

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

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

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**Augusta, Maine**  
**2013**

Maine State Troopers Association, the Maine State Law Enforcement Association and, subject to ratification, the Maine State Employees Association, to provide equitable treatment of employees excluded from bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F and, notwithstanding Title 26, section 979-D, subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for confidential employees.

**Sec. 5. Transfer of Personal Services allocations between programs and departments.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, available balances in the Highway Fund for Personal Services in fiscal year 2013-14 and fiscal year 2014-15 may be transferred by financial order between programs and departments within the Highway Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

**Sec. 6. Adjustment of salary schedules for fiscal year 2013-14.** Effective at the beginning of the pay week commencing closest to September 1, 2013, the salary schedules for employees subject to the collective bargaining agreements described in sections 2 and 4 of this Act must be adjusted upward by 1%. The salary schedule adjustment made by this section for employees in bargaining units represented by the Maine State Employees Association is contingent upon ratification of the agreements tentatively agreed to on July 3, 2013.

**Sec. 7. Adjustment of salary schedules for fiscal year 2014-15.** Effective at the beginning of the pay week commencing closest to July 1, 2014, the salary schedules for employees subject to the collective bargaining agreements described in sections 2 and 4 of this Act must be adjusted upward by 1%. The salary schedule adjustment made by this section for employees in bargaining units represented by the Maine State Employees Association is contingent upon ratification of the agreements tentatively agreed to on July 3, 2013.

**Sec. 8. New, temporary and seasonal employees; similar and equitable treatment.** Employees in classifications included in bargaining units subject to collective bargaining agreements described in sections 2 and 4 of this Act 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 treatment similar and equitable on a pro rata basis to that given employees covered by the collective bargaining agreements.

**Sec. 9. Confidential employees; similar and equitable treatment.** Confidential employees must be given treatment similar and equitable on a pro rata basis to that given employees covered by collec-

tive bargaining agreements described in sections 2 and 4 of this Act. The Governor is authorized to adjust the salaries of confidential employees to achieve parity with their counterparts in the legislative branch and judicial branch, and such adjustments may be made effective July 1, 2013. For the purposes of this section, "confidential employees" means those employees within the executive branch, including probationary employees, who are in positions 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. 10. Employee salaries subject to Governor's adjustment or approval.** The Governor is authorized to grant similar and equitable treatment consistent with this Act for those unclassified employees whose salaries are subject to the Governor's adjustment or approval.

**Sec. 11. Transfer from Salary Plan program and special account funding.** The Salary Plan program, General Fund account in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of the collective bargaining agreements for state employees and for other economic items contained in this Act in fiscal years 2013-14 and 2014-15. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded from those other sources.

**Sec. 12. Authorization for reimbursement of costs associated with contract resolution.** The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and negotiation procedures.

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

Effective July 16, 2013.

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**CHAPTER 426**

**H.P. 1147 - L.D. 1577**

**An Act To Fund the  
Agreement with Certain  
Judicial Department  
Employees**

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

**Whereas,** the Judicial Department has reached a collective bargaining agreement with the 4 bargaining units representing Judicial Department employees; and

**Whereas,** this legislation authorizes funding of the agreement effective at the beginning of the pay week commencing closest to September 1, 2013; 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:**

**Sec. 1. Adjustment of salary schedules for fiscal year 2013-14.** Effective at the beginning of the pay week commencing closest to September 1, 2013, the salary schedules for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and employees referred to in section 3 of this Act must be adjusted upward by 1%.

**Sec. 2. Adjustment of salary schedules for fiscal year 2014-15.** Effective at the beginning of the pay week commencing closest to July 1, 2014, the salary schedules for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and employees referred to in section 3 of this Act must be adjusted upward by 1%.

**Sec. 3. Other employees; similar and equitable treatment.** Employees of the Judicial Department who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D, E, F and G must be given treatment similar and equitable on a pro rata basis to that given employees covered by the collective bargaining agreements.

**Sec. 4. Costs to General Fund.** Costs to the General Fund must be provided in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in the amount of \$205,932 for the fiscal year ending June 30, 2014 and in the amount of \$420,375 for the fiscal year ending June 30, 2015 to implement the economic terms of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit,

the law enforcement bargaining unit and the professional services bargaining unit and for the costs of those Judicial Department employees referred to in section 3, who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5.

**Sec. 5. Contingent effective date.** This Act takes effect only upon ratification of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit tentatively agreed to as of July 9, 2013.

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

Effective July 16, 2013, unless otherwise indicated.

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## CHAPTER 427

### H.P. 816 - L.D. 1151

#### An Act Regarding the Administration and Financial Transparency of the Citizen Trade Policy Commission

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

**Whereas,** the Citizen Trade Policy Commission through Public Law 2011, chapter 468 acquired ongoing funding to contract for qualified year-round administrative support staff and the commission contracted for such qualified staff; and

**Whereas,** it is important to ensure that all funding provided to the commission remains available to the commission and does not lapse, including funding that would lapse at the end of the current fiscal year, so that the commission can continue to function appropriately and efficiently with the limited resources available to it; 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:**