

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 475

H. P. 374

House of Representatives, February 9, 1979

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hobbins of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to Injunctions in Labor Disputes.

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

26 MRSA § 5, first sentence, as last amended PL 1975, c. 623, § 35-A, is further amended to read:

No court nor any judge or judges thereof shall issue a preliminary or permanent injunction in any case involving or growing out of a labor dispute except after hearing the testimony of witnesses in open court with opportunity for cross-examination and after a showing that such injunction is necessary to avoid a substantial and irreparable injury to the complainant's property, **and that the public officers charged with the duty to protect complainant's property are unable or unwilling to furnish adequate protection.**

STATEMENT OF FACT

This bill will discourage the use of labor injunctions by private parties when public officials are able to furnish adequate protection.