

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2016

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Legislative Document

No. 1702

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S.P. 709

In Senate, April 29, 2016

### **An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in black ink, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

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

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

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

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

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

16           **Sec. 1. PL 2015, c. 376, §2** is amended to read:

17           **Sec. 2. Adjustment of salary schedules for fiscal year 2016-17.** Effective at  
18 the beginning of the pay week commencing closest to July 1, 2016, the salary schedules  
19 for executive branch employees in bargaining units represented by the American  
20 Federation of State, County and Municipal Employees, the Maine State Troopers  
21 Association and the Maine State Law Enforcement Association must be adjusted upward  
22 according to the respective collective bargaining agreements. The salary schedules for  
23 executive branch employees in bargaining units represented by the Maine State  
24 Employees Association must be adjusted consistent with the terms of any tentative  
25 agreements ratified prior to ~~September 30, 2015~~ May 31, 2016.

26           **Sec. 2. PL 2015, c. 376, §6** is amended to read:

27           **Sec. 6. Costs to General Fund and Highway Fund.** Costs to the General  
28 Fund and Highway Fund must be provided in all or part through a transfer of Personal  
29 Services appropriations within and between departments and agencies and in accordance  
30 with Public Law 2015, chapter 267, Part DDDD and from the Salary Plan program,  
31 General Fund account in the Department of Administrative and Financial Services up to  
32 \$8,000,000 for the fiscal year ending June 30, 2016 and up to \$12,000,000 for the fiscal  
33 year ending June 30, 2017 to implement the economic terms of the collective bargaining  
34 agreements made in the months of June of calendar year 2015 through ~~September~~ May of  
35 calendar year ~~2015~~ 2016 by the State and the American Federation of State, County and  
36 Municipal Employees, the Maine State Troopers Association, the Maine State Law  
37 Enforcement Association and the Maine State Employees Association, to provide  
38 equitable treatment of employees excluded from bargaining pursuant to the Maine  
39 Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F and,

1 notwithstanding Title 26, section 979-D, subsection 1, paragraph E, subparagraph (3), to  
2 implement equitable adjustments for confidential employees.

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

5 **SUMMARY**

6 This bill extends the date by which a collective bargaining agreement for certain  
7 executive branch employees must be ratified in order to require the adjustment of the  
8 salary schedules to accommodate and fund the terms of the agreement.