

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1384

H.P. 957

House of Representatives, April 1, 1991

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative RUHLIN of Brewer.

Cosponsored by Representative RAND of Portland, Senator ESTY of Cumberland and Senator ESTES of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Protect the Integrity and Enforceability of Collective
Bargaining Agreements.**



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

2
4 Sec. 1. 26 MRSA §965, sub-§1, ¶D, as amended by PL 1985, c. 46, is further amended to read:

6 D. To execute in writing any agreements arrived at, the
8 term of any such agreement to be subject to negotiation but
shall may not exceed 3 years; and

10 Sec. 2. 26 MRSA §965, sub-§1, ¶D-1 is enacted to read:

12 D-1. Notwithstanding any other provision of law, to observe
14 and comply with every provision of the agreement pursuant to
16 paragraph D during its term, unless the Maine Labor
18 Relations Board first determines that a prohibited act has
occurred under section 964 that materially affected the
negotiation of the provision; and

20 Sec. 3. 26 MRSA §970, as enacted by PL 1969, c. 424, §1, is
amended by adding at the end a new paragraph to read:

22 In any judicial proceeding authorized by section 968,
24 subsection 5, or the Uniform Arbitration Act, and notwithstanding
26 any other provision of law, no provision of a collective
28 bargaining agreement may be determined invalid, unenforceable or
revocable during its term, unless the Maine Labor Relations Board
first determines that a prohibited act has occurred under section
964 that materially affected the negotiation of the provision.

30
32 **STATEMENT OF FACT**

34 This bill requires both the public employer and the
36 bargaining agent to comply with all contract provisions resulting
38 from a collective bargaining agreement for the duration of the
agreement unless the Maine Labor Relations Board first determines
that the negotiation of such provisions was materially affected
by a violation of the bargaining laws.