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An Act Implementing Pay Increases for Certain Law Enforcement Employees To Aid in Recruitment and Retention

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

Whereas, this legislation requires the upward adjustment of the salary schedules of certain law enforcement positions beginning on or about May 1, 2016; 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 certain law enforcement position classifications in fiscal year 2015-16. Notwithstanding any other provision of law, effective at the beginning of the pay period commencing closest to May 1, 2016, the salary schedules for the positions specified in this section in the Department of Public Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources that are included in the Maine State Police bargaining unit, the law enforcement bargaining unit or the supervisory services bargaining unit must be adjusted upward by the percentages indicated in this section.

1. Twelve percent increase. The salary schedules must be adjusted upward by 12% for all positions classified as Game Warden Sergeant, Game Warden Lieutenant, Marine Patrol Pilot Supervisor, Marine Patrol Sergeant or Marine Patrol Lieutenant.

2. Thirteen percent increase. The salary schedules must be adjusted upward by 13% for all positions classified as State Police Trooper, Game Warden Investigator, Game Warden Specialist, Capitol Police Officer or Fire Investigator.

3. Fourteen percent increase. The salary schedules must be adjusted upward by 14% for all positions classified as Game Warden Pilot Supervisor.

4. Fifteen percent increase. The salary schedules must be adjusted upward by 15% for all positions classified as State Police Specialist, State Police Corporal, State Police Detective, State Police Polygraph Examiner, State Police Forensic Specialist, State Police Pilot, State Police Pilot Supervisor, State Police Polygraph Examiner Supervisor, State Police Sergeant-E, Game Warden, Marine Patrol Officer, Capitol Police Sergeant, Senior Fire Investigator, Fire Investigations Sergeant or Forensic Specialist, Dual Discipline.

5. Seventeen percent increase. The salary schedules must be adjusted upward by 17% for all positions classified as Game Warden Pilot.

6. Eighteen percent increase. The salary schedules must be adjusted upward by 18% for all positions classified as State Police Lieutenant, Capitol Police Lieutenant or Marine Patrol Specialist.

Sec. 2. Certain law enforcement confidential positions; similar and equitable treatment. The Department of Administrative and Financial Services, Bureau of Human Resources shall adjust upward the salary schedules for those law enforcement confidential positions in the Department of Public Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources that the bureau determines to be similar to the law enforcement positions listed in section 1. The salary schedules must be adjusted consistently with the salary adjustment for the law enforcement positions listed in section 1. For the purposes of this section, "confidential position" means a position within the executive branch that is a position excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J, including a probationary employee in such an excluded position.

Sec. 3. Positions subject to adjustment or approval by the Governor. The Governor may adjust in a manner consistent with the salary adjustment for the law enforcement positions listed in section 1 the salary schedules for unclassified law enforcement positions in the Department of Public Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources whose salaries are subject to the Governor's adjustment or approval.

Sec. 4. Transfer from Salary Plan program and special account funding. The funds in the Salary Plan program, General Fund account within the Department of Administrative and Financial Services may be used 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 economic items contained in this Act and in Public Law 2015, chapter 376 in fiscal year 2016-17. Positions supported from sources other than the General Fund and the Highway Fund must be funded from those other sources.

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

SUMMARY

This bill provides for the upward adjustment of salary schedules in fiscal year 2015-16 by 12% to 18% for certain law enforcement positions in the Department of Public Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources beginning with the pay period closest to May 1, 2016. The bill provides for a similar salary schedule adjustment for certain law enforcement confidential employees in those departments and allows the Governor to make similar salary schedule adjustments to unclassified law enforcement positions in those departments that are subject to the Governor's adjustment or approval. The bill authorizes use of the Salary Plan program to fund the adjustments and provides that certain law enforcement positions supported from other funds must be funded whenever possible from those other sources.