

# MAINE STATE LEGISLATURE

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L.D. 1597

STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. S-140)

SENATE AMENDMENT " A " to H.P. 1361, L.D. 1597 , Bill,  
"AN ACT to Fund and Implement Agreements between the State and  
the Maine State Employees Association and to Fund and Implement  
Benefits for Managerial and other Employees of the Executive  
Branch Excluded from Coverage under the State Employees Labor  
Relations Act.

Amend the Bill by inserting before the enacting clause  
the following:

Emergency preamble. Whereas, Acts of the Legislature do  
not become effective until 90 days after adjournment unless  
enacted as emergencies; and

Whereas, the 90-day period may not terminate until after  
the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to  
the operation of state collective bargaining agreements will  
become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health  
and safety; now, therefore,

Further amend the Bill by striking out all of section 6 and inserting in its place the following:

'Sec. 6. Effect. Notwithstanding any other provisions of law, the provisions of the agreements between the State and the Maine State Employees Association shall prevail, except that no money appropriated by this Act shall be disbursed to fund a contract or other collective bargaining agreement which imposes any obligation, express or implied, on the part of any state employee to join or contribute any fee to any union as a condition of continued state employment. This section shall not however, diminish the rights of any state employee provided under the State Employees Labor Relations Act, Maine Revised Statutes, Title 26, chapter 9-B. Notwithstanding the Maine Revised Statutes, Title 5, section 11, the State Controller is authorized to implement the salary benefits that become effective April 1, 1979 and July 1, 1979, consistent with the provisions of this section.'

Further amend the Bill by inserting at the end before the statement of fact the following:

'Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

Statement of Fact

The purpose of this amendment is to add emergency provisions to the bill and to protect any state employee in the bargaining unit from paying any involuntary contribution as a condition of future employment.

NAME: (Collins) *Kenneth W. Collins* COUNTY: Knox  
Reproduced and distributed pursuant to Senate Rule 11-A.

May 3, 1979  
(Filing No. S-140)