

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1908

S.P. 718

In Senate, May 28, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec

Cosponsored by Senator KANY of Kennebec, Representative TRACY of Rome and Representative DAGGETT of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Provide Compensation for Certain State Employees.

(AFTER DEADLINE)

(EMERGENCY)

Printed on recycled paper



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

4
Whereas, certain state employees are being required to work
6 without their normal compensation on May 24, 1991; and

8
Whereas, the operation of state liquor stores on May 24,
10 1991, the day before the Memorial Day holiday weekend, will
generate revenue for the State; and

12
Whereas, in the judgment of the Legislature, these facts
14 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
16 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

20 Sec. 1. PL 1991, c. 121, Pt. A, §7 is amended to read:

22 Sec. A-7. State Government closure. ~~Excepting~~ Unless otherwise
24 provided in this section, excepting only essential services and
federally funded services as determined by the Commissioner of
26 Administration and the Commissioner of Finance, and, for the
legislative and judicial branches, the chief administrative
28 officers of those branches, who shall inform those commissioners,
all state departments, agencies and offices must be closed May
30 10, 1991 and May 24, 1991.

32 Any Except as otherwise provided in this section, any
nonessential service employee who is not required to work because
34 those departments, agencies and offices are closed on those days
must take the days off without pay, but for each such day off is
36 entitled to receive an additional day of compensation at the time
that the employee leaves state service. Those additional days
38 must be at the employee's present rate of pay or the rate at the
time the employee leaves, whichever is higher.

40 Any Except as otherwise provided in this section, any
essential service employee who works on those days is entitled to
42 receive, in lieu of pay, compensating time off for such hours
worked, and for each such day worked is entitled to receive an
44 additional day of compensation at the time the employee leaves
state service. Those additional days must be at the employee's
46 present rate of pay or rate at the time the employee leaves,
whichever is higher.

48
Any essential service employee of the Department of Mental
50 Health and Mental Retardation or the Department of Corrections
who works on May 24, 1991 is entitled to receive the employee's
52 regular compensation for such time worked.

2 Revenue-generating employees are required to work on May 24,
3 1991. Any revenue-generating employee who works on that day is
4 entitled to receive the employee's regular compensation for such
5 time worked. For the purposes of this section,
6 "revenue-generating employees" means state liquor store employees.

8 Any fully federally funded employee approved to work on May
9 10, 1991 or May 24, 1991 is entitled to receive the employee's
10 regular compensation for such time worked.

12 Any employee not scheduled to work on May 10, 1991 or May
13 24, 1991 but who has worked or will work the regular work week,
14 loses one day of pay during each affected pay cycle and is
15 otherwise entitled to compensation as provided by this section as
16 if the employee were essential and had worked those days.

18 No employee leave with pay or unpaid leaves pursuant to the
19 Voluntary Cost Savings Program are allowed for those days.

20 **Sec. 2. Appropriation.** The following funds are appropriated
21 from the General Fund to carry out the purposes of this Act.

24 **1990-91**

26 **FINANCE, DEPARTMENT OF**

28 **Executive Branch Departments and**
29 **Independent Agencies - Statewide**

30 Personal Services \$225,000

32 Provides funds to pay salaries of qualifying
33 essential state employees and liquor store
34 employees who must work on May 24, 1991.

36 **Emergency clause.** In view of the emergency cited in the
37 preamble, this Act takes effect when approved.

40 **FISCAL NOTE**

42 **APPROPRIATIONS/ALLOCATIONS** **1990-91**

44 General Fund \$225,000

46 Requiring state liquor stores to be open on Friday, May 24,
47 1991 may avoid a potential loss of General Fund revenue.

2 A General Fund appropriation of \$225,000 in fiscal year
3 1990-91 will be required to fund the payment of salaries of the
4 qualifying essential state employees and state liquor store
5 employees.

6
7 **STATEMENT OF FACT**

8
9 This bill provides that essential employees of the
10 Department of Mental Health and Mental Retardation and the
11 Department of Corrections and employees of state liquor stores
12 who work on May 24, 1991 are entitled to their regular
13 compensation.
14