

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-1997

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Legislative Document

No. 1894

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H.P. 1343

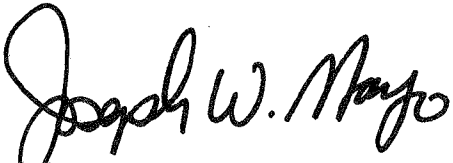
House of Representatives, May 28, 1997

**An Act to Fund the Collective Bargaining Agreements and Benefits for  
Certain Employees Excepted from Collective Bargaining for the Judicial  
Branch.**

(EMERGENCY)

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative THOMPSON of Naples. (GOVERNOR'S BILL)  
Cosponsored by Senator MICHAUD of Penobscot and  
Representatives: NASS of Acton, OTT of York.



2 Unit and the Supervisory Bargaining Unit must be adjusted for the  
increase in longevity, consistent with the terms of the  
collective bargaining agreements.

4 **Sec. A-4. Other employees; similar and equitable treatment.**

6 Employees of the Judicial Department in classifications included  
in the Administrative Services Bargaining Unit, the Supervisory  
8 Bargaining Unit and the Professional Bargaining unit, but who are  
excluded from collective bargaining pursuant to the Maine Revised  
10 Statutes, Title 26, section 1282, subsection 5, paragraphs C, F  
and G, must be given similar and equitable treatment on a pro  
12 rata basis to that given employees covered by collective  
bargaining agreements, except that nonstatus employees in acting  
14 capacity, intermittent or project positions may not receive any  
lump sum payment provided for in section 1 of this Part.

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18 **PART B**

20 **Sec. B-1. Definition of excepted employees.** For the purposes of  
this Part, "excepted employees" means the employees within the  
22 Judicial Department who are in positions excluded from bargaining  
units pursuant to the Maine Revised Statutes, Title 26, section  
24 1282, subsections 5, paragraphs C, D and E, other than those  
referred to in Part A, section 3.

26 **Sec. B-2. Lump sum payment.** A lump sum payment equal to  
28 2.25% of the employee base rate paid for the first 26 paychecks  
in calendar year 1996 must be paid to each employee included in  
30 the Judicial Department who is defined as an excepted employee.  
This sum may not be considered earnable compensation under the  
32 Maine State Retirement System.

34 **Sec. B-3. Adjustment of salary schedule for fiscal year 1997-98.**  
Effective at the beginning of the pay week commencing closest to  
36 July 1, 1997, the salary schedule for excepted employees must be  
adjusted by 2%.

38 **Sec. B-4. Adjustment of salary schedule for fiscal year 1998-99.**  
Effective at the beginning of the pay week commencing closest to  
40 July 1, 1998, the salary schedule for excepted employees must be  
adjusted by 2%.

44 **Sec. B-5. Adjustment of mileage allowance.** The mileage  
allowance rate for excepted employees must be increased to 23¢  
46 per mile effective July 1, 1997 and to 24¢ per mile effective  
48 July 1, 1998.

PART C

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**Sec. C-1. Transfer from "Salary Plan."** The "Salary Plan" program in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of collective bargaining agreements for employees of the Judicial Department in fiscal year 1996-97.

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**Sec. C-2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

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**1997-98**                      **1998-99**

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**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Salary Plan**

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Personal Services	\$234,000	\$295,000
All Other	8,000	16,000

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**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**  
**TOTAL**

\$242,000	\$311,000
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**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

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**SUMMARY**

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Part A provides for implementation of the cost items in the collective bargaining agreement reached between the Judicial Department and the Maine State Employees Association for employees in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit.

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1. It provides a lump sum payment for bargaining unit members.

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2. It provides for the adjustment of salary schedules by 2% for the bargaining unit members in fiscal year 1997-98.

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3. It provides for the adjustment of salary schedules for specified bargaining unit members for longevity in fiscal years 1997-98 and 1998-99.

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4. It provides for similar and equitable treatment for employees in classifications in the Administrative Services

2 Bargaining Unit, the Supervisory Bargaining Unit and the  
Professional Bargaining Unit.

4 Part B of this bill provides for the implementation of the  
cost items for excepted employees.

6 1. It defines "excepted employees."

8 2. It provides for a lump sum payment for excepted  
10 employees.

12 3. It provides for the adjustment of the salary schedules  
by 2% in fiscal year 1997-98 for excepted employees.

14 4. It provides for the adjustment of the salary schedules  
16 by 2% in fiscal year 1998-99 for excepted employees.

18 5. It provides for an increase in mileage allowance to 23¢  
per mile on July 1, 1997 and to 24¢ per mile on July 1, 1998.

20 Part C of this bill provides for the appropriation from the  
22 General Fund for Parts A and B of this bill and provides for the  
transfer of funds from the Salary Plan to be used for the  
24 implementation of the collective bargaining agreement in fiscal  
year 1996-97.