

MAINE STATE LEGISLATURE

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1

L.D. 372

2

Date: 4/12/24

(Filing No. H-966)

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

6

131ST LEGISLATURE

7

SECOND REGULAR SESSION

8

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 179,
9 L.D. 372, "An Act to Increase Enforcement and Accountability for Wage and Hour
10 Violations"

11

Amend the amendment in section 1 in §53 in the first indented paragraph in the 2nd
12 line (page 1, line 18 in amendment) by striking out the following: ", officer, agent or other
13 person" and inserting the following: ', officer, agent or other person'

14

Amend the amendment in section 1 in §53 in the first indented paragraph in the 5th to
15 9th lines (page 1, lines 21 to 25 in amendment) by striking out the following: "In addition,
16 the director may order any employer, officer, agent or other person that the director finds
17 is in violation under chapter 7, subchapters 1 to 4 or section 1312 to pay unpaid wages
18 determined to be due, as well as an additional amount equal to twice the amount of unpaid
19 wages as liquidated damages and a reasonable rate of interest." and inserting the following:
20 'The director may require any employer that the director finds is in violation of section 626-
21 A, 670 or 1312 to pay unpaid wages determined to be due to an employee. The director
22 may order an additional amount equal to the amount of unpaid wages as liquidated damages
23 and a reasonable rate of interest only if the director finds that the violation was willful. To
24 find willfulness, the director must prove by substantial evidence that the employer knew it
25 was in violation of the law or acted with reckless disregard of the law. An employee may
26 not recover the same wages and liquidated damages owed more than once through order of
27 the director or through civil action of the Attorney General.'

28

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
29 section number to read consecutively.

30

SUMMARY

31

This amendment amends Committee Amendment "A" by allowing the Director of
32 Labor Standards within the Department of Labor to require an employer to pay unpaid
33 wages determined to be due to an employee, as well as an additional amount equal to the
34 amount of unpaid wages as liquidated damages and a reasonable rate of interest only if the

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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 179, L.D. 372

1 director finds that the violation was willful. The amendment clarifies that an employee may
2 not recover the same wages and liquidated damages owed more than once.

3 SPONSORED BY: John Morris

4 (Representative MORRIS, J.)

5 TOWN: Turner

FISCAL NOTE REQUIRED
(See attached)



131st MAINE LEGISLATURE

LD 372

LR 2035(05)

An Act to Increase Enforcement and Accountability for Wage and Hour Violations

Fiscal Note for House Amendment 'A' to Committee Amendment "A" (H-966)

Sponsor: Rep. Morris of Turner

Fiscal Note Required: Yes

Fiscal Note

Fiscal Detail and Notes

Additional costs to the Department of Labor, Bureau of Labor Standards to implement the requirements of this legislation can be absorbed within existing budgeted resources.