

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 3/30/94

(Filing No. S-563)

LABOR

Reported by: Senator Begley of Lincoln

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to S.P. 671, L.D. 1843, Bill, "An Act to Extend Penalty Sanctions to Employee Health Benefit Plans"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 26 MRSA §626-A, as amended by PL 1983, c. 652, §§2 and 3, is further amended to read:

§626-A. Penalties

Whoever violates any of the provisions of sections 621 to 623 or section 626, 628 ~~or~~ 629 shall-be or 629-B is subject to a forfeiture of not less than \$100 nor more than \$500 for each violation.

Any employer shall-be is liable to the employee or employees for the amount of unpaid wages and health benefits. Upon a judgment being rendered in favor of any employee or employees, in any action brought to recover unpaid wages or health benefits under this subchapter, such judgment shall-include includes, in addition to the unpaid wages or health benefits adjudged to be due, a reasonable rate of interest, costs of suit including a reasonable attorney's fee, and an additional amount equal to twice the amount of such unpaid wages as liquidated damages and ~~costs-of-suit-including-a-reasonable-attorney's-fee~~.

The action for unpaid wages or health benefits may be brought by either the affected employee or employees or by the Department of Labor. The Department of Labor is further authorized to supervise the payment of the judgment, collect the

COMMITTEE AMENDMENT

2 judgment on behalf of the employee or employees and collect fines
3 incurred through violation of this subchapter. When the
4 Department of Labor brings an action for unpaid wages or health
5 benefits, this action and an action to collect a civil forfeiture
6 may both be joined in the same proceeding.'

8 Further amend the bill by inserting at the end before the
9 statement of fact the following:

10 **FISCAL NOTE**

12 The additional workload and administrative costs associated
13 with the minimal number of new cases filed in the court system
14 can be absorbed within the budgeted resources of the Judicial
15 Department. The collection of additional fines may increase
16 General Fund revenue by minor amounts.'

18 **STATEMENT OF FACT**

20 This amendment provides for the same penalties as in the
21 original bill except that liquidated damages are not available in
22 actions for unpaid health benefits. The amendment also adds a
23 fiscal note to the bill.
24