

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 316

H.P. 236

House of Representatives, January 31, 1995

An Act to Forbid an Employer from Hiring Replacement Workers during a Strike.

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Representatives: ADAMS of Portland, BERRY of Livermore, BOUFFARD of Lewiston, BRENNAN of Portland, CHASE of China, CLARK of Millinocket, DRISCOLL of Calais, FISHER of Brewer, GWADOSKY of Fairfield, HATCH of Skowhegan, HICHBORN of LaGrange, JACQUES of Waterville, JONES of Bar Harbor, JOSEPH of Waterville, KEANE of Old Town, LEMAIRE of Lewiston, LEMKE of Westbrook, LUTHER of Mexico, MARTIN of Eagle Lake, MERES of Norridgewock, MITCHELL of Vassalboro, POULIOT of Lewiston, ROSEBUSH of East Millinocket, SAMSON of Jay, STEVENS of Orono, THOMPSON of Naples, TUTTLE of Sanford, Senators: BUSTIN of Kennebec, CAREY of Kennebec, ESTY of Cumberland, LAWRENCE of York, McCORMICK of Kennebec, MICHAUD of Penobscot, O'DEA of Penobscot, PARADIS of Aroostook, RAND of Cumberland, RUHLIN of Penobscot.

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

4 **Sec. 1. 26 MRSA §595, sub-§1, ¶B,** as enacted by PL 1987, c. 558, §1, is repealed.

6 **Sec. 2. 26 MRSA §595, sub-§4,** as enacted by PL 1987, c. 558, §1, is repealed.

8 **Sec. 3. 26 MRSA §595, sub-§4-A** is enacted to read:

10 **4-A. Hiring off-site not permitted.** An employer involved
12 in a labor dispute, strike or lockout may not perform hiring
14 activities while the labor dispute, strike or lockout is in
progress.

16 **Sec. 4. 26 MRSA §595, sub-§5,** as enacted by PL 1987, c. 558, §1, is repealed.

18 **Sec. 5. 26 MRSA §595, sub-§6** is enacted to read:

20 **6. Picketing of residence or dwelling prohibited.** It is
22 unlawful for a person to engage in picketing before or about the
24 residence or dwelling place of an individual. This subsection
does not prohibit the following:

26 A. The picketing in a lawful manner during a labor dispute
28 of the place of employment involved in a labor dispute; or

30 B. The holding of a meeting or assembly on premises used
for the discussion of subjects of general public interest.

32 **STATEMENT OF FACT**

34 This bill prohibits an employer from hiring replacement
36 workers during a labor dispute and also prohibits a person from
picketing before the residence of an individual.