

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1639

S.P. 630

In Senate, December 23, 2013

**An Act To Fund Merit and Longevity Pay for Executive, Judicial
and Legislative Branch Employees Pursuant to a Collective
Bargaining Agreement**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 23, 2013. Referred to the Committee on Appropriations and Financial Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative WILSON of Augusta and
Senators: CAIN of Penobscot, JACKSON of Aroostook, Representatives: GRANT of
Gardiner, MARKS of Pittston.

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,** legislation enacted in the First Regular Session of the 126th Legislature
4 again restricted the eligibility of employees in the executive, judicial and legislative
5 branches of government to receive merit pay increases and longevity pay; and

6 **Whereas,** this legislation needs to take effect before the end of the 2013-14 fiscal
7 year in order to provide eligible employees with earned benefits; and

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

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

13 **Sec. 1. PL 2013, c. 354, Pt. E, §§1 and 2** are repealed.

14 **Sec. 2. PL 2013, c. 368, Pt. E, §1,** as amended by PL 2013, c. 425, §1, is
15 repealed.

16 **Sec. 3. PL 2013, c. 368, Pt. E, §2** is repealed.

17 **Sec. 4. Calculation and transfer; Highway Fund.** Notwithstanding any other
18 provision of law, the State Budget Officer, upon approval of the Governor, shall reverse
19 the financial order authorized by Public Law 2013, chapter 354, Part E, section 3. These
20 transfers are considered adjustments to allocations in fiscal year 2013-14 and fiscal year
21 2014-15.

22 **Sec. 5. Calculation and transfer; General Fund.** Notwithstanding any other
23 provision of law, the State Budget Officer, upon approval of the Governor, shall reverse
24 the financial order authorized by Public Law 2013, chapter 368, Part E, section 3. These
25 transfers are considered adjustments to appropriations in fiscal year 2013-14 and fiscal
26 year 2014-15.

27 **Sec. 6. Appropriations and allocations.** The following appropriations and
28 allocations are made.

29 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

30 **Executive Branch Departments and Independent Agencies - Statewide 0017**

31 Initiative: Provides funding to offset savings from eliminating merit increases for fiscal
32 year 2014-15.

33

1	GENERAL FUND	2013-14	2014-15
2	Personal Services	\$0	\$3,829,314
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,829,314</u>

5 **Executive Branch Departments and Independent Agencies - Statewide 0017**

6 Initiative: Provides funding to offset savings from eliminating certain longevity
7 payments.

8			
9	GENERAL FUND	2013-14	2014-15
10	Personal Services	\$294,060	\$444,824
11			
12	GENERAL FUND TOTAL	<u>\$294,060</u>	<u>\$444,824</u>

13			
14	ADMINISTRATIVE AND FINANCIAL		
15	SERVICES, DEPARTMENT OF		
16	DEPARTMENT TOTALS	2013-14	2014-15
17			
18	GENERAL FUND	\$294,060	\$4,274,138
19			
20	DEPARTMENT TOTAL - ALL FUNDS	<u>\$294,060</u>	<u>\$4,274,138</u>

21 **JUDICIAL, DEPARTMENT OF**

22 **Courts - Supreme, Superior and District 0063**

23 Initiative: Provides funding to offset savings from eliminating certain longevity
24 payments.

25			
26	GENERAL FUND	2013-14	2014-15
27	Personal Services	\$201,087	\$226,770
28			
29	GENERAL FUND TOTAL	<u>\$201,087</u>	<u>\$226,770</u>

30	JUDICIAL DEPARTMENT		
31	DEPARTMENT TOTALS	2013-14	2014-15
32			
33	GENERAL FUND	\$201,087	\$226,770
34			
35	DEPARTMENT TOTAL - ALL FUNDS	<u>\$201,087</u>	<u>\$226,770</u>

36 **LEGISLATURE**

37 **Legislature 0081**

1 Initiative: Provides funding to offset savings from eliminating certain longevity
 2 payments.

3			
4	GENERAL FUND	2013-14	2014-15
5	Personal Services	\$2,771	\$7,816
6			
7	GENERAL FUND TOTAL	<u>\$2,771</u>	<u>\$7,816</u>
8	LEGISLATURE		
9	DEPARTMENT TOTALS	2013-14	2014-15
10			
11	GENERAL FUND	\$2,771	\$7,816
12			
13	DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,771</u>	<u>\$7,816</u>

14 **PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY,**
 15 **OFFICE OF**

16 **Office of Program Evaluation and Government Accountability 0976**

17 Initiative: Provides funding to offset savings from eliminating certain longevity
 18 payments.

19			
20	GENERAL FUND	2013-14	2014-15
21	Personal Services	\$0	\$283
22			
23	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$283</u>
24	PROGRAM EVALUATION AND		
25	GOVERNMENT ACCOUNTABILITY, OFFICE		
26	OF		
27	DEPARTMENT TOTALS	2013-14	2014-15
28			
29	GENERAL FUND	\$0	\$283
30			
31	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$283</u>

32			
33	SECTION TOTALS	2013-14	2014-15
34			
35	GENERAL FUND	\$497,918	\$4,509,007
36			
37	SECTION TOTAL - ALL FUNDS	<u>\$497,918</u>	<u>\$4,509,007</u>

38 **Sec. 7. Appropriations and allocations.** The following appropriations and
 39 allocations are made.

1 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**
2 **Executive Branch Departments and Independent Agencies - Statewide 0017**

3 Initiative: Provides funding to offset savings from eliminating merit increases for fiscal
4 year 2014-15.

5

6 HIGHWAY FUND	2013-14	2014-15
7 Personal Services	\$0	\$698,601
9 HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$698,601</u>

10 **Executive Branch Departments and Independent Agencies - Statewide 0017**

11 Initiative: Provides funding to offset savings from eliminating certain longevity
12 payments.

13

14 HIGHWAY FUND	2013-14	2014-15
15 Personal Services	\$70,600	\$107,949
17 HIGHWAY FUND TOTAL	<u>\$70,600</u>	<u>\$107,949</u>

18

19 ADMINISTRATIVE AND FINANCIAL		
20 SERVICES, DEPARTMENT OF		
21 DEPARTMENT TOTALS	2013-14	2014-15
23 HIGHWAY FUND	\$70,600	\$806,550
25 DEPARTMENT TOTAL - ALL FUNDS	<u>\$70,600</u>	<u>\$806,550</u>

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

28 **SUMMARY**

29 This bill repeals the sections of Public Law 2013, chapters 354 and 368 that
30 prohibited merit increases for employees in the executive, legislative and judicial
31 branches of government in fiscal year 2014-15 and longevity payments to individuals not
32 eligible on June 30, 2013. It includes General Fund appropriations and Highway Fund
33 allocations to offset reductions made in the biennial budgets for 2014-2015 to restore
34 funding for merit increases and longevity payments.