

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 192

H.P. 132

House of Representatives, January 30, 1991

Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

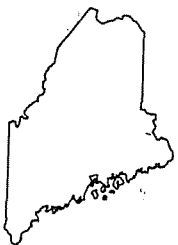
Presented by Representative CLARK of Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act Dealing with the Public Utilities Commission's Involvement in
Contract Settlements.**

(EMERGENCY)



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

4
Whereas, certain contracts will have to be negotiated prior
6 to the expiration of the 90-day period; and

8
Whereas, this legislation is necessary to clarify the
authority of the Public Utilities Commission prior to those
10 contract negotiations; and

12
Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
14 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
16 safety; now, therefore,

18 **Be it enacted by the People of the State of Maine as follows:**

20 **35-A MRSA §111-A is enacted to read:**

22 **§111-A. Limitation on authority**

24 The commission may not issue an order or rule affecting
26 terms and conditions of employment or the contracting out of
work, where such a rule or order would interfere with collective
28 bargaining rights established under the federal Labor Management
Relations Act, 29 United States Code, Section 185 et seq.
30 Nothing in this section, however, precludes the commission from
setting reasonable rates.

32 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.
34

36 **STATEMENT OF FACT**

38 This bill prohibits the Public Utilities Commission from
issuing an order or rule that would interfere with collective
40 bargaining rights.