

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

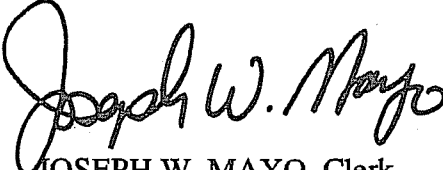
Legislative Document

No. 86

H.P. 56

House of Representatives, January 21, 1993

Reference to the Committee on Labor suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative KUTASI of Bridgton. (By Request)

STATE OF MAINE

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

**An Act to Encourage Municipal and County Officials to Be in Contract
Negotiations.**

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

2 Sec. 1. 26 MRSA §965, sub-§4, as amended by PL 1975, c. 564,
4 §18, is further amended by amending the last paragraph to read:

6 If the controversy is not resolved by the parties themselves, the
7 arbitrators shall proceed as follows: With respect to a
8 controversy over salaries, ~~pensions and insurance, the
9 arbitrators will recommend terms of settlement and may make
10 findings of fact; such recommendations and findings will be
11 advisory only and will be made, if reasonably possible, within 30
12 days after the selection of the neutral arbitrator; the
13 arbitrators may in their discretion, make such recommendations
14 and findings public, and either party may make such
15 recommendations and findings public if agreement is not reached
16 with respect to such findings and recommendations within 10 days
17 after their receipt from the arbitrators; with respect to a
18 controversy over subjects other than any subject, including
19 salaries, pensions and insurance, the arbitrators shall make
20 determinations with respect thereto if reasonably possible within
21 30 days after the selection of the neutral arbitrator; such
22 determinations may be made public by the arbitrators or either
23 party; and if made by a majority of the arbitrators, such
24 determinations will ~~be~~ are binding on both parties and the
25 parties will ~~shall~~ enter an agreement or take whatever other
26 action that may be appropriate to carry out and effectuate such
27 binding determinations; and such determinations will ~~be~~ are
28 subject to review by the Superior Court in the manner specified
29 by section 972. The results of all arbitration proceedings,
30 recommendations and awards conducted under this section shall
31 must be filed with the Maine Labor Relations Board at the offices
32 of its executive director simultaneously with the submission of
33 the recommendations and award to the parties. In the event the
34 parties settle their dispute during the arbitration proceeding,
35 the arbitrator or the chairman chair of the arbitration panel
36 will ~~shall~~ submit a report ~~of his activities~~ on the proceeding to
37 the Executive Director of the Maine Labor Relations Board not
38 more than 5 days after the arbitration proceeding has terminated.~~

40 STATEMENT OF FACT

42 The municipal public employee labor relations laws currently
43 provide that an arbitrator's determinations are binding on
44 nonfinancial issues and advisory on controversies over salaries,
45 pensions and insurance. This bill provides that the arbitrator's
46 determinations on both financial and nonfinancial controversies
47 are binding on both parties.
48