

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

Legislative Document

No. 926

H.P. 675

House of Representatives, March 21, 1995

### **An Act to Prevent Impasse in Collective Bargaining by Allowing Parties of Either Side to Request Mediation.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SAMSON of Jay.

Cosponsored by Representatives: ADAMS of Portland, AHEARNE of Madawaska, BERRY of Livermore, BOUFFARD of Lewiston, CHASE of China, CHIZMAR of Lisbon, CLARK of Millinocket, CLOUTIER of South Portland, DEXTER of Kingfield, DORE of Auburn, DRISCOLL of Calais, FISHER of Brewer, GOULD of Greenville, GREEN of Monmouth, GREENLAW of Standish, HATCH of Skowhegan, JACQUES of Waterville, JONES of Bar Harbor, JOSEPH of Waterville, KEANE of Old Town, KERR of Old Orchard Beach, LEMAIRE of Lewiston, LEMKE of Westbrook, LUTHER of Mexico, MITCHELL of Vassalboro, MORRISON of Bangor, PENDLETON of Scarborough, POULIN of Oakland, ROTONDI of Madison, SHIAH of Bowdoinham, SIMONEAU of Thomaston, STROUT of Corinth, TREAT of Gardiner, VIGUE of Winslow, VOLENIK of Sedgwick, Senators: BUSTIN of Kennebec, CAREY of Kennebec, CASSIDY of Washington, ESTY of Cumberland, FAIRCLOTH of Penobscot, HALL of Piscataquis, HARRIMAN of Cumberland, McCORMICK of Kennebec, MICHAUD of Penobscot, MILLS of Somerset, O'DEA of Penobscot, PARADIS of Aroostook, RAND of Cumberland, RUHLIN of Penobscot.

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

2  
4       Sec. 1. 26 MRSA §979-D, sub-§4, ¶E, as enacted by PL 1973, c.  
774, is amended to read:

6       E. The arbitrator ~~shall have~~ has a period of 30 days from  
8       the termination of the hearing in which to submit ~~his~~ the  
10       ~~arbitrator's~~ report to the parties and to the board, unless  
12       ~~the-aforesaid~~ this time limitation ~~shall-be~~ is extended by  
14       the executive director. If agreement is not reached by the  
16       parties with respect to the advisory recommendations within  
18       the 30-day period immediately following the receipt of the  
20       advisory recommendations by the parties, the obligation to  
22       bargain continues. Either party may request mediation. All  
24       terms and conditions of the most recent collective  
26       bargaining agreement remain in force until a new agreement  
      is ratified.

#### STATEMENT OF FACT

22       This bill clarifies the duty of a public employer and public  
24       employees to bargain in good faith after an arbitrator has made  
26       advisory recommendations and provides that the most recent  
      collective bargaining agreement remains in force until a new  
      agreement is ratified.