section 1124 and Title 5, section 1128.

Sec. 7. Effective date of compensation plan. The compensation provisions of Part H of this Act, sections 1, 2, 3 and 5, shall become effective with the first pay period in January, 1977.

#### PART I

Sec. 1. 36 MRSA §4365, 1st sentence, as last amended by PL 1973, c. 768, §2, is further amended to read:

A tax is imposed on all cigarettes held in this State by any

person for sale, said tax to be at the rate of 8 9 mills for each cigarette and the payment thereof to be evidenced by the affixing of stamps to the packages containing the cigarettes.

Sec. 2. 36 MRSA §4365, next to the last sentence, as last amended by PL 1973, c. 768, §3, is further amended to read:

The Tax Assessor thereupon shall notify the unclassified importer of the amount of the tax due thereon, which shall be at the rate of 8 9 mills per cigarette.

Sec. 3. Cigarettes on hand; stamping or account; waiver provisions. The State Tax Assessor may by regulation waive for a period of not over 7 days following the effective date of sections 1 and 2 of <sup>this Part I</sup> / payment of additional tax by retail dealers with respect to stocks of cigarettes properly stamped at the rate of 8 mills per cigarette sold during such period, provided such stocks were on hand as of the effective date of sections 1 and 2 of <sup>this Part I</sup> / 3 and pursuant thereto, the State Tax Assessor may also waive for the same period the application to retail dealers of Title 36, sections 4369, 4370 and 4372 as respects such cigarettes.

Nothing herein shall be construed to authorize any distributor or subjobber to distribute to any retail outlet cigarettes not properly stamped at the rate of 9 mills per cigarette.



Cigarettes in the hands of retail dealers subsequent to the period of waiver provided for above, not properly stamped at the rate of 9 mills per cigarette, shall be subject to confiscation under the provision of Title 36, section 4372; and such retailer shall be subject to any other penalties by law provided.

Sec. 4. Effective date. Part I of this Act shall become effective August 1, 1976.'

Statement of Fact

This amendment provides for an \$11 across the board pay increase effective July 1976 plus implementation of the Hay Report in January, 1977. It also provides for a 2¢ increase in the cigarette tax which will provide \$2,830,000 in General Fund revenue.

Filed by Mr. DeVane of Ellsworth.  
Cosponsor: Mr. Hinds of South Portland.

Reproduced and distributed under the direction of the Clerk of the House.  
4/7/76

(Filing No. H-1236)