

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 4, 1985.

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## CHAPTER 66

H.P. 751 - L.D. 1057

AN ACT to Restrict the Payment of  
Unemployment Compensation Benefits to  
Workers Who are on Strike.

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

26 MRSA §1193, sub-§4, as amended by PL 1983, c. 351, §17, is further amended to read:

4. Stoppage of work. For any week with respect to which the deputy, after notification by the Director of Unemployment Compensation pursuant to under section 1194, subsection 2, finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment or other premises at which he is or was employed, or there would have been a stoppage of work had substantially normal operations not been maintained with other personnel previously and currently employed by the same employer and any other additional personnel which the employer may hire to perform tasks not previously done by the striking employees. This subsection ~~shall~~ does not apply if it is shown to the satisfaction of the deputy that:

A. He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work;

B. He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute;

C. He has obtained employment subsequent to the beginning of the stoppage of work and has earned at least 8 times his weekly benefit amount or has

been in employment by an employer for 5 full weeks; or

D. He became unemployed because of a strike or lockout caused by an employer's willful failure to observe the terms of the safety and health section of a union contract; an employer's willful failure to comply in a timely fashion with an official citation for a violation of federal and state laws involving occupational safety and health; or the quitting of labor by an employee or employees in good faith because of an abnormally dangerous condition for work at the place of employment of that employee or employees; provided that the strike or lockout shall not extend past the time of the employer's compliance with the safety and health section of the union contract, the employer's compliance with the official citation, or the finding that an abnormally dangerous condition does not exist by a federal or state official empowered to issue official citations for violation of federal and state laws involving occupational safety and health.

If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment or other premises;

Effective September 19, 1985.

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## CHAPTER 67

H.P. 296 - L.D. 385

AN ACT to Permit the Department of  
Corrections to Accept Certain  
Categories of United States  
Prisoners.

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

Sec. 1. 34-A MRSA §1403, sub-§8 is enacted to read: