

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-435)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 380, L.D. 423, Bill,
"AN ACT Concerning Arbitration Involving Municipal Fire and
Police Departments and University of Maine Police."

Amend the Bill by striking out all of the title and
inserting in its place the following: 'AN ACT Concerning
Arbitration Involving Municipal Fire and Police Departments.'

Further amend the Bill in section 1 in subsection 4-A
by striking out all of the first underlined sentence and
inserting in its place the following: 'If, as a result of an
election pursuant to paragraph F, a municipality elects to
be subject to binding arbitration of controversies over
salaries, pensions and insurance involving municipal fire and
police departments, that arbitration shall be as provided in
this subsection.'

Further amend the Bill in section 1 by inserting at the
end the following:

'F. If a municipality engages in collective bargaining
with regard to firefighters and law enforcement personnel,
as required in this Title, the municipal officers shall,
within 14 months after the effective date of this
paragraph, notify the inhabitants of their respective
municipalities to meet, as prescribed by law, to vote
upon a question in the following form:

"Shall the (municipality) adopt binding arbitration as
a means of settling disputes with firefighters and law
enforcement personnel over salaries, pensions and
insurance?"

Balloting shall be as required by law for all referenda.

If a majority of those voting vote to adopt binding arbitration, ~~←~~→ this section shall apply until the municipality votes otherwise in a referendum initiated in the manner set out in Title 30, section 2061, subsection 4.

If the vote results in a tie, the municipality shall continue its previous procedure until the municipality votes otherwise in a referendum initiated in the manner set out in Title 30, section 2061, subsection 4.'

Further amend the Bill in section 2 in that part designated "§1653." by striking out all of subsection 3 and inserting in its place the following:

'3. Determination. In the event that it appears that a violation of subsection 2 or section 1651 may have occurred, the chief executive of the government body or subdivision involved, on the basis of such investigation and affidavits as he deems ~~←~~→ appropriate, may determine whether or not a violation has occurred. If the chief executive officer determines that a violation has occurred, he may ~~←~~→ determine the names of employees who committed the violation. That ~~←~~ determination shall not be deemed to be final until the completion of the procedures provided for in this section. For ~~←~~ the purposes of this chapter, "chief executive officer" means the mayor or first selectman of a municipality.'

Statement of Fact

This amendment removes coverage from University of Maine Police and makes the decision of whether to implement a system of binding arbitration on these issues a local option, to be determined by municipal referendum.

Reported by the Majority of the Committee on Labor.
Reproduced and distributed under the direction of the Clerk
of the House.

5/19/81

(Filing No. H-435)