



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1564

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S.P. 499

In Senate, April 16, 2019

**An Act To Authorize Project Labor Agreements for Public Works  
Projects**

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Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by President JACKSON of Aroostook.

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

2 **Sec. 1. 26 MRSA c. 43** is enacted to read:

3 **CHAPTER 43**

4 **PROJECT LABOR AGREEMENTS**

5 **§3501. Project labor agreements for public works projects**

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

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

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

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

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

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

19 C. The prevention of construction delays;

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

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

23 F. Employment opportunities for the community.

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

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

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

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

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

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

