

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 132

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*House of Representatives, Feb. 4, 1913.*

*Tabled pending reference to a committee by Mr. Irving of  
Caribou and ordered printed.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTEEN.

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AN ACT to regulate by arbitration strikes, lockouts and dis-  
putes between employers and employees of Public Utilities.

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

Section 1. When by reason of disputes, strikes or lock-  
2 outs between employers and employees of any Public Utility  
3 a cessation of the work, or a suspension of the supply of  
4 any of the necessary public service for which such Public  
5 Utility is intended to furnish, is occasioned thereby to any  
6 section of the state, depending upon such Utility, the com-  
7 mission, or application of any member or the inhabitants of

8 such section of the state effected by such dispute, strike or  
9 lockout, shall immediately investigate the causes of such dis-  
10 pute, strike or lockout, and the conditions of general busi-  
11 ness or public services that may or do result therefrom, and,  
12 thereupon after such investigation, if the commission find  
13 that by such dispute, strike or lockout, there is, or may be  
14 a cessation of the work, or a suspension of the supply of  
15 any of the necessary public services for which such Public  
16 Utility is intended, and that the general business interests  
17 and public service intended by such Utility to furnish and  
18 supply is or will be delayed, endangered, injured or de-  
19 stroyed, the commission shall report the same to the gover-  
20 nor of the State; and the commission may then on such ap-  
21 plication, or upon further application of the employers or  
22 employees of such Public Utility, assign a time and place  
23 for hearing the reasons for such dispute, strike or lockout,  
24 reasonable notice to all parties interested therein to be first  
25 given. The commission may summon such witnesses as may  
26 be necessary to a full hearing of the controversy as full as  
27 may be had in a court of law; and after a full hearing shall  
28 decide what change in wages of hours and time of labor,  
29 for the employees is just; and what change in rates of ser-  
30 vice for such Public Utility is necessary; and tabulate the  
31 same and publish a list thereof, and give copies of the same  
32 to all the employees and the Public Utility. The decision  
33 of the commission shall be final on all parties, except in  
34 matters of law raised at the hearing and reserved on ex-

35 ceptions to the law court as from trial of a cause in court.

When the report of the commission to the governor is,  
37 that a strike, or lockout exists with the Public Utility against  
38 which application is made, and that by reason thereof a  
39 cessation of the work, and the suspension of the supply of  
40 any of the necessary public service for which such Public  
41 Utility is intended to furnish is occasioned thereby, and the  
42 general business interests, and public service intended by  
43 such Public Utility to furnish and supply is delayed, and  
44 will be delayed, endangered, injured or destroyed for an  
45 indefinite period, and the Public Utility by reason of such  
46 strike or lockout, cannot or will not provide for and restore  
47 adequate and safe public service as intended by the law un-  
48 der which such Public Utility operates by inability or re-  
49 fusal to retain or employ suitable and safe workmen in any  
50 and all departments of the industry of such Public Utility,  
51 the governor, by and with consent of the council, may pro-  
52 vide, forthwith, for the retention of, or the employment of  
53 all necessary laborers for such Public Utility, on notice by  
54 him to the striking employees of such Public Utility to re-  
55 turn to and continue in their several positions, and the em-  
56 ployment by him of such other additional workmen as he  
57 may find necessary, the respective wages of all such work-  
58 men to be such as may be decided and tabulated by the com-  
59 mission upon full hearing and to be paid by such Public  
60 Utility under direction of the Governor.

Wilfull refusal by any employee, after notice received by

62 him from the Governor as provided, to return to and con-  
63 tinue in his position as workmen in said Public Utility shall  
64 be a misdemeanor subject to a penalty of not more than five  
65 dollars per day for each day's refusal, or not more than  
66 thirty days in jail, to be by complaint or indictment; and a  
67 refusal or neglect of such Public Utility to acquiesce in,  
68 and to co-operate with the governor, after such notice by  
69 the governor is received by such Public Utility, shall be a  
70 wilfull suspension of its public duties and a receiver or re-  
71 ceivers therefor shall be appointed, in the same manner as is  
72 provided in case of the dissolution of a corporation, until a  
73 compliance with such notice, or a further of court.

And whereas in the opinion of the Legislature the enact-  
75 ment of this act is an emergency measure which is imme-  
76 diately necessary for the preservation of the public peace,  
77 health and safety therefore this act shall take effect when  
78 approved.