

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Date: (Filing No. H- )

**LABOR AND HOUSING**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1033, L.D. 1588, “An Act to Provide Public Sector Labor Unions Reasonable Access to Information Regarding Employees”

Amend the bill in section 1 in paragraph A by striking out all of the blocked paragraph (page 1, lines 19 to 23 in L.D.) and inserting the following:

'For information regarding newly hired public employees, the employer shall provide the information required under this paragraph not later than 30 calendar days after the date a prospective public employee accepts an offer of employment or not later than 30 calendar days after the date of hire for all public employees. At the request of the bargaining agent, but not more than quarterly, the public employer shall provide the required information for all other public employees in the bargaining unit within 30 calendar days.'

Amend the bill by inserting after section 1 the following:

**'Sec. 2. 26 MRSA §975, sub-§2,** as enacted by PL 2019, c. 389, §1, is amended by enacting at the end a new first blocked paragraph to read:

This subsection is subject to the dispute resolution process specified in an applicable collective bargaining agreement for a public employee.'

Amend the bill in section 2 in paragraph A by striking out all of the blocked paragraph (page 2, lines 3 to 8 in L.D.) and inserting the following:

'For information regarding newly hired state employees and legislative employees, the employer shall provide the information required under this paragraph not later than 30 calendar days after the date a prospective state employee or legislative employee accepts an offer of employment or not later than 30 calendar days after the date of hire for all state employees and legislative employees. At the request of the bargaining agent, but not more than quarterly, the public employer shall provide the required information for all other state employees and legislative employees in the bargaining unit within 30 calendar days.'

Amend the bill by inserting after section 2 the following:

**COMMITTEE AMENDMENT**

1 'Sec. 3. 26 MRSA §979-T, sub-§2, as enacted by PL 2019, c. 389, §2, is amended  
2 by enacting at the end a new first blocked paragraph to read:

3 This subsection is subject to the dispute resolution process specified in an applicable  
4 collective bargaining agreement for a public employee.'

5 Amend the bill in section 3 in paragraph A by striking out all of the blocked paragraph  
6 (page 2, lines 26 to 32 in L.D.) and inserting the following:

7 'For information regarding newly hired university, academy or community college  
8 employees, the employer shall provide the information required under this paragraph  
9 not later than 30 calendar days after the date a prospective university, academy or  
10 community college employee accepts an offer of employment or not later than 30  
11 calendar days after the date of hire for all university, academy or community college  
12 employees. At the request of the bargaining agent, but not more than quarterly, the  
13 public employer shall provide the required information for all other university,  
14 academy or community college employees in the bargaining unit within 30 calendar  
15 days.'

16 Amend the bill by inserting after section 3 the following:

17 'Sec. 4. 26 MRSA §1037, sub-§2, as enacted by PL 2019, c. 389, §3, is amended  
18 by enacting at the end a new first blocked paragraph to read:

19 This subsection is subject to the dispute resolution process specified in an applicable  
20 collective bargaining agreement for a public employee.'

21 Amend the bill in section 4 in paragraph A by striking out all of the blocked paragraph  
22 (page 3, lines 9 to 13 in L.D.) and inserting the following:

23 'For information regarding newly hired judicial employees, the public employer shall  
24 provide the information required under this paragraph not later than 30 calendar days  
25 after the date a prospective judicial employee accepts an offer of employment or not  
26 later than 30 calendar days after the date of hire for all judicial employees. At the  
27 request of the bargaining agent, but not more than quarterly, the public employer shall  
28 provide the required information for all other judicial employees in the bargaining unit  
29 within 30 calendar days.'

30 Amend the bill by inserting after section 4 the following:

31 'Sec. 5. 26 MRSA §1295, sub-§2, as enacted by PL 389, §7, is amended by enacting  
32 at the end a new first blocked paragraph to read:

33 This subsection is subject to the dispute resolution process specified in an applicable  
34 collective bargaining agreement for a public employee.'

35 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
36 number to read consecutively.

37 **SUMMARY**

38 This amendment retains language in current law that a public employer provide to a  
39 bargaining agent of public sector unions personal contact information of newly hired  
40 employees not later than 30 calendar days after the date of hire. The amendment specifies

1 that a bargaining agent of a public sector union may request personal contact information  
2 for all other employees not more often than quarterly.

3 The fiscal note identifies a potential unfunded state mandate in the required supplying  
4 of personal contact information by a public employer to a bargaining agent, which is subject  
5 to a dispute resolution process of an applicable collective bargaining agreement for a public  
6 employee.

7 The committee reviewed the fiscal note and determined that because a new dispute  
8 resolution process is not being created and that because the dispute resolution process is  
9 only triggered if there is not compliance by the public employer, the requirement in the  
10 amendment that this is subject to the dispute resolution process and may therefore result in  
11 increased cost to the public employees for legal and other services does not require an  
12 expansion or modification of activities so as to necessitate additional expenditures.

13 **FISCAL NOTE REQUIRED**

14 **(See attached)**