



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1734

S.P. 588

In Senate, June 30, 2021

An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees

(AFTER DEADLINE)

(EMERGENCY)

Submitted by the Judicial Department and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CARNEY of Cumberland.

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

3 **Whereas,** the Judicial Department is negotiating collective bargaining agreements
4 with the 4 bargaining units representing Judicial Department employees; and

5 **Whereas,** this legislation authorizes funding of any agreements ratified by December
6 31, 2021; and

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

10 **Whereas,** the judicial branch and the Legislature share a desire to address in a timely
11 manner the needs of certain state employees excluded from collective bargaining units; and

12 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
13 the meaning of the Constitution of Maine and require the following legislation as
14 immediately necessary for the preservation of the public peace, health and safety; now,
15 therefore,

16 **Be it enacted by the People of the State of Maine as follows:**

17 **Sec. 1. Adjustment of salary schedules for fiscal years 2021-22 and 2022-23.**

18 The salaries and stipends for the Judicial Department employees in the administrative
19 services bargaining unit, the supervisory services bargaining unit, the law enforcement
20 bargaining unit and the professional services bargaining unit and employees referred to in
21 section 2 must be adjusted consistent with the terms of any agreements ratified by
22 December 31, 2021.

23 **Sec. 2. Other employees; similar and equitable treatment.** Employees of the
24 Judicial Department who are excluded from collective bargaining pursuant to the Maine
25 Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D, E, F and G must
26 be given similar and equitable treatment on a pro rata basis to that given employees covered
27 by the collective bargaining agreements.

28 **Sec. 3. Costs to General Fund.** Costs to the General Fund must be provided in the
29 Salary Plan program, General Fund account in the Department of Administrative and
30 Financial Services in an amount up to \$1,594,600 for the fiscal year ending June 30, 2022
31 and in an amount up to \$2,536,191 for the fiscal year ending June 30, 2023 to implement
32 the economic terms of the collective bargaining agreements made between the Judicial
33 Department and the Maine State Employees Association for the administrative services
34 bargaining unit, the supervisory services bargaining unit and the professional services
35 bargaining unit; made between the Judicial Department and the Maine State Law
36 Enforcement Association for the law enforcement bargaining unit; and for the costs of those
37 Judicial Department employees referred to in section 2 who are excluded from collective
38 bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5.

39 **Sec. 4. Contingent effective date.** This Act takes effect only upon the ratification
40 by December 31, 2021 of a collective bargaining agreement made between the Judicial
41 Department and the Maine State Employees Association for the administrative services
42 bargaining unit, the supervisory services bargaining unit and the professional services

1 bargaining unit or between the Judicial Department and the Maine State Law Enforcement
2 Association for the law enforcement bargaining unit.

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

5 **SUMMARY**

6 This bill authorizes funding for collective bargaining agreements to be ratified by
7 December 31, 2021 by the Judicial Department and the 4 bargaining units representing
8 Judicial Department employees.

9 **FISCAL NOTE REQUIRED**

10 **(See attached)**