

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST SPECIAL SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1663

7
8 H.P. 1166

House of Representatives, November 8, 1985

9 Received by the Clerk of the House on November 8, 1985. Reference to
10 the Committee on Appropriations and Financial Affairs suggested and
ordered printed.

11 EDWIN H. PERT, Clerk

Presented by Representative Carroll of Gray.

12 Cosponsored by Senator Bustin of Kennebec, Representative Diamond of
Bangor and Representative Mayo of Thomaston.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Fund and Implement Certain
19 Collective Bargaining Agreements.
20

21 Emergency preamble. Whereas, Acts of the Legis-
22 lature do not become effective until 90 days after
23 adjournment unless enacted as emergencies; and

24 Whereas, certain obligations and expenses inci-
25 dent to the operation of state collective bargaining
26 agreements will become due and payable immediately;
27 and

28 Whereas, it is the responsibility of the Legis-
29 lature to act upon those portions of tentative col-
30 lective bargaining agreements negotiated by the Exec-
31 utive Branch which require legislative action; and

32 Whereas, in the judgment of the Legislature,
33 these facts create an emergency within the meaning of
34 the Constitution of Maine and require the following
35 legislation as immediately necessary for the preser-

1 vation of the public peace, health and safety; now,
2 therefore,

3 Be it enacted by the People of the State of Maine as
4 follows:

5 PART A

6 Sec. 1. Appropriations from the General Fund.
7 There is appropriated from the General Fund to a special
8 compensation account the sum of \$1,311,849 for
9 the fiscal year ending June 30, 1986, and \$1,801,806
10 for the fiscal year ending June 30, 1987, to implement
11 and fund for the biennium the economic terms of
12 the collective bargaining agreement ending June 30,
13 1986, agreed to by the State and Council #93, American
14 Federation of State, County and Municipal Employees,
15 representing the Institutional Services Bargaining
16 Unit.

17 Sec. 2. Special account funding. Funding provided
18 by this Part shall be segregated into a special
19 account to be made available as needed upon the recommendation
20 of the Governor. Funds provided by this Part shall
21 include retirement costs. Positions supported from
22 sources of funding other than the General Fund shall
23 be funded whenever possible from those other sources.
24

25 Sec. 3. Adjustment of salary schedule, fiscal
26 year 1986. The salary schedule for employees in the
27 Institutional Services Bargaining Unit shall be adjusted
28 as if it had been increased by 3 1/2% at the beginning
29 of the pay week commencing closest to July
30 1, 1985; and shall be further adjusted as if all existing
31 steps except Step A had been increased by 1
32 1/2%, at the beginning of the pay week commencing
33 closest to January 1, 1986, and a new Step F shall be
34 added effective January 1, 1986, consistent with the
35 terms of the collective bargaining agreement.

36 Sec. 4. New employees, similar and equitable
37 treatment. Employees in classifications included in
38 the Institutional Services Bargaining Unit, but who
39 are excluded from collective bargaining pursuant to
40 the Revised Statutes, Title 26, section 979-A, sub-

1 section 6, paragraphs E and F, shall be given similar
2 and equitable treatment on a pro rata basis to that
3 given employees covered by the contract.

4 PART B

5 Sec. 1. Appropriations from the General Fund.
6 There is appropriated from the General Fund to a special
7 compensation account the sum of \$133,377 for the
8 fiscal year ending June 30, 1986, and \$151,948 for
9 the fiscal year ending June 30, 1987, to implement
10 and fund for the biennium the economic terms of the
11 collective bargaining agreement ending June 30, 1986,
12 agreed to by the State and the Maine State Troopers
13 Association, representing the Maine state troopers.

14 Sec. 2. Allocations from the Highway Fund.
15 There is allocated from the Highway Fund to a special
16 compensation account the sum of \$400,131 for the fiscal
17 year ending June 30, 1986, and \$455,844 for the
18 fiscal year ending June 30, 1987, to fund salary and
19 benefit changes for the Maine State Troopers Bargain-
20 ing Unit as agreed to by the State and the Maine
21 State Troopers Association.

22 Sec. 3. Special account funding. Funding pro-
23 vided in this Part shall be segregated into special
24 accounts to be made available as needed upon the rec-
25 ommendation of the State Budget Officer, with the ap-
26 proval of the Governor. Funds provided by this Part
27 shall include retirement costs. Positions supported
28 from sources of funding other than the General Fund
29 shall be funded whenever possible from those other
30 sources.

31 Sec. 4. Adjustment of salary schedule. Effec-
32 tive at the beginning of the pay week commencing
33 closest to July 1, 1985, the salary schedule for em-
34 ployees in the Maine State Troopers Bargaining Unit
35 shall be adjusted as if it had been increased by 3
36 1/2%, and further adjusted at the beginning of the
37 pay week closest to January 1, 1986, as if it had
38 been increased by 1 1/2%, consistent with the terms
39 of the collective bargaining agreement.

