

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION
December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION
January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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

J.S. McCarthy Company
Augusta, Maine
1992

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND SPECIAL SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 52

S.P. 791 - L.D. 1989

Resolve, Authorizing the Transfer of Corporate Rights from Great Northern Nekoosa Corporation to Great Northern Paper, Incorporated

Sec. 1. Transfer of assets. Resolved: That the rights, privileges, immunities and franchises granted to Great Northern Nekoosa Corporation, and to its predecessors in interest, by the State and necessary or convenient to the ownership or operation of its properties in the State, other than those otherwise granted to a corporation under the Maine Revised Statutes, Title 13-A, are hereby deemed to run with the physical assets of that corporation located in the State and necessary to produce paper and that upon transfer of those assets the Legislature confirms the transfer of the rights, privileges, immunities and franchises to the successor in title of those assets; and be it further

Sec. 2. Retroactivity. Resolved: That this Resolve applies retroactively to December 18, 1991.

Effective April 7, 1992.

CHAPTER 53

H.P. 139 - L.D. 199

Resolve, to Establish the Commission to Study the Use of Professional Strikebreakers

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the past use of professional strikebreakers to replace striking employees in the State created an atmosphere of tension and resentment within the State and raised complex issues which need to be studied by the Legislature; and

Whereas, the study proposed by this resolve must be completed in time for a report to be submitted to the Second Regular Session of the 115th Legislature and therefore it is essential that this study be initiated as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission to Study the Use of Professional Strikebreakers is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 7 members:

1. One representative of the executive branch appointed by the Governor;
2. One representative of organized labor appointed by the Governor;
3. One representative of employers appointed by the Governor;
4. Three members of the Legislature appointed jointly by the President of the Senate and the Speaker of the House of Representatives; and
5. One retired judge or justice appointed by the Chief Justice of the Supreme Judicial Court; and be it further

Sec. 3. Appointments; meeting. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The President of the Senate and the Speaker of the House of Representatives jointly shall appoint the chair of the commission from among its members. When the appointment of all of the members of the commission is completed, the chair of the commission shall call the first meeting not later than August 15, 1991; and be it further

Sec. 4. Duties. Resolved: That the commission shall study the use of professional strikebreakers in labor disputes and evaluate its impact upon collective bargaining between employees and their employers. If the commission finds that the use of professional strikebreakers upsets the balance of bargaining power between employees and employers and contributes to the potential for violence during labor disputes, the commission shall investigate and recommend ways in which the potential for violence may be reduced by achieving a proper balance of bargaining power within the constraints of federal preemption under the National Labor Relations Act or other federal laws; and be it further

Sec. 5. Report. Resolved: That the commission shall submit its report, together with any necessary implementing legislation, to the Second Regular Session of the 115th Legislature and to the Office of the Executive Director of the Legislative Council by November 1, 1991; and be it further

Sec. 6. Staff assistance. Resolved: That the commission may contract with a consultant to provide professional services in carrying out its duties subject to