

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

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
1991

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Sec. 4. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor, to cover specifically those adjustments determined to be necessary under any salary plan approved by the Legislature and those reclassifications or range changes that have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 5. Exclusion. Excluding sections 1 to 4 of this Act, up to \$90,000 each fiscal year may be expended for Capital Expenditures.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect on July 1, 1991.

Effective July 1, 1991.

CHAPTER 65

H.P. 1375 - L.D. 1960

An Act to Fund Collective Bargaining Agreements and Benefits for Certain 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, certain obligations and expenses incident to the operation of state collective bargaining agreements will become due and payable July 1, 1991; and

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

Whereas, the Governor and the Legislature share a desire to address in a timely manner the needs of certain state employees 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. A-1. Supplemental appropriation from the General Fund. There are appropriated from the

General Fund for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Salary Plan		
Personal Services	\$12,192,500	\$12,440,000
Provides funds necessary to fund the 3rd year of the State's current collective bargaining agreements made by the State and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit, the professional and technical services bargaining unit, the law enforcement services bargaining unit and the operations, maintenance and support services bargaining unit.		

Salary Plan

Personal Services	(\$12,192,500)	(\$12,440,000)
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Provides for the deappropriation of funds from the salary plan from unfilled positions, attrition and other temporary or permanent reductions in the work force. In addition, the State and the Maine State Employees Association may, by August 1, 1991, agree to implement cost-savings measures. If no agreement is reached by August 1, 1991, the Governor may implement such cost-savings measures as are appropriate and necessary and permitted by the collective bargaining agreements referred to in this section.

DEPARTMENT OF FINANCE		
TOTAL	<u>\$-0-</u>	<u>\$-0-</u>

Sec. A-2. Supplemental allocation from the Highway Fund. There are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Salary Plan		
Personal Services	\$5,735,000	\$5,900,000
Provides funds necessary to fund the 3rd year of the		

State's collective bargaining agreements referred to in section 1 of this Part.

Salary Plan

Personal Services (\$5,735,000) (\$5,900,000)

Provides for the deallocation of funds from the salary plan from unfilled positions, attrition and other temporary or permanent reductions in the work force. In addition, the State and the Maine State Employees Association may, by August 1, 1991, agree to implement cost-savings measures. If no agreement is reached by August 1, 1991, the Governor may implement such cost-savings measures as are appropriate and necessary and permitted by the collective bargaining agreements referred to in this section.

DEPARTMENT OF FINANCE TOTAL \$-0- \$-0-

Sec. A-3. New employees; similar and equitable treatment. Employees in classifications included in the bargaining units referred to in section 1 of this Part but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F must be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

Sec. A-4. Special account funding. Funding provided by this Part must 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. The funds must include retirement costs. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded whenever possible from those other sources.

PART B

Sec. B-1. Supplemental appropriation from the General Fund. There are appropriated from the General Fund for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Salary Plan		
Personal Services	\$3,955,000	\$4,130,000
Provides funds necessary to fund the 3rd year of the		

collective bargaining agreement made by the State and the American Federation of State, County and Municipal Employees - Council #93 for the institutional services bargaining unit.

Salary Plan

Personal Services (\$3,955,000) (\$4,130,000)

Provides for the deappropriation of funds from the salary plan from unfilled vacancies, attrition and other temporary or permanent reductions in the work force. In addition, the State and the American Federation of State, County and Municipal Employees - Council #93 may, by August 1, 1991, agree to implement cost-savings measures. If no agreement is reached by August 1, 1991, the Governor may implement such cost-savings measures as are appropriate and necessary and permitted by the collective bargaining agreements referred to in this section.

DEPARTMENT OF FINANCE TOTAL \$-0- \$-0-

Sec. B-2. New employees; similar and equitable treatment. Employees in classifications included in the bargaining units referred to in section 1 of this Part but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F must be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

Sec. B-3. Special account funding. Funding provided by this Part must 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. The funds must include retirement costs. Positions supported from sources of funding other than the General Fund must be funded whenever possible from those other sources.

PART C

Sec. C-1. Supplemental appropriation from the General Fund. There are appropriated from the General Fund for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Salary Plan		

Personal Services \$1,452,000 \$1,482,000

PART D

Provides funds necessary to fund salary and benefit changes, similar and equitable to salary and benefit changes provided to state employees covered by collective bargaining agreements, for employees excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

Sec. D-1. Employees of the legislative branch.
The Legislative Council may approve salary and benefit increases for employees within the legislative branch, including constitutional officers and the State Auditor, who are not subject to collective bargaining.

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

Effective July 14, 1991.

Salary Plan

Personal Services (\$1,452,000) (\$1,482,000)

Provides for the deappropriation of funds from the salary plan from implementing such cost-savings measures as are implemented for bargaining unit employees covered in Parts A and B of this Act.

DEPARTMENT OF FINANCE \$-0- \$-0-
TOTAL

Sec. C-2. Supplemental allocation from the Highway Fund. There are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums.

1991-92 1992-93

FINANCE, DEPARTMENT OF

Salary Plan

Personal Services \$503,400 \$568,000

Provides funds necessary to fund salary and benefit changes, similar and equitable to salary and benefit changes provided to state employees covered by collective bargaining agreements, for employees excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

Salary Plan

Personal Services (\$503,400) (\$568,000)

Provides for the deallocation of funds from the salary plan from implementing such cost-savings measures as are implemented for bargaining unit employees covered in Parts A and B of this Act.

DEPARTMENT OF FINANCE \$-0- \$-0-
TOTAL