

MAINE STATE LEGISLATURE

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(Governor's Bill)
(Emergency)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1815

S.P. 615

In Senate, June 11, 1987

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

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator PERKINS of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **AN ACT to Correct Errors and Omissions in the**
2 **Legislation Implementing Collective**
3 **Bargaining Agreement for Maine**
4 **Vocational-Technical Institute System**
5 **Employees.**
6

7 **Emergency preamble.** Whereas, Acts of the Legis-
8 lature do not become effective until 90 days after
9 adjournment unless enacted as emergencies; and

10 Whereas, certain obligations incidental to the
11 operation of state collective bargaining agreements
12 will become due immediately; and

13 Whereas, it is the responsibility of the Legisla-
14 ture to act upon those portions of tentative collec-

1 tive bargaining agreements negotiated by the Execu-
2 tive Branch on behalf of Maine Vocational-Technical
3 Institute System employees which require legislative
4 action; and

5 Whereas, the Governor and the Legislature also
6 share a desire to address the needs of certain Maine
7 Vocational-Technical Institute System employees ex-
8 cluded from collective bargaining units on a timely
9 basis; and

10 Whereas, in the judgment of the Legislature,
11 these facts create an emergency within the meaning of
12 the Constitution of Maine and require the following
13 legislation as immediately necessary for the preser-
14 vation of the public peace, health and safety; now,
15 therefore,

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

18 **Lump sum payments.** The 4% lump sum payments to
19 be provided to confidential and bargaining unit em-
20 ployees of the Maine Vocational-Technical Institute
21 System pursuant to Private and Special Law 1987,
22 chapter 23, shall not be considered to be earnable
23 compensation under the Maine State Retirement System,
24 except as follows. With respect to any lump sum pay-
25 ment made pursuant to Private and Special Law 1987,
26 chapter 23, an employee of the Vocational-Technical
27 Institute System who retires within 3 years of July
28 1, 1986, may pay to the Maine State Retirement System
29 the amount of the employer's and the employee's con-
30 tributions established by the Maine Revised Statutes,
31 Title 5, sections 17154, 17701 and 17702, which would
32 be payable on the 4% sum if it were earnable compen-
33 sation. Upon payment of these amounts, in accordance
34 with the rules established by the Board of Trustees
35 of the Maine State Retirement System, the employee
36 shall be entitled to consideration of the 4% sum for
37 purposes of average final compensation.

38 **Emergency clause.** In view of the emergency cited
39 in the preamble, this Act shall take effect when ap-
40 proved.

1 STATEMENT OF FACT

2 This bill provides necessary authorization for
3 retirement buy-back provisions related to the 4% lump
4 sum payments which have been agreed to by the Board
5 of Trustees of the Maine Vocational-Technical Insti-
6 tute System on behalf of confidential employees and
7 employees in the bargaining units represented by the
8 Maine Teachers Association, the Maine State Employees
9 Association and the American Federation of State,
10 County and Municipal Employees. The 4% lump sum pay-
11 ments were funded by Private and Special Law 1987,
12 chapter 23, but this authorization was inadvertently
13 omitted from the bill.

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