

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 616

H.P. 452

House of Representatives, March 1, 2021

An Act To Increase Accountability for Wage Violations

Received by the Clerk of the House on February 25, 2021. Referred to the Committee on Labor and Housing pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.

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

2 **Sec. 1. 26 MRSA §626-A, first ¶**, as amended by PL 2019, c. 35, §2, is further
3 amended to read:

4 Whoever violates any of the provisions of sections 621-A to 623 or section 626, 628,
5 628-A, 629 or 629-B is subject to a ~~forfeiture~~ fine of not less than \$100 nor more than \$500
6 for each the first violation and a fine of not less than \$500 and not more than \$2,500 for
7 each subsequent violation.

8 **Sec. 2. 26 MRSA §670**, as amended by PL 1965, c. 410, §8, is further amended to
9 read:

10 **§670. Employees' remedies**

11 ~~Any~~ An employer ~~shall be~~ is liable to the employee or employees for the amount of
12 unpaid minimum wages. Upon a judgment being rendered in favor of any employee or
13 employees, in any action brought to recover unpaid wages under this subchapter, such
14 judgment ~~shall~~ must include, in addition to the unpaid wages adjudged to be due, an
15 additional amount equal to twice such wages as liquidated damages, and costs of suit
16 including a reasonable attorney's fee.

17 **Sec. 3. Appropriations and allocations.** The following appropriations and
18 allocations are made.

19 **LABOR, DEPARTMENT OF**

20 **Regulation and Enforcement 0159**

21 Initiative: Provides ongoing funds for 4 Labor and Safety Inspector positions within the
22 wage and hour division of the Bureau of Labor Standards beginning October 1, 2021.

23 GENERAL FUND	2021-22	2022-23
24 POSITIONS - LEGISLATIVE COUNT	4.000	4.000
25 Personal Services	\$257,313	\$359,260
26 All Other	\$26,000	\$26,000
27		
28 GENERAL FUND TOTAL	\$283,313	\$385,260

29 **SUMMARY**

30 This bill amends the law regarding employment practices by increasing the fine for a
31 violation of certain state wage and benefits laws to \$500 for the first violation and at least
32 \$500 but not more than \$2,500 for each subsequent violation. It amends the law regarding
33 employees' remedies to provide that in a judgment for an employee an additional amount
34 of twice the unpaid wages must be awarded the employee. It also provides ongoing funds
35 for 4 Labor and Safety Inspector positions within the Department of Labor, Bureau of
36 Labor Standards, wage and hour division beginning October 1, 2021.