

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

Whereas, this legislation provides such assistance and needs to take effect as soon as possible to prevent further abuse; 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. 22 MRSA §5114, sub-§2, ¶¶F and G as enacted by PL 1973, c. 630, §1, are amended to read:

F. Services designed to assist older persons in avoiding institutionalization, including evaluation and screening and home health services; or

G. Any other services; if such services are necessary for the general well-being of older persons; or

Sec. 2. 22 MRSA §5114, sub-§2, ¶H is enacted to read:

H. Services designed to assist older persons with maintaining their financial independence and avoiding financial exploitation, including personal financial management assistance.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Office of Aging and Disability Services Central Office 0140

Initiative: Provides funding to support personal financial management assistance programs for senior citizens.

| GENERAL FUND | 2015-16 | 2016-17 |
|--------------------|----------|----------|
| All Other | \$75,000 | \$75,000 |
| GENERAL FUND TOTAL | \$75,000 | \$75,000 |

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

Effective July 12, 2015.

CHAPTER 333 S.P. 553 - L.D. 1451

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 collective bargaining agreements with the 4 bargaining units representing Judicial Department employees; and

Whereas, this legislation authorizes funding of the agreements effective at the beginning of the pay week commencing closest to September 1, 2015; 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 2015-16. Effective at the beginning of the pay week commencing closest to September 1, 2015, 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 4 of this Act must be adjusted upward by 1%.

Sec. 2. Adjustment of salary schedules for fiscal year 2016-17. Effective at the beginning of the pay week commencing closest to July 1, 2016, 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 4 of this Act must be adjusted upward by 1%.

Sec. 3. Addition of new step for fiscal year 2015-16. Effective at the beginning of the pay period commencing closest to April 1, 2016, the salary schedule for the employees of the Judicial Department in the administrative services bargaining unit, the supervisory bargaining unit, the law enforcement bargaining unit and the professional bargaining unit must be adjusted by eliminating the first step and adding a new top step so that employees are paid at the new rates to which they are assigned in the modified salary schedule, consistent with the terms of the applicable collective bargaining agreements.

Sec. 4. 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. 5. 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 \$366,446 for the fiscal year ending June 30, 2016 and in the amount of \$1,442,719 for the fiscal year ending June 30, 2017 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 4, who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5.

Sec. 6. 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 June 25, 2015.

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

Effective July 12, 2015, unless otherwise indicated.

**CHAPTER 334
H.P. 69 - L.D. 86**

**An Act To Improve Retirement
Security for Retired Public
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, cost-of-living adjustments are applied to the applicable portion of an eligible retiree's benefit amount beginning in September of each year; and

Whereas, the projections that provide the basis for the calculation of retirement costs for the 2016-

2017 biennium assumed that there would be a 2.55% cost-of-living adjustment awarded in September 2015 and September 2016; and

Whereas, this legislation may impact the percentage increase to be applied to the applicable portion of an eligible retiree's benefit amount beginning in September 2015; 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. 5 MRSA §17806, sub-§1, ¶A, as amended by PL 2013, c. 424, Pt. B, §1, is further amended to read:

A. Except as provided in ~~paragraph~~ paragraphs A-1 and A-2, whenever there is a percentage increase in the Consumer Price Index from July 1st to June 30th, the board shall automatically make an equal percentage increase in retirement benefits, beginning in September, up to a maximum annual increase of 3%. Effective July 1, 2011, the increase applies to that portion of the retirement benefit up to \$20,000, which amount must be indexed in subsequent years by the same percentage adjustments granted under this paragraph and paragraph A-2.

Sec. 2. 5 MRSA §17806, sub-§1, ¶A-2 is enacted to read:

A-2. Regardless of the amount of increase in the Consumer Price Index, for cost-of-living adjustments awarded in fiscal year 2015-16 and fiscal year 2016-17 only, the board shall automatically make a percentage increase in retirement benefits of no less than 2.55%. The increase applies to that portion of the retirement benefit that would otherwise be subject to an increase under subsection A.

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

Effective July 12, 2015.
