

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 1827

H.P. 1325

House of Representatives, December 7, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 7, 1989. Referred to the Committee on Appropriations and Financial Affairs and 1600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CARTER of Winslow.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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An Act Regarding Excepted Employees of the Judicial Department.

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(EMERGENCY)



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

Whereas, the Supreme Judicial Court desires to provide similar and equitable benefits to its employees who are not subject to collective bargaining as are provided to executive and legislative branch employees who are not subject to collective bargaining; and

Whereas, it is important that the benefits become available to these employees as soon as possible; 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:**

**Sec. 1. P&SL 1989, c. 88, Pt. B, §1 is amended to read as follows:**

**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 B, C, D and E, other than those referred to in Part A, section 5 of this Act.

**Sec. 2. P&SL 1989, c. 88, Pt. B, §5 is enacted to read:**

**Sec. 5. Excepted employees; similar and equitable treatment.** The Supreme Judicial Court may grant similar and equitable benefits to excepted employees of the judicial branch as are provided to executive branch and legislative branch employees not subject to collective bargaining by the provisions of Public Law 1981, chapter 453, section 12, subsection 2 and the provisions of Private and Special Law 1989, chapter 86, Part C, section 5.

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

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## STATEMENT OF FACT

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6       This bill includes the State Court Administrator in the  
definition of excepted employees and provides that the Supreme  
8       Judicial Court may grant judicial branch excepted employees the  
benefits of state payment of the mandatory retirement  
10       contribution presently paid by these employees and temporary  
disability compensation.

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This bill amends the Judicial Department collective  
bargaining bill in order to conform the benefit package of  
14       excepted employees of the Judicial Department to the benefit  
package of confidential Executive Department employees.

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