

MAINE STATE LEGISLATURE

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LABOR

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STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

Majority

COMMITTEE AMENDMENT "A" to S.P. 257, L.D. 814, Bill, "An Act To Incorporate Binding Arbitration for Monetary Issues in Collective Bargaining for All State, County and Municipal Employees"

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

'An Act To Incorporate Binding Arbitration for Monetary Issues in Collective Bargaining for All State Employees'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 26 MRSA §979-D, sub-§4, ¶D, as enacted by PL 1973, c. 774, is amended to read:

~~D. With respect to controversies over salaries, pensions and insurance, the arbitrator will recommend terms of settlement and may make findings of fact. Such recommendations and findings shall be advisory and shall not be binding upon the parties. The determination by the arbitrator on all other issues shall be is final and binding on the parties. With respect to controversies over salaries, pensions and insurance, the arbitrator shall consider the last best offer of each of the parties and shall choose one of them as the arbitrator's determination. This paragraph is repealed 90 days after adjournment of the Second Regular Session of the 125th Legislature.~~

Sec. 2. 26 MRSA §979-D, sub-§4, ¶D-1 is enacted to read:

D-1. With respect to controversies over salaries, pensions and insurance, the arbitrator will recommend terms of settlement and may make findings of fact. Such recommendations and findings are advisory and are not binding upon the parties. The determination by the arbitrator on all other issues is final and binding on the parties. This paragraph takes effect 90 days after adjournment of the Second Regular Session of the 125th Legislature.'

COMMITTEE AMENDMENT

1

SUMMARY

2 The amendment removes from the bill the prohibitions against certain practices by
3 public employers of state and municipal employees and limits binding arbitration to state
4 collective bargaining practices. The amendment also provides that, with respect to
5 controversies over salaries, pensions and insurance, the arbitrator must take the last best
6 offer as the arbitrator's determination. This provision will be repealed 90 days after
7 adjournment of the Second Regular Session of the 125th Legislature. The amendment
8 also changes the title of the bill.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 814

LR 1373(02)

An Act To Incorporate Binding Arbitration for Monetary Issues in Collective Bargaining for All State, County and Municipal Employees

Fiscal Note for Bill as Amended by Committee Amendment "A "

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Fiscal Detail and Notes

This bill will have an undetermined fiscal impact on state government due to the uncertainty of arbitrators' binding decisions relating to controversies over salaries, pensions and insurance during collective bargaining practices. Additional costs to the Maine Labor Relations Board and the State Board of Arbitration and Conciliation can be absorbed within existing budgeted resources.