

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-838)

COMMITTEE AMENDMENT " A " to H.P. 1422, L.D. 1670,
Bill, "AN ACT Concerning Dispute Resolution under the
Municipal Public Employees Labor Relations Statutes."

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

'Sec. 1. 26 MRSA §965, sub-§3, ¶B, as repealed and
replaced by PL 1975, c. 564, §17, is amended to read:

B. If the parties do not jointly agree to call upon
the Maine Labor Relations Board or to pursue some other
procedure, either party to the controversy may request
the executive director to assign a ~~fact-finding-panel~~
fact finder. If so requested, the executive director
shall appoint a ~~fact-finding-panel, ordinarily of 3~~
~~members~~ person, in accordance with rules and procedures
prescribed by the board for making such appointment. The
~~fact-finding-panel~~ fact finder shall be appointed from
a list maintained by the board and drawn up after
consultation with representatives of state and local
government administrators, agencies with industrial
relations and personnel functions and representatives
of employee organizations and of employers. Any person
who has actively participated as the mediator in the
immediate proceedings for which fact-finding has been
called shall not sit ~~on that fact-finding-panel~~ as a
fact finder. The ~~panel~~ fact finder shall hear the

contending parties to the controversy. ~~It~~ He may request statistical data and reports on ~~its~~ his own initiative in addition to the data regularly maintained by the Bureau of Labor ~~and Industry~~, and shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the production of books, records and other evidence relative or pertinent to the issues represented to them. The ~~members-of-the fact-finding-panel~~ fact finder shall submit ~~their~~ his findings and recommendations only to the parties and to the Executive Director of the Maine Labor Relations Board.

~~k~~ Sec. 2. 26 MRSA §965, sub-§3, ¶C, 1st sentence, as repealed and replaced by PL 1975, c. 564, §17, is amended to read:

The parties shall have a period of 30 days, after the submission of findings and recommendations from the ~~fact-finders~~ fact finder, in which to make a good faith effort to resolve their controversy.'

Statement of Fact

The purpose of this amendment is to require that if, in resolving a collective bargaining dispute, the parties enter the "fact-finding" process, the fact finding will be done by one person rather than by a panel as the law currently states.

Reported by the Majority of the Committee on Labor.

Reproduced and distributed under the direction of the Clerk of the House.
6/24/77

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