

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 22, 1984.

CHAPTER 62

H.P. 1554 - L.D. 2033

**AN ACT to Fund and Implement Certain
Collective Bargaining Agreements and to Fund
and Implement Benefits for Certain State
Employees Excluded from Collective Bargaining.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

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

Whereas, it is the responsibility of the Legislature to act upon those portions of tentative collective bargaining agreements negotiated by the Executive Branch which require legislative action; and

Whereas, the Governor and the Legislature also share a desire to address the needs of certain state employees excluded from collective bargaining units on a timely basis; 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,

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

PART A

Sec. 1. Appropriation from the General Fund. There is appropriated from the General Fund to

a special compensation account the sum of \$1,113,400 for the fiscal year ending June 30, 1984, and \$2,607,900 for the fiscal year ending June 30, 1985, to implement the economic terms agreed to by the State and Council #74, American Federation of State, County and Municipal Employees for the Institutional Services Bargaining Unit.

Sec. 2. Special account funding. Funding provided by this Act shall be segregated into a special account to be made available as needed upon the recommendation of the State Budget Officer, with the approval of the Governor. Except for funds appropriated to implement section 3, funds shall include retirement costs. Positions supported from sources of funding other than the General Fund shall be funded whenever possible from those other sources.

Sec. 3. Lump-sum payment. For the period of July 1, 1983, to December 31, 1983, a lump-sum payment of \$300 shall be paid to each employee included in the Institutional Services Bargaining Unit, consistent with the terms of the collective bargaining agreement. This sum shall not be considered earnable compensation under the Maine State Retirement System.

Sec. 4. Adjustment of salary schedule for fiscal year 1984. Effective the pay week closest to January 1, 1984, the salary schedule for employees in the Institutional Services Bargaining Unit shall be adjusted by 3 1/2% consistent with the terms of the collective bargaining contract.

Sec. 5. Adjustment of salary schedule for fiscal year 1985. Effective the pay week closest to July 1, 1984, the salary schedule for employees in the Institutional Services Bargaining Unit shall be adjusted by 3 1/2% consistent with the terms of the collective bargaining contract.

Sec. 6. Group Dental Insurance Program for the Institutional Services Bargaining Unit. Effective July 1, 1984, the State shall pay up to \$8 per month toward individual group dental insurance premiums for those employees in the Institutional Services Bargaining Unit who enroll in the Group Dental Insurance Program provided by the State.

Sec. 7. New employees, similar and equitable treatment. Employees in classifications included in the Institutional Services Bargaining Unit, but who are excluded from collective bargaining pursuant to the Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F, shall be given similar and equitable treatment on a prorata basis to that

given employees covered by the contract, except that nonstatus employees in acting capacity, intermittent or project positions shall not receive any lump sum payment provided in section 3.

PART B

Sec. 1. Definition of confidential employees. For the purposes of this Act, confidential employees are defined as those within the Executive Branch, including probationary employees, who are excluded from bargaining units pursuant to the Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

Sec. 2. Appropriation from the General Fund. There is appropriated from the General Fund to a special compensation account the sum of \$338,979 for the fiscal year ending June 30, 1984, and \$794,406 for the fiscal year ending June 30, 1985, to fund salary and benefit changes for confidential employees.

Sec. 3. Allocations from the Highway Fund. There is allocated from the Highway Fund to a special compensation account the sum of \$39,483 for the fiscal year ending June 30, 1984, and \$92,531 for the fiscal year ending June 30, 1985, to fund salary and benefit changes for confidential employees.

Sec. 4. Special account funding; retirement option. Funding provided by this Act shall be segregated into a special account to be made available as needed upon the recommendation of the State Budget Officer, with the approval of the Governor. Except for funds to implement section 5, funds shall include retirement costs. Newly appointed confidential employees who are not required by law to participate in the Maine State Retirement System may elect to receive a 5% salary increase in lieu of state payment of their retirement contribution; this option shall be exercised at the time of appointment. Positions supported from sources of funding other than the General Fund shall be funded whenever possible from those other sources.

Sec. 5. Lump-sum payment. For the period July 1, 1983, to December 31, 1983, a lump-sum payment equal to the greater of 3 1/2% of the employee's base pay or \$300 shall be paid to confidential employees. This amount will be prorated for employees hired between July 1, 1983, and December 31, 1983. The sum shall not be considered earnable compensation under the Maine State Retirement System.

Sec. 6. Adjustment of salary schedule, fiscal year 1984. Effective the pay week closest to January 1, 1984, the salary schedule for confidential employees shall be adjusted by 3 1/2%.

Sec. 7. Adjustments of salary schedule, fiscal year 1985. Effective the pay week closest to July 1, 1984, the salary schedule for confidential employees shall be adjusted by 3 1/2%.

Sec. 8. Group Dental Insurance Program for confidential employees. Effective July 1, 1984, the State shall pay up to \$8 per month toward individual group dental insurance premiums for confidential employees who enroll in the Group Dental Insurance Program provided by the State.

Sec. 9. Employees whose salaries are subject to Governor's adjustment or approval. For those unclassified employees whose salaries are subject to the Governor's adjustment or approval, the Governor may grant similar and equitable treatment consistent with this Act.

PART C

Carrying clause. Any balances remaining from special accounts established by this Act, Parts A and B, shall not lapse, but shall be carried forward to June 30, 1985, to be expended for state employee salary increases.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 24, 1984.

CHAPTER 63

H.P. 1538 - L.D. 2023

AN ACT to Remove the Retirement Age Restriction for Trustees of the University of Maine.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, under the original charter of the University of Maine, trustees must retire at 70 years of age; and