

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during
the First Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON LABOR

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STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Labor

LD 829

An Act To Clarify the Right of Public School Employees To Engage in Collective Bargaining

**PUBLIC 107
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H JACKSON	OTP-AM	H-113

This bill prohibits a regional school unit board from participating in labor relations activities prior to the operational date of the regional school unit except for the negotiation and execution of a collective bargaining agreement that takes effect on or after the operational date of the regional school unit. Prior to the operational date, each participating school administrative unit retains the authority and duties specified in the Maine Revised Statutes, Title 26, chapter 9-A. This bill also waives the 120-day notice requirement for submission of fiscal matters by the bargaining unit of a regional school unit prior to and during its 1st year of operation.

Committee Amendment "A" (H-113)

This amendment clarifies collective bargaining rights and duties of public employers and bargaining agents in connection with the formation of regional school units as specified in the Maine Revised Statutes, Title 26, chapter 9-A. Until approval of a proposed school administrative reorganization plan at referendum, each participating school administrative unit retains all authority, duties and obligations of the public employer of the employees of the school administrative unit, including the authority and duty to negotiate a successor collective bargaining agreement that will take effect on or after the operational date of the proposed regional school unit. Prior to the operational date of the regional school unit, the elected board for that regional school unit has the duty to take measures necessary to prepare to meet its obligations as a public employer, including the authority and duty to negotiate a successor collective bargaining agreement that will take effect on or after the operational date of the regional school unit. It clarifies who will act as bargaining agent prior to the operational date of the regional school unit. The obligation to meet within 10 days after receipt of written notice is suspended during the period between referendum approval and the operational date of the regional school unit. It also waives the 120-day notice requirement for submission of fiscal matters by the bargaining unit of a regional school unit prior to its first year of operation.

Enacted Law Summary

Public Law 2009, chapter 107 clarifies collective bargaining rights and duties of public employers and bargaining agents in connection with the formation of regional school units as specified in the Maine Revised Statutes, Title 26, chapter 9-A. Until approval of a proposed school administrative reorganization plan at referendum, each participating school administrative unit retains all authority, duties and obligations of the public employer of the employees of the school administrative unit, including the authority and duty to negotiate a successor collective bargaining agreement that will take effect on or after the operational date of the proposed regional school unit. Prior to the operational date of the regional school unit, the elected board for that regional school unit has the duty to take measures necessary to prepare to meet its obligations as a public employer, including the authority and duty to negotiate a successor collective bargaining agreement that will take effect on or after the operational date of the regional school unit. It clarifies who will act as bargaining agent prior to the operational date of the regional school unit. The obligation to meet within 10 days after receipt of written notice is suspended during the period between referendum approval and the operational date of the regional school unit. It also waives the 120-day notice requirement for submission of fiscal matters by the bargaining unit of a regional school unit prior to its first year of operation.

Public Law 2009, chapter 107 was enacted as an emergency measure effective May 8, 2009.