

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
107th LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "B" to S.P. 666, L.D. 2296, Bill, "AN ACT to Assure Resources for the Resolution of Disputes."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Sec. 1. 2 MRSA §6, sub-§7, as repealed and replaced by PL 1973, c. 509, §2, is amended by adding at the end the following:

Dispute Resolution Specialist.

Sec. 2. 26 MRSA §968, sub-§1, as enacted by PL 1969, c. 424, §1, and as last repealed and replaced by PL 1975, c. 564, §22, is amended by adding at the end a new sentence to read:

The executive director and legal or professional personnel employed by the board shall be members of the unclassified service.

Sec. 3. Appropriation. There is appropriated from the General Fund to the Maine Labor Relations Board the sum of \$10,800 to carry out the duties imposed under the law. The breakdown shall be as follows:

		<u>1976-77</u>
MAINE LABOR RELATIONS BOARD		
Personal Services	(1)	\$ 9,000
All Other		1,000
Capital Expenditures		<u>800</u>
		\$10,800'

Statement of Fact

This amendment amends the bill by changing the position of full-time Chairman of the Maine Labor Relations Board to another position entitled Dispute Resolution Specialist. This amendment represents more than a \$16,000 cost savings over the original proposal contained in the legislative document. The Maine Labor Relations Board desperately needs additional staff since additional responsibilities for the administration of the State Employees Labor Relations Act and the University of Maine Labor Relations Act have been placed on it along with broadened responsibilities in the area of dispute resolution as mandated by the authority for the board to become involved in the settlement of community dispute through the implementation of "An Act to Define the Responsibilities of the Bureau of Labor and the Public Employees Labor Relations Board" found in chapter 564 of the Public Laws of 1975.

This amendment also leaves the Maine Labor Relations Board structured at its current levels as found in Title 26, section 968, subsection 1. It does add to the foregoing section a provision that the executive director and professional and legal personnel employed by the Maine Labor Relations Board shall be members of the unclassified service, pursuant to a recommendation from the Office of the Attorney General dated October 7, 1975, that such clarification should be made. The amendment further eliminates the provision contained in the Bill which provides for members of the Maine Labor Relations Board to be appointed by the Governor, subject to review by the Joint Standing Committee on Labor and to confirmation by the Legislature. By leaving the current language of Title 26, section 968, subsection 1 intact, the confirmation procedure will not be

confused by the constitutional amendment which does not abolish the Executive Council until January 4, 1977. The amendment will leave the confirmation power for members of the Maine Labor Relations Board with the Executive Council for the duration of the Council's existence. A new procedure will be substituted by the State Government Committee's bill on the Executive Council (L.D. 2197) or by an Errors and Inconsistencies bill.

The appropriations contained in the amendment would (1) authorize one additional staff person in the form of a Dispute Resolution Specialist as of January 1, 1977 to aid in the foregoing responsibilities and (2) would also appropriate sufficient money in order that the Clerk Steno II for whom a 9-month salary was provided in L.D. 827, "An Act Extending Collective Bargaining Rights to University of Maine Employees" (Chapter 603 of the Public Laws of 1975) could be hired on or about July 1, 1976, to aid in the many responsibilities facing the board. This is an acceleration date for the Clerk Steno II from October 1, 1976 to July 1, 1977. The capital expenditure portion of the appropriation will provide adequate office files, furniture and dictating equipment for the Dispute Resolution Specialist, and the "all other" appropriation of \$1,000 will provide an in-state travel budget for that position and necessary publications and material used in dispute resolution procedures.


(Marcotte)

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