

# MAINE STATE LEGISLATURE

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RMS

L.D. 136

DATE: 4-3-00

(Filing No. H-1018)

MAJORITY  
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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
119TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 105, L.D. 136, Bill, "An Act to Forbid Hiring Replacement Workers during a Strike"

Amend the bill by striking out the title and substituting the following:

'An Act Relating to Employment Contracts'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 14 MRSA §169 is enacted to read:

**§169. Invalidation of contracts**

A contract of employment is invalid and unenforceable if it prevents an employer from rehiring employees displaced during a labor dispute and from removing workers who were hired to replace the displaced employees.

A cause of action does not lie in law or equity to require an employer to retain an employee or employees hired to replace workers who participated in a labor dispute.'

Further amend the bill by inserting at the end before the summary the following:

**COMMITTEE AMENDMENT**

R. & S.

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**FISCAL NOTE**

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This bill may decrease the number of civil suits filed in the court system. The Judicial Department may realize some minor savings from reductions of workload and administrative costs associated with the minimal number of cases that will no longer be filed. Reductions in the collection of filing fees may decrease General Fund revenue by minor amounts.

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The additional costs associated with providing assistance in any labor disputes can be absorbed by the Department of the Attorney General utilizing existing budgeted resources.'

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**SUMMARY**

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This amendment replaces the bill. It invalidates a contract that attempts to prevent an employer from rehiring employees displaced during a labor dispute and from removing workers who were hired to replace striking employees. It specifies that no cause of action lies in state courts to require an employer to retain an employee or employees hired to replace workers who participate in a labor dispute.

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The amendment also adds a fiscal note to the bill.