

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

---

Legislative Document

No. 1960

---

H.P. 1375

House of Representatives, June 26, 1991

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative LIPMAN of Augusta.

---

STATE OF MAINE

---

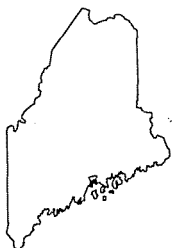
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

---

**An Act to Fund Collective Bargaining Agreements and Benefits for  
Certain Employees Excluded from Collective Bargaining.**

---

(EMERGENCY)





2 operations, maintenance and  
 support services bargaining  
 4 unit; provides funds  
 necessary to fund an  
 agreement made by the State  
 6 and the American Federation  
 of State, County and  
 8 Municipal Employees - Council  
 #93 for the institutional  
 10 services bargaining unit; and  
 provides similar and  
 12 equitable treatment for  
 employees excluded from  
 14 bargaining units pursuant to  
 the Maine Revised Statutes,  
 16 Title 26, section 979-A,  
 subsection 6, paragraphs E  
 18 and F.

20 **Salary Plan**

22	Personal Services	\$5,000,000	\$5,150,000
24	Provides funds necessary to		
26	cover the cost of maintaining		
28	essential services as a		
30	result of implementing up to		
	20 days of unpaid temporary		
	layoffs.		

32 **Salary Plan**

32	Personal Services	(\$21,147,500)	(\$21,720,000)
34	Provides for the		
36	deappropriation of funds from		
38	the salary plan from		
40	implementing up to 20 days of		
42	unpaid temporary layoffs,		
44	permanent layoffs and a		
46	freeze on filling vacancies.		
48	In addition, the State and		
50	state employee bargaining		
52	agents may agree by August 1,		
	1991 to implement any		
	combination of unpaid		
	temporary layoffs, permanent		
	layoffs, a freeze on filling		
	vacancies and a reduction of		
	workweek hours. If no		
	agreement is reached by		
	August 1, 1991, the Governor		

2 may implement such of the  
 3 above-recited cost-saving  
 4 measures or combination of  
 5 measures as considered  
 6 necessary and appropriate.

7 **DEPARTMENT OF FINANCE**  
 8 **TOTAL** \$-0- \$-0-

10 **Sec. 2. Supplemental allocation from the Highway Fund.** There  
 11 are allocated from the Highway Fund for the fiscal years ending  
 12 June 30, 1992 and June 30, 1993 the following sums:

13 1991-92 1992-93

14 **FINANCE, DEPARTMENT OF**

15 **Salary Plan**

16 **Personal Services** \$5,735,200 \$5,900,000

17 Provides funds necessary to  
 18 fund the 3rd year of the  
 19 State's collective bargaining  
 20 agreements and associated  
 21 costs recited in section 1 of  
 22 this Act and provides similar  
 23 and equitable treatment for  
 24 employees excluded from  
 25 bargaining units pursuant to  
 26 the Maine Revised Statutes,  
 27 Title 26, section 979-A,  
 28 subsection 6, paragraphs E  
 29 and F.

30 **Salary Plan**

31 **Personal Services** (\$5,735,200) (\$5,900,000)

32 Provides for the  
 33 deappropriation of funds from  
 34 the salary plan from  
 35 implementing up to 20 days of  
 36 unpaid temporary layoffs,  
 37 permanent layoffs and a  
 38 freeze on filling vacancies.  
 39 In addition, the State and  
 40 state employee bargaining  
 41 agents may agree by August 1,  
 42 1991 to implement any

2 combination of unpaid  
temporary layoffs, permanent  
4 layoffs, a freeze on filling  
vacancies and a reduction of  
workweek hours. If no  
6 agreement is reached by  
August 1, 1991, the Governor  
8 may implement such of the  
above-recited cost-saving  
10 measures or combination of  
measures as considered  
12 necessary and appropriate.

14 DEPARTMENT OF FINANCE  
TOTAL

\$-0-

\$-0-

16

18 **Sec. 3. Implementation of temporary layoff days.** All employees  
in the administrative bargaining unit; the supervisory bargaining  
20 unit; the professional and technical bargaining unit; the law  
enforcement bargaining unit; the operations, maintenance and  
support bargaining unit; and the institutional services  
22 bargaining unit and all employees excluded from bargaining  
pursuant to the Maine Revised Statutes, Title 26, section 979-A,  
24 subsection 6, paragraphs E and F are subject to sections 1 and 2  
of this Act in each of the fiscal years ending June 30, 1992 and  
26 June 30, 1993. When it is in the best interest of the State, the  
Governor may exempt certain employees from some or all of the  
28 unpaid temporary layoff days.

30 **Sec. 4. Special account funding.** Funding provided by this Act  
must be segregated into a special account to be made available as  
32 needed upon the recommendation of the State Budget Officer with  
the approval of the Governor. The funds include retirement  
34 costs. Positions supported from sources of funding other than  
the General Fund and Highway Fund must be funded whenever  
36 possible from those other sources.

38 **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.  
40

42 **FISCAL NOTE**

44 This bill provides funding for the 3rd year of the  
collective bargaining agreement between the State and the unions  
46 representing most of the State's classified employees and  
provides funding for similar treatment for those employees  
48 excluded from bargaining units. General Fund appropriations of  
\$16,147,500 and \$16,570,000 in fiscal year 1991-92 and 1992-93,  
50 respectively, are set aside in the salary plan account within the  
Department of Finance. These appropriations are reduced by equal

2 deappropriations to be realized through implementing up to 20  
3 days of unpaid temporary layoffs, permanent layoffs and a freeze  
4 on filling vacancies. The net General Fund appropriations are  
5 reduced to zero in fiscal years 1991-92 and 1992-93.

6 Highway Fund allocations of \$5,735,200 in fiscal year  
7 1991-92 and \$5,900,000 in fiscal year 1992-93 for the same  
8 purpose are similarly offset by equal deallocations and reduced  
9 to zero in those fiscal years.

10

12

### STATEMENT OF FACT

14 This bill provides for the funding of the 3rd year of the  
15 collective bargaining agreements negotiated by the executive  
16 branch and for similar and equitable treatment of certain  
17 excluded employees. The bill also provides for the funding of  
18 costs incurred by maintaining essential services. This bill also  
19 provides for deappropriating and deallocating funds saved by  
20 implementing temporary and permanent layoffs, a freeze on filling  
21 vacancies or a reduction in workweek hours.

22