

MAINE STATE LEGISLATURE

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A. of S.

L.D. 358

DATE: 4-2-97

(Filing No. H-150)

MAJORITY
LABOR

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 294, L.D. 358, Bill, "An Act to Restore State Funding for Mediation Services Provided by the Maine Labor Relations Board"

Amend the bill in section 1 in paragraph C by striking out all of the last 7 stricken out sentences (page 1, lines 34 to 50 and page 2, lines 1 to 5 in L.D.) and inserting in their place the following: 'The executive director may estimate costs upon receipt of a request for services and collect those costs prior to providing the services. The executive director shall bill or reimburse the parties, as appropriate, for any difference between the estimated costs that were collected and the actual costs of providing the services, including a deduction for amounts to be paid by the State pursuant to this paragraph. Once one party has paid its share of the estimated cost of providing the service, the mediator is assigned. A party who has not paid an invoice for the estimated or actual cost of providing services within 60 days of the date the invoice was issued is, in the absence of good cause shown, liable for the amount of the invoice together with a penalty in the amount of 25% of the amount of the invoice. Any penalty amount collected pursuant to this provision remains in the special fund administered by the Maine Labor Relations Board and that fund does not lapse. The executive director is authorized to collect any sums due and payable pursuant to this provision through civil action. In such an action, the court shall allow litigation costs, including court costs and reasonable attorney's fees, to be deposited in the General Fund if the executive director is the prevailing party in the action.'

COMMITTEE AMENDMENT

R. & S.

2 Further amend the bill by inserting after section 1 the
following:

4 'Sec. 2. Appropriation. The following funds are appropriated
6 from the General Fund to carry out the purposes of this Act.

8		1997-98	1998-99
10	LABOR, DEPARTMENT OF		
12	Bureau of Labor Standards		
14	Personal Services	\$12,563	\$16,750
16	All Other	5,663	7,550
18	TOTAL	<u>\$18,226</u>	<u>\$24,300</u>

20 Provides for the
22 appropriation of funds to
cover the costs associated
24 with the first 3 days of
mediation.

26 Sec. 3. Allocation. The following funds are allocated from
Other Special Revenue to carry out the purposes of this Act.

28		1997-98	1998-99
30	LABOR, DEPARTMENT OF		
32	Maine Labor Relations Board		
34	All Other	(\$18,226)	(\$24,300)

36 Provides for the deallocation
38 of funds that are no longer
40 necessary to pay for the
first 3 days of mediation.'

42 Further amend the bill by inserting at the end before the
summary the following:

46 **FISCAL NOTE**

48		1997-98	1998-99
50	APPROPRIATIONS/ALLOCATIONS		

R. 45

COMMITTEE AMENDMENT "A" to H.P. 294, L.D. 358

2	General Fund	\$18,226	\$24,300
	Other Funds	(18,226)	(24,300)

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6 REVENUES

8	Other Funds	(\$18,226)	(\$24,300)
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10 The Maine Labor Relations Board, within the Department of
 12 Labor, will require additional General Fund appropriations of
 14 \$18,226 and \$24,300 in fiscal years 1997-98 and 1998-99,
 16 respectively, for the costs of providing state funding for the
 first 3 days of mediation services. The provision of state
 funding will offset the dedicated revenues collected and expended
 from the parties in mediation beginning in fiscal year 1997-98.'

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SUMMARY

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22 This amendment restores the mechanism, which was stricken in
 24 the original bill, by which the Executive Director of the Maine
 Labor Relations Board collects costs from the parties before
 authorizing services to be rendered. It also adds an
 appropriation and allocation section and a fiscal note to the
 26 bill.

COMMITTEE AMENDMENT