

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 962

6
7 S.P. 354

In Senate, March 8, 1985

8 Referred to the Committee on Labor and ordered printed. Sent down for
9 concurrence.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Tuttle of York.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Provide Retraining Opportunities to
18 Persons Whose Employment Terminates as
19 a Result of a Plant Closing.
20

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

23 26 MRSA §625-B, sub-§2-A is enacted to read:

24 2-A. Retraining Assistance Fund. There is cre-
25 ated a Retraining Assistance Fund that shall be ad-
26 ministered by the director and used for payments au-
27 thorized under this subsection.

28 A. The money in the Retraining Assistance Fund
29 shall be used by the director for the provision
30 of training and supportive services necessary to
31 enable participation in training for individuals
32 displaced from employment as a result of the ter-
33 mination or relocation of a covered establish-
34 ment.

1 B. Any employer who relocates or terminates a
2 covered establishment shall contribute to the Re-
3 training Assistance Fund an amount equal to 10%
4 of the total wages paid during the previous
5 12-month period to all employees eligible for
6 severance pay under this section.

7 C. Any interest earned by money held in the Re-
8 training Assistance Fund shall be maintained in
9 that fund.

10 D. The director may waive in whole or in part
11 payments required by this subsection upon the re-
12 quest of the liable employer, if it is shown by
13 clear and convincing evidence that the granting
14 of the waiver will prevent the depletion of as-
15 sets necessary for the employer to make severance
16 payments to eligible employees required by this
17 section.

18 No waiver may be granted until a public hearing
19 has been held in accordance with the Maine Admin-
20 istrative Procedure Act, Title 5, chapter 375, in
21 the affected community.

22 STATEMENT OF FACT

23 This bill provides for the creation of a Retraining
24 Assistance Fund to be used for the retraining of
25 workers displaced from employment because of a plant
26 closing. The fund is to be financed by contributions
27 from employers terminating or relocating a covered
28 establishment. No contribution is required if the
29 closing is a result of a physical calamity or bank-
30 ruptcy, or on the wages of any employees ineligible
31 for severance pay under the existing provisions of
32 the Maine Revised Statutes, Title 26, section 625-B.

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