

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 596

S.P. 183

In Senate, February 5, 2019

An Act To Prevent the Closure of Maine Businesses

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President JACKSON of Aroostook.
Cosponsored by Representative SYLVESTER of Portland and
Senator: BELLOWS of Kennebec.

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

2 **Sec. 1. 26 MRSA §625-B, sub-§6-B** is enacted to read:

3 **6-B. Offer of sale.** The closing of a covered establishment is governed by this
4 subsection.

5 A. A person proposing to close a covered establishment shall make a good faith offer
6 of sale, at fair market value, of the facility and equipment and all inventory,
7 proprietary equipment and software necessary to continue the efficient and successful
8 operation of the covered establishment to an interested employee organization or to a
9 privately owned business entity, government-owned business entity or jointly owned
10 business entity.

11 B. A covered establishment must be listed for sale in accordance with paragraph A
12 for up to one year or until it is purchased, whichever occurs first.

13 C. An employer may not discriminate against an employee regarding the employee's
14 terms and conditions of employment because the employee, acting in good faith,
15 reports to the director information concerning a possible violation of this subsection.

16 **SUMMARY**

17 This bill requires that a person proposing to permanently shut down an industrial or
18 commercial facility make an offer of sale, at fair market value, of the facility and
19 equipment to an interested employee organization or to a privately owned business entity,
20 government-owned business entity or jointly owned business entity.