

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
105TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H. P. 1548, L. D. 2007, Bill,  
"AN ACT to Provide for Administrative Enforcement of the Municipal  
Public Employees Labor Relations Law."

Amend said Bill in that part designated "§968." of section  
9 by striking out all of the 2nd underlined sentence of subsection  
2 (same in L. D.) and inserting in place thereof the following:  
'The person so appointed shall be an attorney admitted to practice  
law in the State of Maine and experienced in the field of labor  
relations.'

Further amend said Bill in that part designated "§968." of  
section 9 by striking out all of paragraph F of subsection 5 and  
inserting in place thereof the following: (same in L. D.)

'F. Either party may seek a review by the Superior Court  
of a decision of the Public Employees Labor Relations  
Board. Such review shall be sought in accordance with Rule  
80B of the Rules of Civil Procedure. Any Justice of the Superior  
Court shall render a pro forma decree and cause all interested  
parties to be notified. Such decree shall be enforceable by  
the Superior Court by any suitable process. Such decree shall  
have the same effect and all proceedings in relation thereto  
shall thereafter be the same as though rendered in an action

*(Filing No. H-535)*

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in which equitable relief is sought, duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact found by said board. Upon any appeal therefrom the proceedings shall be the same as in appeals in actions in which equitable relief is sought and the law court may, after consideration, reverse or modify any decree so made by a justice based upon erroneous ruling or finding of law.'

Further amend said Bill by inserting after section 10 the following:

'Sec. 11. R. S., T. 26, §972, amended. The first paragraph and the first sentence of the 2nd paragraph of section 972 of Title 26 of the Revised Statutes, as enacted by section 7 of chapter 578 of the public laws of 1969, are amended to read as follows:

Either party may seek a review by the Superior Court of a binding determination by an arbitration panel ~~er-a-decision-of the-Public-Employees-Labor-Relations-Appeal-Board~~. Such review shall be sought in accordance with Rule 80B of the Rules of Civil Procedure.

The binding determination of an arbitration panel or arbitrator ~~er-the-decision-of-the-Public-Employees-Labor-Relations-Appeal Board~~, in the absence of fraud, upon all questions of fact shall be final.'

Further amend said Bill by renumbering section 11 to be section 12.

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Statement of Fact

The purpose of this amendment is to clarify review of the decision of the Public Employees Labor Relations Board.

Reported by the Committee on Labor.

Reproduced and distributed under the direction of the Clerk of the House.

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