# MAINE STATE LEGISLATURE

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## 128th MAINE LEGISLATURE

#### FIRST REGULAR SESSION-2017

**Legislative Document** 

No. 487

H.P. 350

House of Representatives, February 9, 2017

#### An Act To Promote Keeping Workers in Maine

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

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative SCHNECK of Bangor. Cosponsored by Senator BELLOWS of Kennebec and

Representatives: HANINGTON of Lincoln, KORNFIELD of Bangor, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MARTIN of Sinclair, MASTRACCIO of Sanford,

STANLEY of Medway, Senator: COLLINS of York.

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

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2	CONCEPT DRAFT
3	SUMMARY
4	This bill is a concept draft pursuant to Joint Rule 208.
5 6 7 8 9	This bill proposes to regulate the use of so-called noncompete agreements, which are contracts entered into by an employee prohibiting the employee from working in the same or a similar profession within a time certain after leaving employment with the employer and within a specified geographical area. This bill would restrict the use of noncompete agreements by public and private employers by:
10	1. Prohibiting their use for low-wage employees;
11 12	2. Requiring employers to include in any advertisement for a job a statement that the person hired will be required to sign a noncompete agreement;
13 14 15	3. Requiring employers to notify prospective employees of the noncompete requirement and provide a copy of the noncompete agreement before extending a job offer;
16 17	4. Requiring employers to provide additional compensation to those employees who agree to sign a noncompete agreement;
18 19	5. Restricting the use of noncompete agreements to those situations when they are necessary to protect trade secrets or confidential information held by that employer;
20 21	6. Limiting the duration of noncompete agreements so that they would have to be renegotiated and agreed to after a certain period of time; and
22 23 24	7. Allowing an employee harmed by the unlawful use of a noncompete agreement to bring suit against the employer and, if the employee prevails, be awarded damages, attorney's fees and court costs.