

MAINE STATE LEGISLATURE

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(Emergency)
THIRD SPECIAL SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 2042

H. P. 2061

House of Representatives, May 21, 1980

The Committee on Appropriations and Financial Affairs suggested and ordered printed.

EDWIN H. PERT Clerk of the House

Presented by Mr. Pearson of Old Town.

Cosponsor: Mr. Morton of Farmington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Fund and Implement Agreements Between the State and the Maine State Employees Association.

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, certain obligations and expenses incident to the operation of state collective bargaining agreements will become due and payable immediately; and

Whereas, it is the responsibility of the Legislature to act upon those portions of tentative collective bargaining agreements negotiated by the Executive Branch which require legislative action; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and requires 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. Allocation. There is allocated from the State Contingency Account in

the Department of Finance and Administration to a special compensation account the sum of \$3,989,500 for the fiscal year ending June 30, 1981, to implement the economic terms agreed to by the State and the Maine State Employees Association for the Administrative Services, Professional and Technical Services, Operations, Maintenance and Support Services, Law Enforcement Services and Supervisory Services bargaining units.

Sec. 2. Funding. The funding provided by this Act shall include retirement costs and shall be available for all employees covered by these agreements between the State and the Maine State Employees Association, except that employees supported from sources of funding other than the General Fund shall be funded whenever possible from those sources.

Sec. 3. Special account. The funding provided shall be segregated into a special compensation account to be made available as needed upon the recommendation of the State Budget Officer with the approval of the Governor.

Sec. 4. Adjustment of salary plan. The current state salary plan for employees in these bargaining units shall be adjusted at the start of the pay week starting closest to July 1, 1980 to reflect the salary provisions of these negotiated agreements.

Sec. 5. Effect. Notwithstanding the Maine Revised Statutes, Title 5, section 11, the State Controller is authorized to implement the salary benefits that become effective June 29, 1980.

Sec. 6. New employees; similar and equitable treatment. Employees in classifications which are included in the administrative services, professional and technical services, operations, maintenance and support services, law enforcement services and supervisory services bargaining units, but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraph E, shall be given similar and equitable treatment to employees covered by the relevant agreements.

Sec. 7. Carrying clause. Any balances exceeding \$5,487,250 remaining from previous salary accounts and any balances remaining from salary accounts established by this Act shall lapse on June 30, 1980.

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

FISCAL NOTE

General Fund Cost:

Salary Increase at \$14 per week or 7%.....\$3,684,000

All Other:

\$8/mo. towards dependent coverage (health insurance)—1/1/81	\$ 86,000	
Uniforms—7/1/80	15,000	
2¢ on mileage allowance—7/1/80	164,000	
Add \$1 to dinner allowance—1/1/81	37,500	
Printing of agreement.....	3,000	305,500
		\$3,989,500

STATEMENT OF FACT

This bill provides funding for the implementation of the agreements reached between the State and the Maine State Employees Association (MSEA) for the Administrative Services, Professional and Technical Services, Operations, Maintenance and Support Services, Law Enforcement Services and Supervisory Services Bargaining Units. Agreements in each of these units will be effective July 1, 1980 through June 30, 1981 and will be the second collective bargaining agreement in each of these units negotiated under the State Employees Labor Relations Act. The provisions of these agreements have been ratified by the members of the Maine State Employees Association.

This bill appropriates or allocates funds for the economic parts of the agreement, which includes as major items:

1. A general pay increase effective the start of the pay week beginning closest to July 1, 1980 of 7% or \$14 per week, whichever is greater;
2. An increase in the mileage allowance to 20¢ a mile for the use of private vehicles on state business effective July 1, 1980;
3. Contribution of up to \$8 per month per employee towards the cost of dependent health insurance coverage effective January 1, 1981;
4. An increase in the maximum amount reimbursable for dinners to \$8 effective January 1, 1981;
5. Effective July 1, 1980, employees eligible for premium time overtime will receive premium rates of pay for time actually worked on holidays;
6. Employees who work regularly scheduled shifts starting between 2 p.m. and 3 a.m. will receive a premium of 10¢ per hour. Those who are required to work 2 shifts in a 24-hour period will receive an additional \$4 per week; and
7. Acting capacity pay will be paid when an employee has been assigned to such work for more than one regular work week instead of after 10 work days.

Section 6 provides for these benefits to be applicable to employees who are not covered by labor agreements solely because they have not yet worked 6 months in state employment. Such employees are not covered by agreements negotiated under the State Employees Labor Relations Act.