MAINE STATE LEGISLATURE

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L.D. 2125

2	DATE: 3-18-98 (Filing No. H-937)
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10	Reproduced and distributed under the direction of the Clerk of the House.
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14	STATE OF MAINE HOUSE OF REPRESENTATIVES 118TH LEGISLATURE
16	SECOND REGULAR SESSION
18	COMMITTEE AMENDMENT "H to H.P. 1503, L.D. 2125, Bill, "An
20	Act to Improve Public Sector Labor Relations"
22	Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the
24	following:
26	'Sec. 1. 26 MRSA §964-A is enacted to read:
	bec. 1. 20 MRBA 3704-A Is enacted to read:
28	§964-A. Continuation of grievance arbitration provisions
30	If a contract between a public employer and a bargaining
2.2	agent expires prior to the parties' agreement on a new contract,
32	the grievance arbitration provisions of the expired contract remain in effect until the parties execute a new contract.
34	
26	Sec. 2. 26 MRSA §979-R is enacted to read:
36	§979-R. Continuation of grievance arbitration provisions
38	
40	If a contract between a public employer and a bargaining agent expires prior to the parties' agreement on a new contract,
4.2	the grievance arbitration provisions of the expired contract
42	remain in effect until the parties execute a new contract.
44	Sec. 3. 26 MRSA §1284-A is enacted to read:
46	§1284-A. Continuation of grievance arbitration provisions
48	If a contract between a public employer and a bargaining
50	agent expires prior to the parties' agreement on a new contract, the grievance arbitration provisions of the expired contract remain in effect until the parties execute a new contract.
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COMMITTEE AMENDMENT

Sec. 4. Application. This Act applies to all collective bargaining contracts that expire on or after August 1, 1998.'

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

FISCAL NOTE

The requirement that municipal public employers continue to honor the grievance arbitration provisions of an expired collective bargaining agreement pending the approval of a new agreement represents a state mandate pursuant to the Constitution of Maine. If grievance arbitration is required after the expiration of a collective bargaining agreement and a new contract has not yet been agreed to, the municipal employer would be required by this mandate to pay for its share of any arbitration costs. These additional local costs can not be determined. General Fund appropriations will be required to fund at least 90% of the additional 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.

Although generally in the past the State has voluntarily complied with the provisions of this bill, its effect on the State's future collective bargaining costs can not be determined.

The Maine Labor Relations Board within the Department of Labor will incur some minor additional costs to administer certain statutory provisions regarding the continuation of grievance arbitration provisions in public employee labor contracts. These costs can be absorbed within the board's existing budgeted resources.'

SUMMARY

This amendment replaces the bill. It states that the grievance arbitration provisions of an expired contract remain in effect until the parties execute a new contract. The amendment specifies that the bill applies to all contracts that expire on or after August 1, 1998. It also adds a fiscal note to the bill.

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