

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2438

S.P. 972

In Senate, March 19, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President PRAY of Penobscot.

Cosponsored by Senator BOST of Penobscot and Representative CLARK of Millinocket.

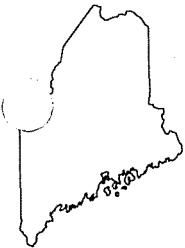
STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act Concerning the Authority of the Public Utilities Commission to Order Competitive Bidding.

(AFTER DEADLINE)

114-2438-1



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

4 35-A MRSA §7304, as enacted by PL 1989, c. 444, is amended
to read:

6 **§7304. Limitation on commission's authority to order
8 competitive bidding**

10 The commission shall issue no order and promulgate no rule
12 requiring competitive bidding for construction of telephone
14 facilities that limits the full exercise of bargaining rights
16 available to management and any union representing labor under
18 the National Labor Relations Act, Public Law 1935, No. 198; 29
20 United States Code, ~~Title-29~~, Section 151 et seq. over the issue
22 of who has the right to perform construction work on telephone
24 facilities. Nothing in this section may be construed to imply a
26 requirement that ~~work-must-be-contracted-out~~ competitive bidding
for construction of telephone facilities is required or must be
performed exclusively by the company's own work force; any such
determination ~~is-to~~ must be ~~left-to~~ reached by bargaining between
the parties. In addition, nothing in this section may limit the
ability of the commission to establish reasonable rates for
consumers.

28 **STATEMENT OF FACT**

30 This bill clarifies the limitation on the authority of the
Public Utilities Commission to order competitive bidding for
32 construction of telephone facilities.