

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 392

H.P. 308

House of Representatives, January 26, 2007

**An Act To Establish Penalties for Violation of the Severance Pay
Law**

Submitted by the Department of Labor pursuant to Joint Rule 204.
Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CLARK of Millinocket.
Cosponsored by Senator DAMON of Hancock and
Representatives: BARSTOW of Gorham, HARLOW of Portland, KOFFMAN of Bar Harbor,
MIRAMANT of Camden, RAND of Portland, Senator: BRYANT of Oxford.

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

2 **Sec. 1. 26 MRSA §625-B, sub-§6-A**, as enacted by PL 1981, c. 337, is amended
3 to read:

4 **6-A. Notice to employees and municipality.** ~~Any~~ A person proposing to terminate
5 or to relocate a covered establishment outside the State shall notify employees, and the
6 municipal officers of the municipality where the plant is located, in writing not less than
7 60 days prior to the termination or relocation. ~~Any~~ A person ~~violating~~ that violates this
8 provision commits a civil violation for which a ~~forfeiture~~ fine of not more than \$500 may
9 be adjudged, ~~provided~~ except that ~~no forfeiture~~ a fine may not be adjudged if the
10 relocation is necessitated by a physical calamity, or if the failure to give notice is due to
11 unforeseen circumstances.

12 **Sec. 2. 26 MRSA §625-B, sub-§9** is enacted to read:

13 **9. Penalties.** A person that violates a provision of this section, except for subsection
14 6-A, commits a civil violation for which a fine of not more than \$1,000 per violation may
15 be adjudged. Each employee affected constitutes a separate violation.

16 **SUMMARY**

17 Current law requires a person proposing to relocate a business outside of the State to
18 provide notice of the relocation to the employees of that business and the officers of the
19 municipality in which the business is located. This bill requires the same notice if the
20 person terminates the business. This bill also provides penalties for noncompliance with
21 the severance pay law.