

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1651

S. P. 520

In Senate, March 29, 1973

Referred to the Committee on Labor. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Marcotte of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to the Public Employees Labor Relations Board.

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

Sec. 1. R. S., T. 26, § 968, sub-§ 1, repealed and replaced. Subsection 1 of section 968 of Title 26 of the Revised Statutes, as enacted by section 1 of chapter 424 of the public laws of 1969 and as repealed and replaced by section 9 of chapter 609 of the public laws of 1971, and as amended, is repealed and the following enacted in place thereof:

1. **Public Employees Labor Relations Board.** The Public Employees Labor Relations Board shall consist of 3 members and 3 alternates to be appointed by the Governor, with the advice and consent of the Council. The Governor, in making his appointments, shall name one member and one alternate to represent public employees, one member and one alternate to represent public employers and the 3rd member and alternate to represent the public. The member representing the public shall be the board's chairman. Members of the board shall each receive \$75 a day, except for the chairman who shall receive \$100 per day, for their services for the time actually employed in the discharge of their official duties. The alternates shall be paid at the same per diem rate as the member that the alternate replaces. The term of each member and each alternate shall be for a period of 4 years; provided that of the members and alternates first appointed, one member and one alternate shall be appointed for a period of 4 years, one member and one alternate shall be appointed for a period of 3 years and one member and one alternate shall be appointed for a period of 2 years. The members of the board and the alternate shall receive necessary expenses on the approval of the Commissioner of Labor and Industry.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Public Employees Labor Relations Board the sum of \$27,778 to carry out their duties imposed under the law. The breakdown shall be as follows:

	1973-74	1974-75
PUBLIC EMPLOYEES LABOR RELATIONS BOARD		
Personal Services	\$13,035	\$13,243
Capital Expenditures	1,500	—
	<hr/> \$14,535	<hr/> \$13,243

STATEMENT OF FACT

Board members presently receive \$50 per day while each fact finder appointed by the board receives \$100 per day, except for chairmen who receive \$150 per day. In order to partially remedy this inequity, the sum of \$4,000 is included in the personal services requested above for each year of the biennium.

The administrative caseload of the board has far exceeded original projections. Accordingly, a Clerk-Typist I position is requested at \$4,035 for FY 74 and \$4,243 for FY 75. A one-time request for \$1,500 is FY 74 for capital equipment is requested to purchase a work station-desk, typewriter, chair—for the Clerk Typist I and a recording and transcription device with which to record board hearings. Parties appearing before the board have expressed a desire in obtaining a verbatim transcript of hearing testimony.

The legal issues raised in hearings before the board and in briefs submitted to the board require that in-depth legal research be made available to the board. A sum of \$5,000 is requested for FY 74 and FY 75 for this purpose.

Finally, in order to assure continuity of representation of employer, employee and public interests on the board, this bill provides for the appointment of alternates who would serve in the absence of principal members of the board. This procedure will guarantee a continuation of fair, expeditious and impartial administration of the Act.