

MAINE STATE LEGISLATURE

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Date: 4-9-19

(Filing No. H-78)

MAJORITY
LABOR AND HOUSING

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 631, L.D. 857, Bill, "An Act To Increase Accountability for Wage Violations"

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Amend the bill in section 1 by striking out all of the first paragraph (page 1, lines 4 to 10 in L.D.) and inserting the following:

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'Whoever violates any of the provisions of sections 621-A to 623 or section 626, 628, 629 or 629-B is subject to a forfeiture fine of not less than \$100 nor more than \$500 for each the first violation and a fine of not less than \$500 and not more than \$2,500 for each subsequent violation.'

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Amend the bill in section 2 in §670 in the 2nd to the last line (page 1, line 18 in L.D.) by striking out the following: "3 times" and inserting the following: 'twice'

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Amend the bill by striking out all of section 3 and inserting the following:

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'Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

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LABOR, DEPARTMENT OF
Regulation and Enforcement 0159

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Initiative: Provides ongoing funds for 4 Labor and Safety Inspector positions within the wage and hour division of the Bureau of Labor Standards beginning October 1, 2019.

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GENERAL FUND	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$238,107	\$332,471
All Other	\$26,000	\$26,000
GENERAL FUND TOTAL	\$264,107	\$358,471

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment changes the fine structure proposed in the bill from a \$2,500 fine for each subsequent violation of the various wage and hour laws to a fine of at least \$500 but not more than \$2,500 for each subsequent violation. It also strikes new language added by the bill regarding a civil action remedy for violations of various wage and hour laws. It reduces the liquidated damages available in a civil action to collect unpaid minimum wages from 3 times the amount of unpaid wages, as proposed by the bill, to twice the amount of unpaid wages, and it reduces the Labor and Safety Inspector positions added to the bill from 10 to 4.

FISCAL NOTE REQUIRED

(See attached)



129th MAINE LEGISLATURE

LD 857

LR 1994(02)

An Act To Increase Accountability for Wage Violations

Fiscal Note for Bill as Amended by Committee Amendment *A(H-78)*
 Committee: Labor and Housing
 Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$264,107	\$358,471	\$370,107	\$382,151
Appropriations/Allocations				
General Fund	\$264,107	\$358,471	\$370,107	\$382,151

Correctional and Judicial Impact Statements

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.

Fiscal Detail and Notes

This bill includes General Fund appropriations of \$264,107 in fiscal year 2019-20 and \$358,471 in fiscal year 2020-21 to the Regulation and Enforcement program within the Department of Labor for 4 Labor and Safety Inspector positions for enforcement of wage and hour laws.