

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 367

H.P. 265

House of Representatives, January 31, 1995

An Act to Promote Industry in the State by Creating Industry Specialists.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative REED of Dexter.
Cosponsored by Representatives: BARTH of Bethel, CROSS of Dover-Foxcroft,
DONNELLY of Presque Isle, GIERINGER of Portland, GUERRETTE of Pittston,
KNEELAND of Easton, LIBBY of Kennebunk, MAYO of Bath, McALEVEY of Waterboro,
PINKHAM of Lamoine, SPEAR of Nobleboro, STROUT of Corinth, TRUE of Fryeburg,
TUFTS of Stockton Springs, VIGUE of Winslow.

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

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Sec. 1. 5 MRSA §13062-B is enacted to read:

§13062-B. Industrial Service Program

1. Industrial Service Program; establishment. The Industrial Service Program is established in the Office of Business Development in the department. Staff is provided at the discretion of the commissioner. The Industrial Service Program may seek and accept funds from outside sources for carrying out this section.

2. Program duties. The duties of the Industrial Service Program include, but are not limited to:

A. Assisting, upon the request of a private business, in alleviating adverse conditions that threaten to cause a large loss of employment, plant closure or failure by a private business, including, but not limited to, site-specific problems, loss of markets, out-moded production technologies, poor management and changes in ownership;

B. When a large loss of employment, plant closure or business failure is unavoidable, assisting efforts to secure alternative employment and retraining opportunities for displaced workers, including, but not limited to, coordinating the delivery of available state and federal resources and services;

C. Assisting, upon the request of local communities affected by major plant closures, employment losses or business failures, in finding new uses for idled plants or facilities and in fostering long-term economic vitality, industrial growth and job creation in those communities;

D. Overseeing an early warning system to identify industries and businesses likely to experience large losses in employment or plant closures by collecting and analyzing information that may include, but is not limited to: products and markets experiencing declining growth rates; companies and industries subject to competition from other states; changes in ownership; layoff and employment patterns; payments of unemployment compensation contributions; and state tax payments; and

E. Cooperating with all other state, federal and local agencies, departments and commissions, as is necessary to carry out its duties and purposes.

2 3. Cooperation with other state agencies. In performing
3 the duties of this section, the Industrial Service Program staff
4 may work with the Finance Authority of Maine and the State
5 Planning Office for the following:

6 A. Assessing the viability of a business likely to
7 experience a large loss of employment, plant closure or
8 failure, and developing an adjustment strategy to keep the
9 business viable and maintain employment; and

10 B. Securing new ownership or new management or both
11 necessary to keep the business in operation as a viable
12 business and maintain employment.

13 On behalf of the Industrial Service Program, the commissioner may
14 contract for private consultants if it is determined that a
15 business is unable to pay for these services or the commissioner
16 can not obtain services of sufficient quality and with sufficient
17 speed from an existing state agency, department, office or other
18 public instrumentality to properly perform the duties.

19 4. Documentary materials, data or conversations regarding
20 business operations; not public records. Any documentary
21 materials, data or conversations made or received by any employee
22 of the Industrial Service Program and consisting of, or to the
23 extent that those materials, data or conversations consist of,
24 trade secrets or commercial or financial information regarding
25 the operation of any business conducted by an applicant for
26 assistance that the Industrial Service Program is empowered to
27 render or regarding the competitive position of that applicant in
28 a particular field of endeavor are not public records of the
29 program.

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38 **STATEMENT OF FACT**

39 This bill establishes the Industrial Service Program in the
40 Department of Economic and Community Development. The program
41 assists businesses in alleviating adverse conditions that
42 threaten to cause a large loss of employment.