

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1681

S.P. 587

March 22, 2007

An Act To Preserve and Grow Maine Jobs

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SCHNEIDER of Penobscot.
Cosponsored by Senators: COURTNEY of York, ROTUNDO of Androscoggin,
Representatives: BEAULIEU of Auburn, CLEARY of Houlton, MacDONALD of Boothbay,
PRESCOTT of Topsham, SAMSON of Auburn, SILSBY of Augusta.

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

2 **Sec. 1. 5 MRSA §13070-P** is enacted to read:

3 **§13070-P. Return of public funds to the State**

4 A business that has received an economic development incentive from the State, as
5 defined by section 13070-J, subsection 1-D, that goes out of business and relocates its
6 business to another location inside or outside of the State, consolidates and closes one of
7 its facilities or consolidates into a single facility, leaving another facility vacant and that
8 had a minimum of 100 employees during the 3-year period immediately preceding the
9 time of the business closure, must either:

10 1. Reimburse State. Reimburse the State for the full amount of economic
11 development incentives distributed to the business; or

12 2. New owner or new business. Work in good faith with the Governor and the
13 Commissioner of Economic and Community Development to find a new owner for the
14 business or locate a new business to take its place in the same area of the State.

15 If the Governor determines that the business has failed to work in good faith to find a new
16 owner or locate a new business to take its place within 2 months following the business
17 closure or consolidation, the Governor may request that the parties enter mediation. If the
18 Governor determines that the business has not worked in good faith to satisfy the
19 requirements of paragraph 2, the Governor may require the business to reimburse the
20 State for the full amount of economic development incentives distributed to the business.

21 **SUMMARY**

22 This bill requires a business that is closing and relocating to another part of the State
23 or consolidating and closing its facilities or leaving a facility vacant, and that has received
24 an economic development incentive from the State and had a minimum of 100 employed
25 workers during the 3-year period immediately preceding the time of the business closure
26 to either reimburse the State for the full amount of economic development incentives the
27 State has distributed to the business or work in good faith with the Governor and the
28 Commissioner of Economic and Community Development to find a new owner for the
29 business or locate a new business to take its place in the same area of the State.