

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2019

B. Notify persons who sell the food package in this State that the sale of the food package is prohibited and provide the department with a list of the names and addresses of those notified.

4. Regulatory efficiency. The department may, in exercising its discretionary authority under this chapter, consider the extent to which a food contact chemical of high concern or a priority food contact chemical in a food package is adequately regulated by the Federal Government or an agency of this State to reduce or prevent the same public health threats that would be the basis for addressing the chemical under this chapter.

See title page for effective date.

**CHAPTER 278
S.P. 499 - L.D. 1564**

An Act To Authorize Project Labor Agreements for Public Works Projects

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

Sec. 1. 26 MRSA §1316, as enacted by PL 2011, c. 463, §3, is repealed.

Sec. 2. 26 MRSA c. 43 is enacted to read:

CHAPTER 43

PROJECT LABOR AGREEMENTS

§3501. Project labor agreements for public works projects

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Public authority" has the same meaning as in section 1304, subsection 7.

B. "Public works" has the same meaning as in section 1304, subsection 8.

2. Public authority may require project labor agreement. Notwithstanding any other provision of law regarding procurement of goods or services, a public authority may require a project labor agreement for any public works project when that public authority has determined, on a project-by-project basis and acting within its discretion, that it is in the public's interest to require such an agreement. In making such a determination, the public authority shall consider the effects a project labor agreement may have on:

A. The efficiency, cost and direct and indirect economic benefits to the public authority;

B. The availability of a skilled workforce to complete the public works project;

C. The prevention of construction delays;

D. The safety and quality of the public works project;

E. The advancement of minority-owned businesses and women-owned businesses; and

F. Employment opportunities for the community.

3. Requirements. A project labor agreement required by a public authority pursuant to this section must:

A. Set forth mutually binding procedures for resolving disputes that can be implemented without delay;

B. Include guarantees against a strike, lockout or other concerted action aimed at slowing or stopping the progress of the public works project;

C. Ensure a reliable source of skilled and experienced labor;

D. Include goals for the number of apprentices and for a percentage of work to be performed by minorities, women and veterans;

E. Provide for the invitation of all contractors to bid on the public works project without regard to whether the employees of any such contractor are members of a labor organization;

F. Permit the selection of the lowest responsible qualified bidder without regard to labor organization affiliation; and

G. Bind all contractors and subcontractors to the terms of the agreement.

A project labor agreement required by a public authority pursuant to this section may not require compulsory labor organization membership of employees working on the public works project.

4. Bidder that does not agree to abide by conditions. A bidder for a public works project that does not agree to abide by the conditions of the project labor agreement or a requirement to negotiate a project labor agreement may not be regarded as a responsible qualified bidder for the project.

See title page for effective date.
