MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST SPECIAL SESSION - 1989

Legislative Document

No. 1792

S.P. 671

In Senate, August 21, 1989

Received by the Secretary of the Senate on August 16, 1989. Referred to the Committee on Appropriations and Financial Affairs and 1,400 ordered printed pursuant to Joint Rule 14.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator PEARSON of Penobscot.

STATE OF MAINE

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

An Act to Fund and Implement Collective Bargaining Agreements with Employees of the Judicial Department.

(EMERGENCY)



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

Whereas, certain obligations and expenses incidental to the operation of the State and the collective bargaining agreements of the Judicial Department 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 judicial branch that require legislative action; and

Whereas, the Governor and the Legislature share a desire to address on a timely basis the needs of certain employees of the Judicial Department excluded from collective bargaining units; 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:

PART A

Sec. 1. Costs to the General Fund. There is appropriated in Part C of this Act funding sufficient when combined with other available funds to cover the costs to the General Fund in the amount of \$461,207 for the fiscal year ending June 30, 1990, and the amount of \$985,986 for the fiscal year ending June 30, 1991, to implement the economic terms of the collective bargaining agreements made by the Maine State Employees Association for the Administrative Services Bargaining Unit and the Professional Bargaining Unit.

Sec. 2. Special account funding. Funding provided by this Act shall be segregated into a special account to be made available as needed upon the recommendation of the State Budget Officer with approval of the Governor. The funds shall include retirement costs.

Sec. 3. Adjustment of salary schedule for fiscal year 1989-90. Effective at the beginning of the pay week commencing closest to July 1, 1989, the salary schedule for employees of the Judicial Department in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit shall be adjusted by 5% consistent with the terms of the collective bargaining agreements.

Sec. 4. Adjustments of salary schedule for fiscal year 1990-91. Effective at the beginning of the pay week commencing closest to July 1, 1990, the salary schedule for the employees of the Judicial Department in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit shall be adjusted by 5% consistent with the terms of the collective bargaining agreements.

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Other employees; similar and equitable treatment. Employees of the Judicial Department in classifications included in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit, but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, F and G, shall be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

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PART B

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Sec. 1. Definitions of excepted employees. For the purposes of this Part, "excepted employees" means those employees within the judicial branch who are in positions excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D and E, other than those referred to in Part A, section 5 of this Act.

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Sec. 2. Costs to the General Fund. There is appropriated in Part C of this Act funding sufficient when combined with other available funds to cover the costs to the General Fund in the amount of \$52,260 for the fiscal year ending June 30, 1990, and in the amount of \$122,035 for the fiscal year ending June 30, 1991, to fund salary and benefit changes for excepted employees.

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Sec. 3. Adjustment of salary schedule for fiscal year 1989-90. Effective at the beginning of the pay week commencing closest to 36 July 1, 1989, the salary schedule for excepted employees shall be 38 adjusted by 3%. Effective at the beginning of the pay week closest to April 1, 1990, these salary schedules shall again be adjusted by 3%.

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Sec. 4. Adjustment of salary schedule for fiscal year 1990-91. Effective the beginning of the pay week commencing closest to October 1, 1990, the salary schedule for excepted employees shall be adjusted by 3%. Effective at the beginning of the pay week commencing closest to April 1, 1991, this salary schedule shall again be adjusted by 3%.

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