

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 400

H. P. 309 House of Representatives, February 10, 1977
Referred to Committee on Appropriations and Financial Affairs. Sent up
for concurrence and 1,800 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Martin of Eagle Lake.

Cosponsors: Mrs. Najarian of Portland, Mr. Palmer of Nobleboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Award Transitional Allowances to Permanent Full-Time and
Limited Period Full-Time Unclassified Employees.**

Emergency preamble. Whereas, Acts of 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, permanent full-time and limited period full-time unclassified employees apparently were inadvertently omitted from eligibility for transitional allowances in the implementation of the new pay plan resulting from the study authorized by the private and special laws of 1975, chapter 100; and

Whereas, eligible permanent full-time and limited period full-time classified employees receive the aforementioned transitional allowances; and

Whereas, this disparity in treatment between unclassified and classified employees causes gross inequities, in terms of "equal pay for equal work," between substantial segments of the state work force; 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:

P&SL 1975, c. 147, Pt. D, § 5, is amended by adding the following new paragraph:

Each permanent full-time and limited period full-time unclassified employee shall receive an allowance equal to the difference between the annualized increase provided by the implementation of the schedule in section 3 and \$572. This allowance shall be paid in 2 approximately equal payments in February and April 1977 to eligible employees who were in the employ of the State in 1975 and still employed by the State at the time of each payment. Allowance of \$50 or less may be paid in full in February 1977. The transitional allowance shall not be considered annual earnable compensation for retirement purposes.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

Eligible classified and unclassified employees all received the appeal period allowance specified in private and special laws of 1975, chapter 147, Part D, section 4. Eligible classified employees are receiving the transitional allowance specified in the private special laws of 1975, chapter 147, Part D, section 5. Unclassified employees are not. This creates inequities which this legislation seeks to correct. In the case of classified employees, in order to be eligible for the transitional allowance, it is stipulated that they be in state service in 1975 and "still employed in the same classification at the time of each payment." While it is stipulated in this legislation that unclassified employees, to be eligible for the transitional allowance, must have been in state service in 1975, no mention is made herein of "in the same classification at the time of each payment" for the simple reason that the unclassified employees are now, for the first time, acquiring classification titles equitable with classified service classifications as they are put on the new pay schedule.