



# **123rd MAINE LEGISLATURE**

# FIRST REGULAR SESSION-2007

Legislative Document

No. 1147

H.P. 840

House of Representatives, March 7, 2007

An Act To Impose a Modified Hiring Freeze in State Government

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative MILLETT of Waterford. Cosponsored by Senator TURNER of Cumberland and Representatives: McDONOUGH of Scarborough, MILLS of Farmington, ROBINSON of Raymond, Senator: NUTTING of Androscoggin. 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 Whereas, the fiscal health of the State requires a streamlining of the state 4 bureaucracy and immediate savings; and

5 Whereas, identifying savings from the hiring freeze must take place by May 2007; 6 and

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,

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

12 Sec. 1. Hiring freeze. All permanent, limited-period and project positions, funded 13 completely or partly by the General Fund or the Highway Fund, that are vacant on the 14 effective date of this Act or become vacant after that date within all executive, legislative and judicial branches must remain vacant except that up to 5% of the vacancies may be 15 filled for each branch if authorization is received. Five percent of vacancies may be filled 16 in the executive branch if authorized by the Governor, in the Legislature if authorized by 17 18 the Legislative Council and in the judiciary if authorized by the Chief Justice of the 19 Supreme Judicial Court. Any positions filled by appointment that require confirmation by the Legislature are excluded from the hiring freeze. 20

The State Budget Officer shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by May 15, 2007 specifying the savings in the General Fund and the Highway Fund that have resulted from the hiring freeze and proposing legislation for a modified extension of the hiring freeze for the 2008-2009 biennium allowing for a maximum of 50% of all vacancies to be filled. The Joint Standing Committee on Appropriations and Financial Affairs may submit legislation to achieve this purpose.

28 **Emergency clause.** In view of the emergency cited in the preamble, this 29 legislation takes effect when approved.

#### 30

### **SUMMARY**

31 This bill requires any positions, funded wholly or partly by the General Fund or the Highway Fund, that are vacant on the effective date of this bill or become vacant after 32 33 that date within the executive, legislative and judicial branches must remain unfilled. The only exceptions are any positions that require confirmation by the Legislature and up to 34 5% of vacancies within each branch of government that are approved to be filled by the 35 head of that branch. The State Budget Officer must submit a report to the Joint Standing 36 Committee on Appropriations and Financial Affairs by May 15, 2007 detailing the 37 savings achieved from the General Fund and the Highway Fund for 2007 and include 38 proposed legislation that extends the hiring freeze through the 2008-2009 biennium but 39

1 allowing for a maximum of 50% of all vacancies to be filled. The Joint Standing

Committee on Appropriations and Financial Affairs may submit legislation to achieve
this purpose.

.

-

۰

-