

MAINE STATE LEGISLATURE

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M
R. 018.

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L.D. 392

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Date: 5/31/7

(Filing No. H- 391)

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LABOR

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Reproduced and distributed under the direction of the Clerk of the House.

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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123RD LEGISLATURE

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FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 308, L.D. 392, Bill, "An Act To Establish Penalties for Violation of the Severance Pay Law"

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Amend the bill in section 1 in subsection 6-A in the 4th line (page 1, line 7 in L.D.) by inserting after the following: "relocation" the following: 'unless this notice requirement is waived by the director'

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Amend the bill in section 1 in subsection 6-A in the last line (page 1, line 11 in L.D.) by adding after the following: "circumstances." the following: 'A fine imposed pursuant to this subsection may not be collected by the Department of Labor to the extent such collection prevents the violator from making all payments required under subsection 2.'

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Amend the bill in section 2 by striking out all of subsection 9 and inserting in its place the following:

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'9. Penalties. A person that violates subsection 2 commits a civil violation for which a fine of not more than \$1,000 per violation may be adjudged. Each employee affected constitutes a separate violation. Any such fine may not be collected by the Department of Labor to the extent such collection prevents the violator from making all payments required under subsection 2.'

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SUMMARY

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This amendment allows the Director of Labor Standards within the Department of Labor to waive the notice of termination or relocation requirement and provides that fines won't be collected if their payment would prevent the payment of required severance payments to employees. The amendment also specifies the provision to which the penalty provision applies.

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FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



Approved: 05/22/07 *mac*

123rd MAINE LEGISLATURE

LD 392

LR 965(02)

An Act To Establish Penalties for Violation of the Severance Pay Law

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes a new civil violation.

The collection of additional fines may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

Additional costs to the Bureau of Labor Standards within the Department of Labor can be absorbed within existing budgeted resources.