

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2000

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Legislative Document

No. 2646

H.P. 1902

House of Representatives, March 23, 2000

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

(EMERGENCY)

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

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

JOSEPH W. MAYO, Clerk

Presented by Speaker ROWE of Portland. (GOVERNOR'S BILL)  
Cosponsored by President LAWRENCE of York and  
Representative MURPHY of Kennebunk, Senator: AMERO of Cumberland.

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

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6                   **Whereas,** certain obligations and expenses incident to the  
operation of state collective bargaining agreements will become  
due and payable immediately; and

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10                   **Whereas,** it is the responsibility of the Legislature to act  
upon those portions of collective bargaining agreements  
negotiated by the executive branch that require legislative  
action; and

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14                   **Whereas,** the Governor and the Legislature share a desire to  
address in a timely manner the needs of certain state employees  
excluded from collective bargaining units; and

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

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

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26                   **PART A**

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30                   **Sec. A-1. Costs to General Fund.** Costs to the General Fund  
must be provided in the Salary Plan program referred to in Part  
B, section 1 of this Act, in the amount of \$208,750 for the  
fiscal year ending June 30, 2000, and in the amount of \$669,929  
for the fiscal year ending June 30, 2001, to implement the  
economic terms of the collective bargaining agreement made by the  
State and the Maine State Troopers Association for the Maine  
State Police bargaining unit.

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34                   **Sec. A-2. Costs to Highway Fund.** Costs to the Highway Fund  
must be provided in the Salary Plan program referred to in Part  
B, section 1 of this Act, in the amounts of \$313,125 for the  
fiscal year ending June 30, 2000, and in the amount of \$1,004,893  
for the fiscal year ending June 30, 2001, to implement the  
economic terms of the collective bargaining agreement made by the  
State and the Maine State Troopers Association for the Maine  
State Police bargaining unit.

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38                   **Sec. A-3. Lump sum payment.** Effective within 30 days after  
the effective date of the collective bargaining agreement made by  
the State and the Maine State Troopers Association for the Maine  
State Troopers bargaining unit, each member of the Maine State  
Police bargaining unit employed by the State on the effective

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2 date of the collective bargaining agreement must receive a lump  
sum payment equal to 3% of the gross wages received from July 1,  
1999 to March 31, 2000.

4 **Sec. A-4. Adjustment of salary schedules for fiscal year 1999-00.**

6 Effective at the beginning of the pay week commencing closest to  
April 1, 2000, the salary schedules for employees in the Maine  
8 State Police bargaining unit must be adjusted by 3%, consistent  
with the terms of the collective bargaining agreement.

10 **Sec. A-5. Adjustment of salary schedules for fiscal year 2000-01.**

12 Effective at the beginning of the pay week commencing closest to  
July 1, 2000, the salary schedules for employees in the Maine  
14 State Police bargaining unit must be adjusted by 2%, consistent  
with the terms of the collective bargaining agreement.

16 **Sec. A-6. Addition of new salary step for fiscal year 2000-01.**

18 Effective at the beginning of the pay week closest to January 1,  
2001, the salary schedules for employees in the Maine State  
20 Police bargaining unit must be adjusted by adding a new pay step  
4% greater than the current highest step and eliminating the  
22 first step, consistent with the terms of the collective  
bargaining agreement.

24 **Sec. A-7. New employees; similar and equitable treatment.**

26 Employees in classifications included in the Maine State Police  
bargaining unit but who are excluded from collective bargaining  
28 pursuant to the Maine Revised Statutes, Title 26, section 979-A,  
subsection 6, paragraphs E and F must be given equitable  
30 treatment on a pro rata basis similar to that treatment given  
employees covered by the collective bargaining agreement.

32  
34 **PART B**

36 **Sec. B-1. Transfer from Salary Plan program and special account**  
**funding.** The Salary Plan program in the Department of  
38 Administrative and Financial Services may be made available as  
needed through allotment by financial order upon the  
40 recommendation of the State Budget Officer and approval of the  
Governor to be used for the implementation of collective  
42 bargaining agreements for state employees and for other economic  
items contained in this Act in fiscal years 1999-00 and 2000-01.  
44 Positions supported from sources of funding other than the  
General Fund and the Highway Fund must be funded whenever  
46 possible from those other sources.

48 **Sec. B-2. Authorization for reimbursement of costs associated with**  
**contract resolution.** The Department of Administrative and Financial  
50 Services

2 may be reimbursed from the Salary Plan program for the costs of  
contract resolution, administration, implementation and other  
4 costs required by the process of collective bargaining and  
negotiation procedures.

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

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12 **SUMMARY**

14 1. Part A implements the cost items in the collective  
bargaining agreements reached between the State and the Maine  
16 State Troopers Association for employees in the Maine State  
Police bargaining unit in the following ways.

18 A. It reflects the costs from the General Fund to fund the  
bargaining agreements.

20 B. It reflects the costs from the Highway Fund to fund the  
22 bargaining agreements.

24 C. It provides for a lump sum payment in fiscal year  
1999-00 for bargaining unit members.

26 D. It provides for the adjustment of salary schedules in  
28 fiscal year 1999-00 for bargaining unit members.

30 E. It provides for the adjustment of salary schedules in  
32 fiscal year 2000-01 for bargaining unit members.

34 F. It provides for the addition of a new step at the top of  
the salary schedules and the elimination of the lowest step  
36 for bargaining unit members.

38 G. It provides for similar and equitable treatment of  
probationary and other employees in classifications in the  
40 bargaining unit.

42 2. Part B authorizes use of the Salary Plan program to fund  
the collective bargaining agreements and other cost items,  
44 provides that positions supported from other funds must be funded  
whenever possible from those other sources and provides for  
46 reimbursement to the Department of Administrative and Financial  
Services for costs incurred in the process of collective  
48 bargaining, contract administration and related costs.

3. The bill is an emergency and takes effect when approved.