

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1990

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

August 21, 1989 to August 22, 1989

	1989-90	1990-91
FINANCE, DEPARTMENT OF		
State Contingency Account - Finance		
Unallocated	(\$4,736,337)	(\$10,265,489)
Salary Plan		
Personal Services	5,675,656	11,620,989
DEPARTMENT OF FINANCE		
TOTAL	<u>\$939,319</u>	<u>\$1,355,500</u>

Sec. 2. Allocations from the Highway Fund. There are allocated from the Highway Fund to the departments listed the following sums:

	1989-90	1990-91
FINANCE, DEPARTMENT OF		
Salary Plan		
Personal Services	\$496,284	\$1,180,282

PART F

Sec. 1. Carrying clause. Any balances remaining from special accounts established by this Act shall not lapse but shall be carried forward to June 30, 1991.

Sec. 2. Authorization for reimbursement of costs associated with contract resolution. The Department of Administration and the Department of Finance may be reimbursed from the special accounts funded by this Act for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and by negotiation procedures.

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

Effective August 22, 1989.

CHAPTER 87

H.P. 1302 - L.D. 1800

An Act to Authorize Aroostook County to Make Certain Expenditures in the Renovations of the Houlton District Court

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

Whereas, there is an urgent need to renovate the Houlton District Court building in order to improve air quality in the building and in order to make it accessible to physically disabled persons; and

Whereas, Aroostook County does not have money specifically appropriated in this year's budget to pay for these necessary improvements; and

Whereas, it is imperative that these renovations begin as soon as reasonably possible; 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:

County of Aroostook. Notwithstanding the Maine Revised Statutes, Title 30-A, sections 922 and 924, the commissioners of Aroostook County may make a one-time transfer of accrued interest to the county's contingent fund, in an amount not to exceed \$200,000. These funds shall be used for the purpose of renovating the Houlton District Court building. The use of the fund for this purpose shall be subject to the determination by the county commissioners that such renovation constitutes an emergency purpose.

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

Effective August 22, 1989.

CHAPTER 88

S.P. 671 - L.D. 1792

An Act to Fund and Implement Collective Bargaining Agreements with Employees of the Judicial Department

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

Whereas, certain obligations and expenses incidental to the operation of the State and the collective bargaining agreements of the Judicial Department 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 judicial branch that require legislative action; and

Whereas, the Governor and the Legislature share a desire to address on a timely basis the needs of certain employees of the Judicial Department excluded from collective bargaining units; 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. Costs to the General Fund. There is appropriated in Part C of this Act funding sufficient when combined with other available funds to cover the costs to the General Fund in the amount of \$461,207 for the fiscal year ending June 30, 1990, and the amount of \$985,986 for the fiscal year ending June 30, 1991, to implement the economic terms of the collective bargaining agreements made by the Maine State Employees Association for the employees of the Judicial Department in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional 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 approval of the Governor. The funds shall include retirement costs.

Sec. 3. Adjustment of salary schedule for fiscal year 1989-90. Effective at the beginning of the pay week commencing closest to July 1, 1989, the salary schedule for employees of the Judicial Department in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit shall be adjusted by 5% consistent with the terms of the collective bargaining agreements.

Sec. 4. Adjustments of salary schedule for fiscal year 1990-91. Effective at the beginning of the pay week commencing closest to July 1, 1990, the salary schedule for the employees of the Judicial Department in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit shall be adjusted by 5% consistent with the terms of the collective bargaining agreements.

Sec. 5. Other employees; similar and equitable treatment. Employees of the Judicial Department in classifications included in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit, but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, F and G, shall be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

PART B

Sec. 1. Definitions of excepted employees. For the purposes of this Part, "excepted employees" means those employees within the judicial branch who are

in positions excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D and E, other than those referred to in Part A, section 5 of this Act.

Sec. 2. Costs to the General Fund. There is appropriated in Part C of this Act funding sufficient when combined with other available funds to cover the costs to the General Fund in the amount of \$52,260 for the fiscal year ending June 30, 1990, and in the amount of \$122,035 for the fiscal year ending June 30, 1991, to fund salary and benefit changes for excepted employees.

Sec. 3. Adjustment of salary schedule for fiscal year 1989-90. Effective at the beginning of the pay week commencing closest to July 1, 1989, the salary schedule for excepted employees shall be adjusted by 3%. Effective at the beginning of the pay week closest to April 1, 1990, these salary schedules shall again be adjusted by 3%.

Sec. 4. Adjustment of salary schedule for fiscal year 1990-91. Effective the beginning of the pay week commencing closest to October 1, 1990, the salary schedule for excepted employees shall be adjusted by 3%. Effective at the beginning of the pay week commencing closest to April 1, 1991, this salary schedule shall again be adjusted by 3%.

PART C

Sec. 1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
FINANCE, DEPARTMENT OF		
Salary Plan		
Personal Services	\$466,467	\$1,056,521
All Other	47,000	51,500
DEPARTMENT OF FINANCE		
TOTAL	<u>\$513,467</u>	<u>\$1,108,021</u>

Sec. 2. Carrying clause. Any balances remaining from special accounts established by this Act shall not lapse, but shall be carried forward from June 30, 1991.

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

Effective August 22, 1989.