Testimony of Jake Lachance
Before the Joint Standing Committee on Judiciary
In Opposition to Sections A-59, A-60, A-61, and A-62, L.D. 1984, "An Act to Correct Inconsistencies, Conflicts and Errors in the Laws of Maine"

Sen. Carney, Rep. Kuhn, and other distinguished members of the committee, my name is Jake Lachance, a Government Relations Specialist with the Maine State Chamber of Commerce, which represents a network of over 5,000 businesses across the State of Maine. Thank you for providing an opportunity to present testimony in strong opposition to Sections A-59 through A-62 of LD 1984, which propose sweeping and problematic amendments to the state's current labor laws.

These sections attempt to expand long-standing provisions concerning labor strikes and lockouts by introducing the term "labor dispute," a term that is notably undefined in the legislation. This insertion not only expands the scope of the law inappropriately but risks creating confusion, overreach, and unintended consequences for Maine's employers and labor relations.

To start, I want to point out that the Chamber does not see the changes made to this section as errors or inconsistencies. These, in fact, are substantial changes that have a long-storied history in the State of Maine. These changes, at the very least, should be taken out of this legislation and given their own public hearing to give the issue the time and attention it deserves. Additionally, the expansion from "strike or lockout" to "labor dispute, strike or lockout" is far from a mere technical correction. It is a profound and far-reaching policy change that effectively transforms the statute from addressing exceptional, disruptive labor actions to covering virtually any conflict or disagreement between labor and management.

Under current Maine law, sections like 26 MRSA §851 explicitly frame the state's policy around strikes and lockouts, focusing on maintaining public order and ensuring fair play during these highly specific labor actions. However, the changes proposed in LD 1984 would extend this framework to cover "labor disputes," a much broader and ambiguous category. Unlike strikes or lockouts, which are clearly defined and legally recognized, a "labor dispute" could encompass a wide array of situations—potentially including minor disagreements, grievances, or even routine labor-management interactions. This shift dramatically alters the intent and function of the law.

The absence of a clear, statutory definition of "labor dispute" introduces significant legal uncertainty. Without clear boundaries, businesses and workers alike would be left guessing as to what qualifies as a "dispute" under these provisions. This ambiguity could chill legitimate

business operations, hinder routine employment negotiations, and expose employers to undue legal risks simply for engaging in normal human resources or labor-management processes.

Finally, I urge the Committee to consider the practical implications of this change. By blurring the lines between a “dispute” and a strike or lockout, LD 1984 risks creating unnecessary conflict in Maine’s labor environment. It would effectively elevate minor issues to the level of strikes or lockouts, triggering legal prohibitions and constraints designed for genuinely disruptive labor actions. This is an overreach that our state’s businesses, workers, and legal system are ill-prepared to manage.

For these reasons, I strongly oppose Sections A-59 through A-62 of LD 1984. I urge this Committee to reject these provisions and instead consider narrowly tailored revisions that respect the original intent of Maine’s labor laws while preserving clarity, fairness, and balance in our labor relations.

Thank you for your consideration.