

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1486

H.P. 1042

House of Representatives, March 24, 2005

An Act To Amend the Law Allowing Legislative Staff To Unionize

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McKANE of Newcastle.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: BOWLES of Sanford, CLOUGH of Scarborough, JOY of Crystal,
MOULTON of York, TARDY of Newport, TRAHAN of Waldoboro, VAUGHAN of Durham,
Senator: WESTON of Waldo.

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

4 **Sec. 1. 26 MRSA §979**, as amended by PL 1997, c. 741, §1 and
5 affected by §12, is further amended to read:

6 **§979. Purpose**

7
8 It is declared to be the public policy of this State and it
9 is the purpose of this chapter to promote the improvement of the
10 relationship between the State and its employees ~~and between the~~
11 ~~Legislature and its employees~~ by providing a uniform basis for
12 recognizing the right of state ~~ex-legislative~~ employees to join
13 labor organizations of their own choosing and to be represented
14 by such organizations in collective bargaining for terms and
15 conditions of employment.

16
17 It is further declared to be the public policy of this State
18 and it is the purpose of this chapter to promote the improvement
19 of the relationship between the Legislature and its employees by
20 providing a uniform basis for recognizing the right of
21 legislative employees to join or form independent labor
22 organizations of their own choosing and to be represented by
23 those independent labor organizations in collective bargaining
24 for terms and conditions of employment.

25 **Sec. 2. 26 MRSA §979-A, sub-§4-B** is enacted to read:

26
27 **4-B. Independent labor organization.** "Independent labor
28 organization" means a labor organization that does not represent
29 employees outside of the Legislature and is not affiliated with a
30 labor organization that represents employees outside of the
31 Legislature.

32
33 **Sec. 3. 26 MRSA §979-B**, as amended by PL 1997, c. 741, §4 and
34 affected by §12, is repealed and the following enacted in its
35 place:

36
37 **§979-B. Right of state employees or legislative employees to**
38 **join or form labor organizations**

39
40 **1. Right of state employees.** A person may not directly or
41 indirectly interfere with, intimidate, restrain, coerce or
42 discriminate against state employees or a group of state
43 employees in the free exercise of their rights, hereby given,
44 voluntarily to join, form and participate in the activities of
45 organizations of their own choosing for the purposes of
46 representation and collective bargaining, or in the free exercise
47 of any other right under this chapter.
48

2 **2. Right of legislative employees.** A person may not
2 directly or indirectly interfere with, intimidate, restrain,
4 coerce or discriminate against legislative employees or a group
4 of legislative employees in the free exercise of their rights,
6 hereby given, voluntarily to join, form and participate in the
6 activities of independent labor organizations of their own
8 choosing for the purposes of representation and collective
8 bargaining, or in the free exercise of any other right under this
chapter.

10

12 **Sec. 4. Effect on existing contract.** This Act has no effect on
12 any contract existing on the effective date of this Act. The
14 Executive Director of the Legislative Council may not enter into
14 or renew any contract that provides collective bargaining rights
16 to legislative employees represented by a union that is not an
16 independent labor organization as defined in the Maine Revised
18 Statutes, Title 26, section 979-A, subsection 4-B after the
18 effective date of this Act.

20

SUMMARY

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24 This bill requires the collective bargaining agent of
24 legislative employees to be an independent labor organization,
26 which is a labor organization that neither represents employees
26 outside of the Maine Legislature nor is affiliated with an
28 organization that represents employees outside of the Maine
28 Legislature.