

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1394

H.P. 1037

House of Representatives, March 5, 2001

**An Act to Prohibit the Use of State Funds by Health Care Providers to Influence Union Organizing.**

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Reference to the Committee on Labor suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MATTHEWS of Winslow.

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

4 **Sec. 1. 26 MRSA c. 7, sub-c. X** is enacted to read:

6 **SUBCHAPTER X**

8 **EXPENDITURE OF PUBLIC FUNDS**

10 **§880. Proper expenditure of public funds**

12 **1. Definition.** As used in this section, unless the context  
14 otherwise indicates, "health care provider" has the meaning set  
16 forth in Title 24, section 2502, subsection 2.

18 **2. Unlawful actions.** Except as provided in subsection 3,  
20 it is unlawful for a health care provider to expend state funds  
22 or state-administered funds to influence employees for or against  
24 an attempt to exercise their right to organize and choose  
26 representation for the purpose of negotiating terms and  
28 conditions of their employment as provided in this Title or the  
30 National Labor Relations Act, 29 United States Code, Sections 151  
32 to 169.

34 **3. Permitted expenditures.** It is not unlawful for a health  
36 care provider to expend state funds or state-administered funds  
38 to pay:

40 **A. Reasonable expenses for contract negotiations or**  
42 **preparation for negotiations;**

44 **B. Expenses for attorney's fees arising out of a court or**  
46 **agency proceeding or appeal or in preparation for the**  
48 **proceeding or appeal; and**

**C. Reasonable expenses for educational instruction of**  
**supervisors or management employees concerning state or**  
**federal labor laws.**

**4. Penalty.** The Department of Labor shall impose an  
administrative fine of up to \$500 for each violation of this  
section.

**SUMMARY**

This bill prohibits health care providers and practitioners  
from spending state funds or state-administered funds to  
influence union organizing efforts of their employees.