

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-81)

HOUSE AMENDMENT " D " to S.P. 186, L.D. 531, Bill, "AN ACT to Correct Errors and Inconsistencies in Laws of Maine."

Amend the Bill by inserting after section 3 the following:

'Sec. 3-A. 5 MRSA §8-B, last sentence, as enacted by PL 1973, c. 603, §2, is amended to read:
No charge shall be made for the provision of housing facilities when the state employee involved is required as a condition of his employment to reside in such housing facilities and when the state employee involved receives a salary less than the salary received by an employee at pay range ~~21~~ 23, merit service step E of the compensation plan for classified employees.'

Statement of Fact

In dealing with a state employee's grievance, a problem has come up with regard to Title 5, section 8-B.

The statute in question concerns housing for state employees and mandates that rental and utility costs be billed to employees. An exception exists for those employees whose salary is "...less than the salary received by an employee at pay range 21, merit service step E, of the compensation plan for classified employees." The exception was a result of an amendment enacted in 1973 by chapter 603, sections 1 and 2.

The problem has arisen since the passage of the Hay plan legislation, 1975, chapter 147 of the private and special laws, part D, which changed the compensation plan which was in existence at the time the exception to 8-B was enacted. Under the old compensation plan, an employee at classification 21 E received \$275.20 per week. Under the new plan an employee classified at 21 E receives \$254 per week.

As a result of the adoption of the new compensation plan, a number of employees previously exempted from paying rental and other costs are now being charged. In addition, there are several employees who are considering refusing promotions because of the net monetary loss they will suffer in housing to assume such costs.

It appears that the Legislature did not intend to burden employees whose salaries are less than \$275.20 per week, but merely overlooked the fact that Title 5, section 8-B, was keyed to the old compensation plan.

This amendment would amend Title 5, section 8-B, to take care of this problem.

Filed by Mr. Spencer of Standish.

Reproduced and distributed under the direction of the Clerk of the House.

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