

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-303)
110TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 323, L.D. 384, Bill, "AN ACT
Providing Collective Bargaining Rights to Legislative Employees."

Amend the Bill by striking out all of section 2 and inserting
in its place the following:

'Sec. 2. 26 MRSA §979-A, sub-§4-A is enacted to read:

4-A. Legislative employee; partisan legislative employee.

Legislative employee and partisan legislative employee are defined
as follows:

A. "Legislative employee" means any employee of the Legislature
of the State performing services within the legislative branch,
except any person:

(1) Elected by popular vote;

(2) Appointed to office pursuant to statute by the
Governor or the Legislature for a specified term;

(3) Whose duties as deputy, administrative assistant
or secretary necessarily imply a confidential relationship
with respect to matters subject to collective bargaining,
as between such person and the Legislative Council;

(4) Who is a temporary or on-call employee; or

(5) Who has been employed less than 30 days; and

B. A legislative employee is "partisan" if the employee is
appointed by elected or appointed officials and his duties
are essentially partisan. This paragraph does not include
clerical employees of the Secretary of the Senate or the
Clerk of the House.'

Further amend the Bill by inserting after section 6 the following:

'Sec. 7. 26 MRSA §979-D, sub-§1, ¶E, sub-¶(4) is enacted to read:

(4) With respect to legislative employees, the obligation of the legislative branch and the bargaining agent to bargain collectively is as provided elsewhere in this section, except that with regard to partisan legislative employees, the following limitations shall apply:

- (a) No job security longer than the term of the elected or appointed official who appoints the partisan employee may be negotiated; and
- (b) Any partisan employee aggrieved by his dismissal has the burden of proving that the dismissal was not for just cause.'

Further amend the Bill by renumbering sections 7 to 14 to be sections 8 to \leftarrow 15.

Statement of Fact

This amendment accomplishes the following:

1. Allows collective bargaining for seasonal legislative employees; and
2. Assures that partisan staff are able to bargain collectively, but are not able to bargain job security for terms longer than the terms of those who appoint them.

Filed by Mr. Davies of Orono.
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