

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 2057

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H.P. 1554

House of Representatives, January 8, 2002

**An Act to Fund the Collective Bargaining Agreements and Benefits of  
State Employees Who are Members of the American Federation of State,  
County and Municipal Employees, Council No. 93.**

(EMERGENCY)

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Speaker SAXL of Portland. (GOVERNOR'S BILL)  
Cosponsored by President BENNETT of Oxford.

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

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#### PART A

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26          **Sec. A-1. Costs to General Fund.** Costs to the General Fund are  
provided in the salary plan program referred to in Part B,  
section 1 of this Act to cover the costs to the General Fund in  
the amount of \$1,232,965 for the fiscal year ending June 30, 2002  
and in the amount of \$3,612,439 for the fiscal year ending June  
30, 2003 to implement the economic terms of the collective  
bargaining agreement made by the State and the American  
Federation of State, County and Municipal Employees, Council #93,  
including market and pay equity adjustments and benefits.

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32          **Sec. A-2. Lump-sum payment.** Employees employed by the State  
on February 1, 2002 must receive a 3% lump-sum payment for the  
period beginning from the start of the pay week commencing  
closest to July 1, 2001 through January 12, 2002 consistent with  
the terms of the collective bargaining agreement.

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36          **Sec. A-3. Adjustment of salary schedules for fiscal year 2001-02.**  
Effective at the beginning of the pay week commencing closest to  
January 13, 2002, the salary schedules for employees in section 1  
of this Part must be adjusted by 3% consistent with the terms of  
the collective bargaining agreement.

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42          **Sec. A-4. Adjustment of salary schedules for fiscal year 2002-03.**  
Effective at the beginning of the pay week commencing closest to  
July 1, 2002, the salary schedules for employees in section 1 of  
this Part must be adjusted by 2% consistent with the terms of the  
collective bargaining agreement.

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2           **Sec. A-5. Adjustment of salary schedules for fiscal year 2002-03.**  
Effective at the beginning of the pay week commencing closest to  
4 January 1, 2003, the salary schedules for employees in section 1  
of this Part must be adjusted by 2% consistent with the terms of  
6 the collective bargaining agreement.

8           **Sec. A-6. Additional step in salary schedule.** Effective January  
1, 2003, a new step 7 at 3% above the current highest step of the  
10 salary schedule is added as a market pay adjustment to be  
implemented consistent with the terms of the collective  
12 bargaining agreement.

14           **Sec. A-7. New employees; similar and equitable treatment.**  
Employees in classifications included in bargaining units in  
16 section 1 of this Part who are excluded from collective  
bargaining pursuant to the Maine Revised Statutes, Title 26,  
18 section 979-A, subsection 6, paragraphs E and F must be given  
similar and equitable treatment on a pro rata basis to that given  
20 employees covered by the collective bargaining agreement.

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## PART B

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26           **Sec. B-1. Transfer from salary plan program and special account**  
**funding.** The salary plan program in the Department of  
Administrative and Financial Services may be made available as  
28 needed in allotment by financial order upon the recommendation of  
the State Budget Officer and approval of the Governor to be used  
30 for the implementation of collective bargaining agreements for  
state employees and for other economic items contained in this  
Act in fiscal year 2001-02 and fiscal year 2002-03. Positions  
32 supported from sources of funding other than the General Fund  
must be funded whenever possible from those other sources.  
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36           **Sec. B-2. Authorization for reimbursement of costs associated with**  
**contract resolution.** The Department of Administrative and Financial  
38 Services may be reimbursed from the salary plan program for the  
costs of contract resolution, administration, implementation and  
40 other costs required by the process of collective bargaining and  
negotiation procedures.  
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44           **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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50           Part A implements the cost items in the collective  
bargaining agreement reached between the State and the American  
Federation of State, County and Municipal Employees, Council #93.

2           1. It reflects the costs from the General Fund to fund  
3 salary increases, market and pay equity adjustments and benefits.

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5           2. It provides for a lump-sum payment in fiscal year  
6 2001-02 for bargaining unit members.

7           3. It provides for the adjustment of salary schedules in  
8 fiscal year 2001-02.

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10          4. It provides for the adjustment of salary schedules in  
11 fiscal year 2002-03.

12          5. It provides for a new step above the current highest  
13 step of the salary schedule.

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15          6. It provides for similar and equitable treatment of  
16 probationary and other employees.

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19          Part B authorizes use of the salary plan program to fund the  
20 collective bargaining agreement and other cost items, provides  
21 that positions supported from other funds must be funded whenever  
22 possible from those other sources and provides for reimbursement  
23 to the Department of Administrative and Financial Services for  
24 costs incurred in the process of collective bargaining, contract  
25 administration and related costs.  
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