

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 897

H.P. 615

House of Representatives, March 5, 2009

An Act To Prohibit Mandatory Binding Arbitration

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative GOODE of Bangor.
Cosponsored by Representatives: DILL of Cape Elizabeth, FLAHERTY of Scarborough,
PRATT of Eddington, RUSSELL of Portland.

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

2 **Sec. 1. 14 MRSA §5927**, as enacted by PL 1967, c. 430, is amended to read:

3 **§5927. Validity of arbitration agreement**

4 A written agreement to submit any existing controversy to arbitration or a provision
5 in a written contract to submit to arbitration any controversy thereafter arising between
6 the parties is ~~valid, enforceable and irrevocable, save upon such grounds as exist at law or~~
7 ~~in equity for the revocation of any contract~~ must be optional. This chapter also applies to
8 arbitration agreements between employers and employees or between their respective
9 representatives, unless otherwise provided in the agreement. This section does not apply
10 to an agreement to arbitrate under Title 26, section 951.

11 **Sec. 2. 14 MRSA §5928**, as enacted by PL 1967, c. 430, is repealed.

12 **Sec. 3. 14 MRSA §5938, sub-§1, ¶E**, as enacted by PL 1967, c. 430, is amended
13 to read:

14 E. There was no arbitration agreement ~~and the issue was not adversely determined~~
15 ~~in proceedings under section 5928~~ and the party did not participate in the arbitration
16 hearing without raising the objection; or

17 **Sec. 4. 14 MRSA §5945, sub-§1, ¶A**, as enacted by PL 1967, c. 430, is repealed.

18 **Sec. 5. 14 MRSA §5945, sub-§1, ¶B**, as enacted by PL 1967, c. 430, is repealed.

19 **SUMMARY**

20 This bill requires agreements to submit to arbitration to be optional, except for
21 collective bargaining agreements.