

MAINE STATE LEGISLATURE

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STATE OF MAINE
MAINE, MAINE



OFFICE OF
THE GOVERNOR

NO. 10 FY 11/12
DATE January 20, 2011

**AN ORDER ABOLISHING THE JOINT ENFORCEMENT
TASK FORCE ON EMPLOYEE MISCLASSIFICATION**

WHEREAS, the Joint Enforcement Task Force on Employee Misclassification was established by Executive Order 23 FY 08/09, dated January 14, 2009;

WHEREAS, the classification of individuals either as "employees" or as "independent contractors" is a matter determined in the first instance by the Legislature, through statutory definitions;

WHEREAS, in the event of statutory ambiguity or factual disputes, Executive Department agencies through rulemaking and the courts through adjudication play a role in determining appropriate classifications of individuals;

WHEREAS, there is no need for a Task Force, an extra layer of bureaucracy, to take actions on a matter within the shared jurisdiction of the Legislature, the Executive Department and the Judicial Department;

WHEREAS, the existence of the Task Force on Employee Misclassification has created uncertainty within the business community; and

WHEREAS, any determinations made by the Task Force may be negated or altered by forthcoming legislation;

NOW, THEREFORE, I, Paul R. LePage, Governor of the State of Maine, hereby order as follows:

1. Executive Order 23 FY 08/09, dated January 14, 2009, is hereby rescinded, effective immediately.
2. The Joint Enforcement Task Force on Employee Misclassification is hereby abolished, effective immediately.

The effective date of this Executive Order is January 20, 2011.


Paul R. LePage, Governor