

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 105

6
7 H.P.85

House of Representatives, January 22, 1985

8 Reference to the Committee on Labor suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Beaulieu of Portland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Provide Presumption of
18 Validity to Certain Collective Bargaining
19 Provisions.
20

21 Be it enacted by the People of the State of Maine as
22 follows:

23 26 MRSA §975 is enacted to read:

24 §975. Presumption of validity

25 A provision of a collective bargaining agreement
26 pertaining to wages, hours and working conditions
27 shall be presumed valid unless a law, by its terms,
28 supervenes collectively bargaining provisions govern-
29 ing the subject matter in question.

1 STATEMENT OF FACT

2 The Supreme Judicial Court has ruled illegal such
3 items as just cause, seniority, transfers,
4 reassignments and promotions for teachers. The Leg-
5 islature has previously passed legislation providing
6 for bargaining agents of teachers and school commit-
7 tees to bargain collectively over just cause and se-
8 niority. This provision provides for these issues to
9 remain valid as negotiated in the collective bargain-
10 ing agreements.

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