

# MAINE STATE LEGISLATURE

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MINORITY

L.D. 1185

Date: 5-19-09

(Filing No. S- 180)

LABOR

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 433, L.D. 1185, Bill, "An Act To Require Cause for Employment Termination"

Amend the bill by inserting after section 1 the following:

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Provides funds for 3 Judge positions, 3 Deputy Marshall positions, one full-time and one part-time Assistant Clerk positions, one full-time and one part-time Judicial Secretary positions and one full-time and one part-time Law Clerk positions and related costs to address the anticipated increase in workload as a result of the Maine Employment Termination Act.

<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
POSITIONS - LEGISLATIVE COUNT	0.000	10.500
Personal Services	\$0	\$1,000,425
All Other	\$0	\$52,500
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$1,052,925</b>

<b>JUDICIAL DEPARTMENT</b>	<b>2009-10</b>	<b>2010-11</b>
<b>DEPARTMENT TOTALS</b>		
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$1,052,925</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$1,052,925</b>

COMMITTEE AMENDMENT



1 **LABOR, DEPARTMENT OF**

2 **Labor Relations Board 0160**

3 Initiative: Provides funds for one Attorney position, one Paralegal position, per diem for  
4 Maine Labor Relations Board members and related All Other costs to support the  
5 anticipated increase in case load effective October 1, 2009.

6	<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
7	POSITIONS - LEGISLATIVE COUNT	2.000	2.000
8	Personal Services	\$107,272	\$148,925
9	All Other	\$6,122	\$4,123
10			
11	<b>GENERAL FUND TOTAL</b>	<u>\$113,394</u>	<u>\$153,048</u>

12	<b>LABOR, DEPARTMENT OF</b>		
13	<b>DEPARTMENT TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
14			
15	<b>GENERAL FUND</b>	<b>\$113,394</b>	<b>\$153,048</b>
16			
17	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$113,394</u>	<u>\$153,048</u>

18	<b>SECTION TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
19			
20	<b>GENERAL FUND</b>	<b>\$113,394</b>	<b>\$1,205,973</b>
21			
22	<b>SECTION TOTAL - ALL FUNDS</b>	<u>\$113,394</u>	<u>\$1,205,973</u>
23			

24 **SUMMARY**

25 This amendment adds an appropriations and allocations section to the bill.

**FISCAL NOTE REQUIRED**

(See attached)



# 124th MAINE LEGISLATURE

LD 1185

LR 1588(02)

## An Act To Require Cause for Employment Termination

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

Committee: Labor

Fiscal Note Required: Yes

### Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
<b>Net Cost (Savings)</b>				
General Fund	(\$25,078)	\$984,341	\$993,941	\$1,029,583
<b>Appropriations/Allocations</b>				
General Fund	\$113,394	\$1,205,973	\$1,215,573	\$1,251,215
<b>Revenue</b>				
General Fund	\$138,472	\$221,632	\$221,632	\$221,632

### Fiscal Detail and Notes

This bill includes General Fund appropriations of \$113,394 in fiscal year 2009-10 and \$153,048 in fiscal year 2010-11 to the Maine Labor Relations Board within the Department of Labor for one Attorney position, one Paralegal position, per diem for Board members and related all other costs associated with the anticipated increase in complaints as a result of this legislation. This estimate assumes an effective date of October 1, 2009.

The Judicial Branch will require a General Fund appropriation of \$1,052,925 in fiscal year 2010-11 for 3 Judge positions, 3 Deputy Marshall positions one full-time and one part-time Assistant Clerk positions, one full-time and one part-time Judicial Secretary positions and one full-time and one part-time Law Clerk positions and related costs to address the anticipated increase in workload as a result of the Maine Employment Termination Act. The General Fund revenue increase related to the increase in filing fees is estimated to be \$83,160 beginning in fiscal year 2010-11.

This legislation includes a provision for the Maine Labor Relations Board to establish a filing fee to be paid by a complainant in an amount not to exceed the maximum filing fee for a civil action in the Maine Superior Courts, which, according to information provided by the Maine Labor Relations Board is \$150. The Maine Labor Board estimates the potential number of claims that could be filed annually to be approximately 900, resulting in revenue from filing fees to be potentially \$138,472 per year (see detailed assumptions below.) Because this legislation is silent as to where these revenues are to be directed, this fiscal impact statement assumes they will be deposited into the unappropriated surplus of the General Fund to offset the General Fund costs of this legislation. Actual revenues will be higher or lower depending on the filing fee set by the Board and the number of complaints per year.

Revenue Assumptions:

# employees in Maine who work for employers with 5 or more employees:	473,408
% that work 1/2 time or have worked for employer for more than 1 year:	65%
# of employees covered by this legislation:	307,715
% laid off or terminated per year:	1%
Potential claims per year:	3,077
% who actually file claims:	30%
# of estimated claims per year:	923
Filing fee per claim:	\$ 150
Potential revenue from filing fees:	\$ 138,472