

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

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**STATE OF MAINE
SENATE
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 455, L.D. 1330, Bill, "An Act Concerning Corrections Employees"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 34-A MRSA §1403, sub-§2, ¶A, as amended by PL 1995, c. 502, Pt. F, §18, is further amended to read:

A. The commissioner may appoint, subject to the Civil Service Law and except as otherwise provided, any employees who may be necessary, including those intermittent employees as defined in Title 5, section 7053 needed to offset the overtime costs related to unscheduled, unanticipated overtime. These intermittent positions ~~may only be used at specific posts or work sites to be identified through an agreed-upon discussion process with labor~~ in the institutional services unit must be identified through a separate agreement with labor and may be used only at preidentified posts and work sites. Use of intermittent employees for the purposes of overtime must be governed by an agreement between the parties.

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The Department of Corrections may require additional General Fund appropriations to cover the additional costs that may be incurred if intermittent employees can no longer be utilized due to agreements not being reached and, as a result, the department's total overtime costs exceed the level of funds available for overtime. The impact on the operational costs of the state correctional facilities can not be determined at this time. The "current services" budget includes \$760,108 and \$782,151 in fiscal years 1999-00 and 2000-01, respectively, for unscheduled emergency overtime costs.'

SUMMARY

The amendment replaces the bill. The amendment continues to allow the Commissioner of Corrections to hire intermittent employees, but it provides that intermittent positions in the institutional services unit must be identified through a separate agreement with labor and may be used only at the preidentified posts and sites. Use of intermittent employees for the purpose of overtime must be governed by an agreement between the parties. The amendment also adds a fiscal note.