

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1278

H. P. 1011

House of Representatives, March 20, 1975

Referred to Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Goodwin of So. Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Compliance with Federal Fair Labor Standards Act as to Working Patients of Mental Health Institutes and the Pineland Center and Appropriating Funds Therefor.

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

Sec. 1. 34 MRSA § 13 is enacted to read:

§ 13. Employment of patients, payment

Any person committed or otherwise admitted to the Augusta Mental Health Institute, Bangor Mental Health Institute or Pineland Center, who in the performance of work at any such institution comes within the definition of "employee" under Title 29, U.S.C. § 201 et seq., "The Fair Labor Standards Act," and amendments thereto and any regulations promulgated thereunder by the Secretary of the United States Department of Labor and amendments thereto, shall be paid by the employing institution for such work in accordance with the wage and hour provisions of said "Fair Labor Standards Act" and regulations promulgated thereunder.

Any work performed by any person committed or otherwise admitted to any of the above institutions shall be undertaken voluntarily.

Any person compensated for work performed under the authority of this section may be charged for care and treatment in accordance with chapter 195.

Sec. 2. Appropriation. There is appropriated to the Department of Mental Health and Corrections from the General Fund the sum of \$450,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1975-76	1976-77
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
Augusta Mental Health Institute		
All Other	\$101,000	\$101,000
Bangor Mental Health Institute		
All Other	61,500	61,500
Pineland Center		
All Other	62,500	62,500
	<hr/> \$225,000	<hr/> \$225,000

STATEMENT OF FACT

As a result of recent litigation concluded in the United States District Court for the District of Maine, patients at the Augusta Mental Health Institute, Bangor Mental Health Institute and Pineland Center, who engage in work of economic benefit to such institutions within the contemplation of the Fair Labor Standards Act, are entitled to be paid in accordance with the wage and hour provisions of 29 U.S.C. § 201 et seq. (The Fair Labor Standards Act). This Act recognizes the necessity for compliance with the Fair Labor Standards Act and appropriates funds to permit such compliance.