

# 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)

STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 249, L.D. 713, Bill,  
"AN ACT Concerning Strikes or Work Stoppages by Public Employees."

Amend the Bill in that part designated "§1653." in subsection 5 in the 2nd line (same in L.D.) by inserting after the underlined word "determination" the underlined words 'or a final decision if the employee appeals'

Further amend the Bill in that part designated "§1653." by striking out all of subsection 6 and inserting in its place the following:

'6. Objections and restoration. Any employee determined to have violated this chapter may object by filing with the chief executive officer, within 20 days of the date on which notice was served or mailed to him, his sworn affidavit, supported by available documentary proof, containing a short and plain statement of the facts upon which he relies to show that the determination was incorrect. The affidavit shall be subject to the penalties of perjury. If the chief executive officer shall determine that the affidavit and supporting proof establishes that the employee did not violate this chapter he shall sustain the objection. If the chief executive officer shall determine that the affidavit and supporting proof fails to establish that the employee did not violate this chapter, he shall request a hearing on this issue before the Maine Labor Relations Board.'

Further amend the Bill in that part designated "\$1653." by inserting after subsection 6 the following:

'7. Maine Labor Relations Board. Within 20 days of the request of a chief executive officer, the Maine Labor Relations Board shall conduct a hearing as to whether an employee has violated this chapter. If the board determines that a violation has occurred it may, in its discretion, levy the penalty described in subsection 5 or a lesser monetary penalty.'

Further amend the Bill in that part designated "\$1653." by renumbering subsection 7 to be subsection 8.

Fiscal Note

If enacted, this legislation will have a minimal financial impact on the General Fund. <sup>Maine</sup> The /Labor Relations Board should be able to absorb the additional cost in its normal operating budget.

Statement of Fact

The purpose of this amendment is to require the Maine Labor Relations Board to hear the appeal of any employee charged with a violation under this bill.

Reported by the Minority of the Committee on Labor.

Reproduced and distributed pursuant to Senate Rule 11-A.

May 16, 1979

(Filing No. S-197)