

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1653

H.P. 1124

House of Representatives, March 15, 2016

**An Act Implementing Pay Increases for Certain Law Enforcement
Employees To Aid in Recruitment and Retention**

(EMERGENCY)

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative FREDETTE of Newport. (GOVERNOR'S BILL)
Cosponsored by Senator MASON of Androscoggin and
Senator: CUSHING of Penobscot.

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,** this legislation requires the upward adjustment of the salary schedules of
4 certain law enforcement positions beginning on or about May 1, 2016; and

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

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

10 **Sec. 1. Adjustment of salary schedules for certain law enforcement**
11 **position classifications in fiscal year 2015-16.** Notwithstanding any other provision
12 of law, effective at the beginning of the pay period commencing closest to May 1, 2016,
13 the salary schedules for the positions specified in this section in the Department of Public
14 Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine
15 Resources that are included in the Maine State Police bargaining unit, the law
16 enforcement bargaining unit or the supervisory services bargaining unit must be adjusted
17 upward by the percentages indicated in this section.

18 **1. Twelve percent increase.** The salary schedules must be adjusted upward by 12%
19 for all positions classified as Game Warden Sergeant, Game Warden Lieutenant, Marine
20 Patrol Pilot Supervisor, Marine Patrol Sergeant or Marine Patrol Lieutenant.

21 **2. Thirteen percent increase.** The salary schedules must be adjusted upward by
22 13% for all positions classified as State Police Trooper, Game Warden Investigator,
23 Game Warden Specialist, Capitol Police Officer or Fire Investigator.

24 **3. Fourteen percent increase.** The salary schedules must be adjusted upward by
25 14% for all positions classified as Game Warden Pilot Supervisor.

26 **4. Fifteen percent increase.** The salary schedules must be adjusted upward by 15%
27 for all positions classified as State Police Specialist, State Police Corporal, State Police
28 Detective, State Police Polygraph Examiner, State Police Forensic Specialist, State Police
29 Pilot, State Police Pilot Supervisor, State Police Polygraph Examiner Supervisor, State
30 Police Sergeant-E, Game Warden, Marine Patrol Officer, Capitol Police Sergeant, Senior
31 Fire Investigator, Fire Investigations Sergeant or Forensic Specialist, Dual Discipline.

32 **5. Seventeen percent increase.** The salary schedules must be adjusted upward by
33 17% for all positions classified as Game Warden Pilot.

34 **6. Eighteen percent increase.** The salary schedules must be adjusted upward by
35 18% for all positions classified as State Police Lieutenant, Capitol Police Lieutenant or
36 Marine Patrol Specialist.

37 **Sec. 2. Certain law enforcement confidential positions; similar and**
38 **equitable treatment.** The Department of Administrative and Financial Services,

1 Bureau of Human Resources shall adjust upward the salary schedules for those law
2 enforcement confidential positions in the Department of Public Safety, the Department of
3 Inland Fisheries and Wildlife and the Department of Marine Resources that the bureau
4 determines to be similar to the law enforcement positions listed in section 1. The salary
5 schedules must be adjusted consistently with the salary adjustment for the law
6 enforcement positions listed in section 1. For the purposes of this section, "confidential
7 position" means a position within the executive branch that is a position excluded from
8 bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A,
9 subsection 6, paragraphs B, C, D, I and J, including a probationary employee in such an
10 excluded position.

11 **Sec. 3. Positions subject to adjustment or approval by the Governor.** The
12 Governor may adjust in a manner consistent with the salary adjustment for the law
13 enforcement positions listed in section 1 the salary schedules for unclassified law
14 enforcement positions in the Department of Public Safety, the Department of Inland
15 Fisheries and Wildlife and the Department of Marine Resources whose salaries are
16 subject to the Governor's adjustment or approval.

17 **Sec. 4. Transfer from Salary Plan program and special account funding.**
18 The funds in the Salary Plan program, General Fund account within the Department of
19 Administrative and Financial Services may be used as needed in allotment by financial
20 order upon the recommendation of the State Budget Officer and approval of the Governor
21 to be used for the economic items contained in this Act and in Public Law 2015, chapter
22 376 in fiscal year 2016-17. Positions supported from sources other than the General Fund
23 and the Highway Fund must be funded from those other sources.

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

26 SUMMARY

27 This bill provides for the upward adjustment of salary schedules in fiscal year 2015-
28 16 by 12% to 18% for certain law enforcement positions in the Department of Public
29 Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine
30 Resources beginning with the pay period closest to May 1, 2016. The bill provides for a
31 similar salary schedule adjustment for certain law enforcement confidential employees in
32 those departments and allows the Governor to make similar salary schedule adjustments
33 to unclassified law enforcement positions in those departments that are subject to the
34 Governor's adjustment or approval. The bill authorizes use of the Salary Plan program to
35 fund the adjustments and provides that certain law enforcement positions supported from
36 other funds must be funded whenever possible from those other sources.