

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1081

H. P. 915

House of Representatives, March 2, 1981

Submitted by the Department of Manpower Affairs pursuant to Joint Rule 24.

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Beaulieu of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Relating to Unfair Wage Agreements under Employment Practices Law.

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

26 MRSA § 629 is amended by adding after the first paragraph, two new paragraphs to read:

**For purposes of this subchapter, the word "debt" means a benefit to the employee. Debt does not mean such items as cash shortages, inventory shortages, dishonored checks, dishonored credit cards, damages to the employer's property in any form or any merchandise purchased by a customer.**

**An employer shall be liable to the employees for the amount returned to the employer as prohibited in this section.**

STATEMENT OF FACT

A recent court case found the statutory language regarding unfair agreements under the employment practices laws to be unclear and ambiguous. The court was particularly concerned that the law be clear where a criminal liability is imposed on a defendant, as the statute at the time of the case did impose.

While the Maine Revised Statutes, Title 26, section 629 no longer imposes a criminal liability, the need remains to clarify the language of this statute.