

MAINE STATE LEGISLATURE

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

COMMITTEE AMENDMENT "A" to H.P. 1031, L.D. 1448, Bill, "An Act to Provide for Binding Arbitration for County Employees with Respect to Monetary Issues"

Amend the bill by striking out the title and substituting the following:

'An Act to Provide for Binding Arbitration for Firefighters and Law Enforcement Officers under the Municipal Public Employees Labor Relations Law'

Further amend the bill in section 1 in subsection 4 by striking out all of the last blocked paragraph (page 2, lines 10 to 42 in L.D.) and inserting in its place the following:

'If the controversy is not resolved by the parties themselves, the arbitrators shall proceed as follows: With respect to a controversy over salaries, pensions and insurance in all cases except those involving firefighters or law enforcement officers, the arbitrators ~~will~~ shall recommend terms of settlement and may make findings of fact; ~~such~~ these recommendations and findings ~~will-be~~ are advisory only and ~~will~~ must be made, if reasonably possible, within 30 days after the selection of the neutral arbitrator; ~~the~~ The arbitrators may in their discretion, make ~~such~~ these recommendations and findings public, and either party may make ~~such~~ the recommendations and findings public if agreement is not reached with respect to ~~such~~ the findings and recommendations within 10 days after their receipt from the arbitrators; ~~with~~ With respect to a controversy over subjects

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other than salaries, pensions and insurance and controversies
over all subjects in cases involving firefighters and law
enforcement officers, the arbitrators shall make determinations
with respect thereto to the controversy or controversies if
reasonably possible within 30 days after the selection of the
neutral arbitrator; ~~such~~ these determinations may be made public
by the arbitrators or either party, and if made by a majority of
the arbitrators, ~~such~~ the determinations ~~will be~~ are binding on
both parties and the parties ~~will~~ shall enter an agreement or
take whatever other action that may be appropriate to carry out
and effectuate ~~such~~ these binding determinations; and ~~such~~ these
determinations ~~will be~~ are subject to review by the Superior
Court in the manner specified by section 972. The results of all
arbitration proceedings, recommendations and awards conducted
under this section ~~shall~~ must be filed with the Maine Labor
Relations Board at the offices of its executive director
simultaneously with the submission of the recommendations and
award to the parties. In the event the parties settle their
dispute during the arbitration proceeding, the arbitrator or the
~~chairman~~ chair of the arbitration panel ~~will~~ shall submit a
report of ~~his~~ the arbitration activities to the Executive
Director of the Maine Labor Relations Board not more than 5 days
after the arbitration proceeding has terminated.'

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

FISCAL NOTE

This bill requires binding arbitration on monetary issues
for publicly employed firefighters and law enforcement officers.
The additional costs of this state mandate can not be determined
at this time. Pursuant to the Constitution of Maine, General
Fund appropriations will be required to fund at least 90% of the
additional local costs unless a Mandate Preamble is amended to
the bill and two-thirds of the members of each House vote to
exempt this mandate from the funding requirement.'

SUMMARY

This amendment replaces the substantive part of the original
bill to provide that arbitration is binding on monetary matters
only in cases involving firefighters and law enforcement officers
under the Municipal Public Employees Labor Relations Law. The
amendment retains the grammatical changes made in the original
bill and adds a fiscal note.