40 Sec. 5. New employees, similar and equitable
41 treatment. Employees in classifications included in

1 the Maine State Troopers Bargaining Unit, but who are
2 excluded from collective bargaining pursuant to the
3 Maine Revised Statutes, Title 26, section 979-A, sub-
4 section 6, paragraphs E and F, shall be given similar
5 and equitable treatment on a pro rata basis to that
6 given employees covered by the agreement.

7 PART C

8 Transfer. The sum of \$3,398,980 is transferred
9 from the Guarantee Reserve Fund to the General Fund
10 Unappropriated Fund Equity.

11 PART D

12 Sec. 1. Carrying clause. Any balances remaining
13 from the special accounts established by this Act,
14 Parts A and B, shall not lapse, but shall be carried
15 forward to June 30, 1987, to be expended for state
16 employee salary increases.

17 Sec. 2. Authorization for reimbursement of
18 costs associated with contract administration and
19 resolution. The Governor's Office of Employee Rela-
20 tions shall be reimbursed from these special accounts
21 for the costs of contract administration, mediation,
22 fact-finding and arbitration as required by the pro-
23 cess of contract resolution and by the impact negoti-
24 ation procedures.

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

28 FISCAL NOTE

29 PART A

	<u>1985-86</u>	<u>1986-87</u>
30		
31 Institutional Services		
32 Bargaining Unit		
33 General Fund		
34 Appropriation	\$1,311,849	\$1,801,806

35 PART B

1	Maine State Troopers		
2	Bargaining Unit		
3	General Fund		
4	Appropriation	133,377	151,948
5	Highway Fund		
6	Allocation	<u>400,131</u>	<u>455,844</u>
7	TOTAL GENERAL FUND COSTS OF		
8	PARTS A AND PART B	\$1,445,226	\$1,953,754

9 PART C

10	Guarantee Reserve Fund		(\$3,398,980)
11	General Fund Unappropriated Equity		\$3,398,980

12 STATEMENT OF FACT

13 Part A of this bill provides for funding and im-
14 plementation of the cost items for Fiscal Year 1986
15 and Fiscal Year 1987 for the collective bargaining
16 agreement ending June 30, 1986, agreed to by the
17 State and Council #93, American Federation of State,
18 County and Municipal Employees for the Institutional
19 Services Bargaining Unit.

20 Section 1 provides an appropriation from the
21 General Fund for Fiscal Year 1986 and Fiscal Year
22 1987 to fund the bargaining agreement ending June 30,
23 1986.

24 Section 2 provides authorization for the approv-
25 al and use of funds.

26 Section 3 provides for salary schedules to be
27 adjusted effective at the beginning of the pay week
28 commencing closest to July 1, 1985, by an increase of
29 3 1/2% and further adjusted by an increase of 1 1/2%
30 at the beginning of the pay week commencing closest
31 to January 1, 1986, and a new Step F to be added to
32 the salary schedule effective January 1, 1986, for
33 bargaining unit members.

34 Section 4 provides for equitable treatment of
35 probationary and other employees in classifications
36 in the Institutional Services Bargaining Unit.

1 Part B provides funding and implementation of
2 the cost items for Fiscal Year 1986 and Fiscal Year
3 1987 for the collective bargaining agreement ending
4 June 30, 1986, agreed to by the State and the Maine
5 State Troopers Association for the Maine State
6 Troopers Bargaining Unit.

7 Section 1 provides an appropriation from the
8 General Fund for Fiscal Year 1986 and Fiscal Year
9 1987 to fund the bargaining agreement ending June 30,
10 1986.

11 Section 2 provides an allocation from the High-
12 way Fund to fund the bargaining agreement.

13 Section 3 provides authorization for the approv-
14 al and use of funds.

15 Section 4 provides for salary schedules to be
16 adjusted effective at the beginning of the pay week
17 commencing closest to July 1, 1985, by an increase of
18 3 1/2% and further adjusted by an increase of 1 1/2%
19 at the beginning of the pay week commencing closest
20 to January 1, 1986, for bargaining unit members.

21 Section 5 provides for equitable treatment of
22 probationary and other employees in classifications
23 in the Maine State Troopers Bargaining Unit.

24 Part C provides for a transfer of funds, which
25 are in excess of projected current needs, from the
26 Guarantee Reserve Fund to the General Fund Unappro-
27 priated Fund Equity.

28 Part D provides for funds appropriated under
29 Parts A and B to carry over until June 30, 1987; pro-
30 vides for reimbursement to the Governor's Office of
31 Employee Relations for costs incurred in the process
32 of contract administration and resolution; and pro-
33 vides that this Act shall take effect when approved.

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