

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

OF R.

STATE OF MAINE  
SENATE (Filing No. S-307)  
108TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "A " to H.P. 1317, L.D. 1553, Bill,  
"AN ACT Permitting Binding Arbitration for Public Employees  
in Critical Public Services."

Amend the Bill in section 2 in that part designated  
"§965-A." by inserting at the end of subsection 5 the  
following:

'The arbitrators must first determine whether or not good  
faith bargaining has occurred between the parties prior to  
the submission of the impasse items. In the event the arbitrators  
determine good faith bargaining has taken place, the provisions  
of this section will proceed. In the event the arbitrators  
find any evidence that good faith bargaining has not occurred,  
they may order the parties to resume negotiations.'


Further amend the Bill in section 4 in that part designated  
"§979-P." by inserting at the end of subsection 5 the  
following:

'The arbitrators must first determine whether or not good  
faith bargaining has occurred between the parties prior to  
the submission of the impasse items. In the event the arbitrators  
determine good faith bargaining has taken place, the provisions  
of this section will proceed. In the event the arbitrators  
find any evidence that good faith bargaining has not occurred,  
they may order the parties to resume negotiations.'

Statement of Fact

This amendment prevents a party to the bargaining process from using binding arbitration as a lever to intimidate the other party by insisting on immediate impasse to get to arbitration. Only as a last resort, after good faith bargaining, can a party expect impartial arbitration to settle the issue.

(Pierce)  
NAME:



COUNTY: Kennebec

Reproduced and distributed pursuant to Senate Rule 11-A.

June 22, 1977

(Filing No. S-307)