

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
STATE GOVERNMENT
BILL SUMMARY



MAY 1986

PREPARED BY:

Edward Potter, Legislative Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
MARTHA E. FREEMAN
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, Res. Asst.

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JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The purpose of LD 2028, according to the statement of fact, is to establish utility accountant III positions as policy-influencing positions and to ease the recruitment and retention problems associated with the utility accountant III positions. According to the PUC, persons occupying the utility accountant III positions serve as advocates in rate cases and thereby play a very independent role. They advise the commission directly with respect to matters before the commission.

The length of the vacancy rates for the 3 utility accountant III positions have varied. One position, which remains vacant, has been vacant for (9 1/2 months). Another position, recently filled by a Utility Accountant II, was vacant for (8 months). A third position, currently occupied by a person who willingly took an \$11,000 per year pay cut, was vacant for (10 months).

The PUC has 2 utility accountant II positions that are both vacant. One person who recently occupied a utility accountant II position was promoted to the III position because the commission needed the III position for the pending rate cases.

The primary problem is the pay range. Currently utility accountant III personnel are paid at Pay Range 25 (\$20,508-\$28,121.60). The Commission has recruited nationwide and cannot find people to fill the positions (one person took an \$11,000 pay cut but will be leaving soon). The PUC believes that the minimum salary must be \$30,000.

The PUC attempted to reclassify the Chief Utility Accountant's position prior to "declassification" of the position. The Department of Personnel refused because the classification/pay scale process does not include labor market conditions.

The PUC has not tried to obtain a reclassification of the utility accountant III positions because the issue is labor market conditions and not a change in responsibilities or duties.

LD 2040 AN ACT TO AUTHORIZE THE PAYMENT OF RETENTION AND RECRUITMENT STIPENDS IN STATE GOVERNMENT

ND LD 2040

Sponsor: COTE, Descoteaux, Paradis, P., Bustin
Committee Report: OTP-ND

SUMMARY: LD 2040 proposed to authorize the Commissioner of Personnel to provide additional money to persons to job classifications for which recruitment is difficult or which experience a high turnover rate. Prior to approving a stipend or payment of money to a State employee in a particular job classification, the Commissioner would have to find that:

- a. there is a high turn-over rate within the job classification;
- b. there is a clear, definable labor market in which the State is required to compete to obtain the personnel it needs;
- c. all recruitment efforts have been tried, but failed;
- d. the average salary paid by other employers is at least 10% above the maximum rate established in the State compensation plan, and;
- e. the salary differential is long term and not transitory or seasonal.

A limit was established on the payment of a stipend. A State stipend:

- a. could not exceed the median or average salary paid by competing employees;
- b. would be reviewed at least every two years and adjusted to changes that have occurred in the labor market;
- c. would not be considered a portion of the base pay for the job classification;
- d. would be paid to all employees in the job classification in the applicable labor market.

The bill sought to resolve problems in recruitment and retention of State employees for specific job classifications. Currently, labor market conditions are not considered in the determination of salaries and wages for job classifications. Job classification compensation is based solely on responsibilities and duties of the job. The purpose of the current approach is to establish equity or fairness in compensation of different jobs. Different job classifications with similar responsibilities and duties, therefore, are paid similar wages or salaries, and labor market conditions have no effect on the level of compensation.

There are a number of different job classifications for which recruitment and retention are real problems. The Department of Personnel estimates that roughly 75 positions or 0.5% of all classified State employees are positions with recruitment and retention problems.

The State Government Study Subcommittee on State Employee Recruitment and Retention surveyed all State agencies to determine the number of positions for which recruitment and retention are very difficult. The various State agencies, together, listed 45 classifications and roughly 1500 positions (11% of State employee labor force) for which recruitment and retention are problems.

The committee amended the bill and rewrote it in its entirety. The revised version retains the requirements as outlined in paragraph 1 with the exception of the 10% differential provision in "d".

The revised version sunsets the stipend authorization on June 30, 1987. Any person receiving the stipend as of that date will continue to receive the stipend which will be reviewed every 2 years. The stipend may be reduced for successors to positions with stipends if labor market conditions warrant the reduction.

The Civil Service Policy Review Board will undertake a comprehensive examination of positions with recruitment and retention problems and develop policies which may include stipends to remedy these problems.

LD RESOLVE, CREATING A MAINE COMMISSION TO
2045 COMMEMORATE THE BICENTENNIAL OF THE UNITED
 STATES CONSTITUTION

PL 1985
c. 85

Sponsor: PRAY, Martin, J., Carpenter, Kane
Committee Report: OTP-AM, OTP-AM

H-684	GWADOSKY		
S-443	CA	H	S
S-444	CB		
S-459	ANDREWS		
S-504	PEARSON	H	S