

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 141

H. P. 130

House of Representatives, January 23, 1979

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Paradis of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Clarify the Definition of Intermittent State Employees.

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

Whereas, the present definition of intermittent state employees under Title 5, section 559, as interpreted by the Department of Personnel restricts use of these employees to a limit of 19 hours in any one week; and

Whereas, several departments of State Government occasionally require the use of intermittent employees for more than 19 hours a week in order to maintain basic services; 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:

5 MRSA § 559, sub-§ 1, as enacted by PL 1977, c. 667, § 2, is amended to read:

1. Definition of intermittent positions. Define intermittent positions, and shall in the definition limit the use of any position to employment for not more than ~~19 hours per week or 25 weeks per year~~ **500 hours per year**; and

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

STATEMENT OF FACT

This bill removes the limitation of 19 hours per week upon the use of intermittent employees by departments of State Government. Departments would be able to hire intermittents for more than 19 hours per week as long as the intermittent did not work more than a total of 500 hours a year.

The bill would not change the intent of the law restricting the use of intermittent employees but would allow agencies, such as the Bureau of Alcoholic Beverages, to hire intermittents for peak seasons and to fill in for regular employees who became ill.