

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 753

H.P. 555

House of Representatives, March 14, 1989

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script, appearing to read 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Speaker MARTIN of Eagle Lake.

Cosponsored by Representative PINEAU of Jay, Representative ERWIN of Rumford and President PRAY of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

**An Act to Promote the Prompt and Peaceful Settlement of Labor
Disputes.**

(EMERGENCY)



1 **Emergency preamble.** Whereas, Acts of the Legislature do not
2 become effective until 90 days after adjournment unless enacted
3 as emergencies; and

4 Whereas, the employment of professional strikebreakers
5 endangers the order and public peace of the State and the sense
6 of harmony in the State's communities and creates an atmosphere
7 of tension, particularly in areas affected by labor disputes; and
8

9 Whereas, the mass replacement of striking workers by
10 professional strikebreaking firms may provoke striking workers
11 and encourage strike-related violence on a large scale,
12 potentially beyond the control of the limited resources of local
13 law enforcement agencies; and
14

15 Whereas, this legislation is urgently needed to clarify and
16 improve existing law and to promote the peace and good order of
17 the State; and
18

19 Whereas, in the judgment of the Legislature, these facts
20 create an emergency within the meaning of the Constitution of
21 Maine and require the following legislation as immediately
22 necessary for the preservation of the public peace, health and
23 safety; now, therefore,
24

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

26 **Sec. 1. 26 MRSA §852-A is enacted to read:**

27 §852-A. Professional strikebreaking prohibited

28 1. Definitions. As used in this section, unless the
29 context otherwise indicates, the following terms have the
30 following meanings.

31 A. "Strikebreaking activity" means the offering or
32 supplying of persons to perform the tasks normally assigned
33 to employees involved in a labor dispute, strike or lockout.

34 2. Professional strikebreaking activity prohibited. No
35 person, partnership, union, agency, firm, corporation or other
36 legal entity may perform strikebreaking activities if that entity
37 has contracted on at least 3 occasions within the previous 5
38 years to supply 100 or more employees to an employer involved in
39 a labor dispute to perform tasks normally assigned to employees
40 involved in the labor dispute.

41 **Sec. 2. 26 MRSA §855-A is enacted to read:**

42 §855-A. Civil action; injunctive or other relief

