

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 828

H.P. 577

House of Representatives, February 26, 1991

Reference to the Committee on Labor suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative LUTHER of Mexico.

Cosponsored by Senator CONLEY of Cumberland and Representative PINEAU of Jay.

STATE OF MAINE

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

**An Act to Clarify the Definition of Public Employer under the Municipal
Public Employees Labor Relations Laws.**

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

26 MRSA §962, sub-§7, as amended by PL 1989, c. 499, §12, is repealed and the following enacted in its place:

7. Public employer. "Public employer" means:

A. Any officer, board, commission, council, committee or other persons or body acting on behalf of:

(1) Any municipality or any subdivision of a municipality;

(2) Any school, water, sewer or other district;

(3) The Maine Turnpike Authority;

(4) The Child Development Services System; or

(5) Any county or subdivision of a county; or

B. Any employer not covered by any other state or federal collective bargaining law that is:

(1) Established directly by the State or a political subdivision to constitute a department or administrative office of government; or

(2) Administered by individuals responsible to public officials or to the general electorate.

If any public employer, as defined in this or any other section, controls the operations of another employer to the extent that it deprives that other employer of sufficient control over the employment conditions of its own employees to enable it to bargain with a labor organization that represents those employees, the public employer must be treated as the employer of those employees for the purposes of this chapter.

STATEMENT OF FACT

This bill extends collective bargaining rights to all public employees in the State currently excluded from the coverage of state and federal labor laws.