

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)

STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
LABOR AND HOUSING**

August 2019

MEMBERS:

SEN. SHENNA BELLOWS, CHAIR
SEN. MARK W. LAWRENCE
SEN. STACEY K. GUERIN

REP. MICHAEL A. SYLVESTER, CHAIR
REP. ANN E. PEOPLES
REP. DEANE RYKERSON
REP. DONNA R. DOORE*
REP. ANNE M. CARNEY
REP. SCOTT W. CUDDY
REP. RICHARD T. BRADSTREET
REP. SUSAN M.W. AUSTIN
REP. LAWRENCE E. LOCKMAN
REP. JOSHUA MORRIS
REP. MICHELLE DUNPHY*

STAFF:

DEIRDRE SCHNEIDER, LEGISLATIVE ANALYST
COLLEEN MCCARTHY REID, SR. LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

*Committee member for a portion of the session

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Labor and Housing

LD 1546 An Act To Protect State Employees When Their Contracts Have Expired

PUBLIC 393

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE M	OTP-AM ONTP	S-202

This bill provides that, during an interim between the expiration of a state employee collective bargaining agreement and before the effective date of any subsequent collective bargaining agreement, state employees covered by the expired collective bargaining agreement remain eligible for and must receive merit increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement and the public employer is required to pay any increase in employee health insurance premiums occurring during the interim.

Committee Amendment "A" (S-202)

This amendment removes the requirement that a public employer is required to pay any increase in employee health insurance premiums occurring during the interim between the expiration of a state employee collective bargaining agreement and before the effective date of any subsequent bargaining agreement.

Enacted Law Summary

Public Law 2019, chapter 393 provides that, during an interim between the expiration of a state employee collective bargaining agreement and before the effective date of any subsequent collective bargaining agreement, state employees covered by the expired collective bargaining agreement remain eligible for and must receive merit increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement.

LD 1564 An Act To Authorize Project Labor Agreements for Public Works Projects

PUBLIC 278

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM ONTP	S-158

This bill allows a public authority to require a project labor agreement for a public works project when that public authority determines that it is in the public's interest to require such an agreement.

Committee Amendment "A" (S-158)

This amendment, which is the majority report of the committee, repeals the Maine Revised Statutes, Title 26, section 1316 as that section was effective only from October 1, 2011 to October 1, 2015.

Enacted Law Summary

Public Law 2019, chapter 278 allows a public authority to require a project labor agreement for any public works project when that public authority determines on a project-by-project basis and acting within its discretion, that it is in the public interest to require such an agreement. This law specifies that when making this determination that the public authority shall consider the effect the agreement may have on:

1. The efficiency, cost and direct and indirect economic benefits to the public authority;
2. The availability of a skilled workforce to complete the public works project;

Joint Standing Committee on Labor and Housing

- 3. The prevention of construction delays;
- 4. The safety and quality of the public works project;
- 5. The advancement of minority-owned businesses and women-owned businesses; and
- 6. Employment opportunities for the community.

This law also requires that a project labor agreement required by a public authority:

- 1. Set forth mutually binding procedures for resolving disputes that can be implemented without delay;
- 2. Include guarantees against a strike, lockout or other concerted action aimed at slowing or stopping the progress of the public works project;
- 3. Ensure a reliable source of skilled and experienced labor;
- 4. Include goals for the number of apprentices and for a percentage of work to be performed by minorities, women and veterans;
- 5. 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;
- 6. Permit the selection of the lowest responsible qualified bidder without regard to labor organization affiliation; and
- 7. Bind all contractors and subcontractors to the terms of the agreement.

This law specifies that a project labor agreement required by a public authority may not require compulsory labor organization membership of employees working on the public works project.

Lastly, this law specifies that a bidder for a public works project that does not agree to abide by the conditions of a project labor agreement or refuses to negotiate a project labor agreement may not be regarded as a responsible qualified bidder for the project.

LD 1572 An Act To Enact the Maine Fair Chance Housing Act

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R BELLOWS S		

This bill establishes the Maine Fair Chance Housing Act, the purpose of which is to ensure that a person is not denied housing based solely on the existence of a history of criminal convictions. This bill prohibits a housing provider from considering an applicant's criminal history until after the housing provider determines that the applicant meets all other qualifications for tenancy.

Under this bill, a person who is aggrieved by a violation of the Maine Fair Chance Housing Act by a housing provider may file a grievance with the Maine Human Rights Commission and, if it is a violation by a private housing provider, may bring a civil action in court.