

MAINE STATE LEGISLATURE

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D. OF R.

1

L.D. 167

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(Filing No. S- 90)

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STATE OF MAINE

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SENATE

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111TH LEGISLATURE

6

FIRST REGULAR SESSION

7

COMMITTEE AMENDMENT "A" to S.P. 61, L.D. 167,

8

Bill, "AN ACT to Prohibit Residency Requirements for

9

Municipal Employees."

10

Amend the bill in section 2, by striking out
11 everything after the amending clause (page 1, lines
12 25 to 28 in L.D.) and inserting in its place the fol-
13 lowing:

14

'§2152-B. Residency requirement; ordinances and col-
15 lective bargaining

16

A municipality shall not enact any ordinance
17 which requires employees to reside within the bounda-
18 ries of the municipality as a condition of employ-
19 ment, nor shall collective bargaining agreements con-
20 tain these strict requirements. Municipalities may,
21 however, enact ordinances or negotiate collective
22 bargaining agreements that require employees to
23 reside within a specified distance or a specific
24 response time of a facility where those provisions
25 represent a legitimate job requirement, and providing
26 that the provisions shall not apply to employees
27 already employed at the time the provisions become
28 effective.

29

This section shall apply only to public employ-
30 ees, as defined by Title 26, section 962, subsection
31 6.'

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STATEMENT OF FACT

33

This amendment prohibits municipalities from
34 enacting ordinances or negotiating collective bar-
35 gaining agreements which establish strict residency

COMMITTEE AMENDMENT " A " to S.P. 61, L.D. 167

1 requirements compelling employees to reside within
 2 municipal boundaries. However, municipalities may
 3 enact ordinances or negotiate agreements establishing
 4 so-called "emergency response provisions" requiring
 5 employees to reside within a specified distance or
 6 response time of a facility when this is a legitimate
 7 job requirement. These emergency response provisions
 8 cannot apply to employees already employed at the
 9 time the provisions become effective.

10 This section applies only to public employees as
 11 defined by Title 26, section 962, subsection 6, thus
 12 excluding elected officials and supervisory employ-
 13 ees.

14 3606042883

Reported by the Committee on Labor
 Reproduced and distributed pursuant to Senate Rule 11-A.
 May 4, 1983 (Filing No. S-90)