

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 2373

7
8 H.P. 1684

House of Representatives, April 10, 1986

9 Reference to the Committee on Appropriations and Financial Affairs
10 suggested and ordered printed.

EDWIN H. PERT, Clerk

11 Presented by Speaker Martin of Eagle Lake.

12 Cosponsored by President Pray of Penobscot and Senator Perkins of
Hancock.

13 STATE OF MAINE
14

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

18 AN ACT to Fund and Implement a Certain
19 Collective Bargaining Agreement.
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 Legisla-
29 ture to act upon those portions of tentative collec-
30 tive bargaining agreements negotiated by the Execu-
31 tive 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

1 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

6 PART A

7 **Sec. 1. Transfers from General Fund appropriations.** The Governor, upon the recommendation of the State Budget Officer, may transfer from the General Fund special compensation account the sum of \$162,530 for fiscal year ending June 30, 1986, and \$206,445 for the fiscal year ending June 30, 1987, for the purpose of implementing and funding for the biennium the economic terms of the collective bargaining agreement ending June 30, 1986, agreed to by the State and the Maine State Troopers Association, representing the Maine State troopers.

18 **Sec. 2. Transfers from Highway Fund allocations.** The Governor, upon the recommendation of the State Budget Officer, may transfer from a Highway Fund special compensation account the sum of \$487,591 for the fiscal year ending June 30, 1986, and \$619,333 for the fiscal year ending June 30, 1987, for the purpose of funding salary and benefit changes for the Maine State Troopers' bargaining unit as agreed to by the State and the Maine State Troopers Association.

27 **Sec. 3. Use of funds.** Funds authorized to be transferred by this Part shall include retirement costs. Positions supported from sources of funding other than the General Fund and the Highway Fund shall be funded whenever possible from those other sources.

33 **Sec. 4. Adjustment of salary schedule.** Effective at the beginning of the pay week commencing closest to July 1, 1985, the salary schedule for employees in the Maine State Troopers' bargaining unit shall be adjusted as if it had been increased by 3 1/2% and further adjusted at the beginning of the pay week closest to January 1, 1986, as if it had been increased by 1 1/2%, consistent with the terms of the collective bargaining agreement.

1 **Sec. 5. New employees; similar and equitable**
2 **treatment.** Employees in classifications included in
3 the Maine State Troopers' bargaining unit, but who
4 are excluded from collective bargaining pursuant to
5 the Maine Revised Statutes, Title 26, section 979-A,
6 subsection 6, paragraphs E and F, shall be given sim-
7 ilar and equitable treatment on a pro rata basis to
8 the given employees covered by the collective bar-
9 gaining agreement.

10

PART B

11 **Sec. 1. Carrying clause.** Any balances remaining
12 in special compensation accounts shall not lapse, but
13 shall be carried forward to June 30, 1987.

14 **Sec. 2. Authorization for reimbursement of costs**
15 **associated with contract administration and resolu-**
16 **tion.** The Governor's Office of Employee Relations
17 may be reimbursed from these special accounts for the
18 costs of contract administration, mediation, fact
19 finding and arbitration as required by the process of
20 contract resolution and by the impact negotiation
21 procedures.

22 **Emergency clause.** In view of the emergency cited
23 in the preamble, this Act shall take effect when ap-
24 proved.

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FISCAL NOTE

PART A

	<u>Fiscal Year</u>	<u>Fiscal Year</u>
	<u>1986</u>	<u>1987</u>
Maine State Troopers Bargaining Unit		
General Fund Appropriation	\$162,530	\$206,445
Highway Fund Allocation	\$487,591	\$619,333

These amounts will be available for transfer from the special compensation accounts currently in existence.

STATEMENT OF FACT

Part A provides resources for and implementation of the cost items for fiscal year 1986 and fiscal year 1987 for the collective bargaining agreement ending June 30, 1986, agreed to by the State and the Maine State Troopers Association for the Maine State Troopers' bargaining unit.

Section 1 provides for transfers from the General Fund special compensation account for fiscal year 1986 and fiscal year 1987 to fund the bargaining agreement ending June 30, 1986.

Section 2 provides for transfers from a Highway Fund special compensation account to fund the bargaining agreement ending June 30, 1986.

Section 3 provides authorization for the use of funds.

Section 4 provides for salary schedules to be adjusted effective at the beginning of the pay week commencing closest to July 1, 1985, by an increase of

1 3 1/2%, and further adjusted by an increase of 1 1/2%
2 at the beginning of the pay week commencing closest
3 to January 1, 1986, for bargaining unit members.

4 Section 5 provides for equitable treatment of
5 probationary and other employees in classifications
6 in the Maine State Troopers bargaining unit.

7 Part B provides for funds in special compensation
8 accounts to carry over until June 30, 1987; provides
9 for reimbursement to the Governor's Office of Employ-
10 ee Relations for costs incurred in the process of
11 contract administration and resolution; and provides
12 that this bill shall take effect when approved.

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