

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 195

H.P. 147

House of Representatives, January 20, 1995

**An Act to Protect the Rights of Maine State Retirement System
Employees.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative HATCH of Skowhegan.

Cosponsored by Representatives: CLUKEY of Houlton, DAGGETT of Augusta, GOULD of Greenville, LUTHER of Mexico, ROTONDI of Madison, TUFTS of Stockton Springs,
Senators: McCORMICK of Kennebec, MILLS of Somerset, RAND of Cumberland.

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

Sec. 1. PL 1993, c. 410, Pt. L, §47, sub-§5 is amended to read:

5. **Personnel transferred.** Classified and unclassified employees assigned to the Maine State Retirement System must be transferred from state employment to the Maine State Retirement System in its capacity as an independent agency.

Fringe benefits from state employment of the transferred personnel, including vacation and sick leave, health and life insurance and retirement, remain with the transferred personnel. The rights and benefits under current statutes, rules and collective bargaining agreements continue for all transferred personnel. If these collective bargaining agreements expire, or have expired on the effective date of this Act, the status, rights and benefits of covered employees must be maintained according to applicable labor law principles. All personnel transferred from state employment to the Maine State Retirement System as an independent agency retain all applicable seniority rights and privileges and all other rights and privileges with regard to employment in state service for a period of 2 3 years from the effective date of this Act. During this ~~2-year~~ 3-year period, the recall provisions of these applicable laws, rules and collective bargaining agreements continue to apply for all state employees with layoff status to the filling of any vacancy in the Maine State Retirement System. State employees who refuse recall to the Maine State Retirement System retain full recall rights to all other agencies of State Government.

After the end of the ~~2-year~~ 3-year period, the state employees transferred to the Maine State Retirement System pursuant to this section have the same rights and privileges as Maine State Retirement System employees hired on and after the effective date of this Act based on current personnel rules, policies and collective bargaining agreements applicable to Maine State Retirement System employees. Transferred employees may choose to be covered under the Maine State Retirement System personnel system and benefits before the ~~2-year~~ 3-year period expires.

The Department of Administrative and Financial Services shall assist the Board of Trustees of the Maine State Retirement System with the orderly implementation of these provisions, completed by the effective date of this Act.

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STATEMENT OF FACT

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This bill extends by one year the employees' rights relating to state service necessary because of the lengthy delay in achieving the first collective bargaining contract with the Maine State Retirement System as a public instrumentality.