

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 841

H.P. 530

House of Representatives, February 21, 2023

**An Act to Permit a Short-term Waiver from the Minimum Wage for
Chronically Unemployed Individuals**

Reference to the Committee on Labor and Housing suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative WALKER of Naples.
Cosponsored by Representatives: BRADSTREET of Vassalboro, LANDRY of Farmington.

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

2 **Sec. 1. 26 MRSA §666-A** is enacted to read:

3 **§666-A. Special wage certificates for individuals with chronic unemployment**

4 **1. Chronically unemployed; definition.** As used in this section, "chronically
5 unemployed," with respect to an individual, means that the individual has been unemployed
6 for at least 24 months and is available for full-time employment.

7 **2. Director may issue special certificate to chronically unemployed individual.**
8 Beginning January 1, 2024, the director may issue a special certificate to a chronically
9 unemployed individual authorizing the individual to negotiate with prospective employers
10 terms and conditions of employment, including compensation less than the minimum wage,
11 in accordance with subsection 3.

12 **3. Validity of certificate; employer to pay minimum wage.** A certificate issued
13 under subsection 2 is valid only for the duration of time equal to that of the individual's
14 previous unemployment prior to the individual's beginning employment with an employer
15 under subsection 2. After that time period, if the terms and conditions include compensation
16 less than the minimum wage, the employer shall pay the individual at least the minimum
17 wage as described in section 664.

18 **4. Employee receiving public assistance to maintain eligibility for 12 months.**
19 Notwithstanding any provision of law to the contrary, an individual who has been issued a
20 certificate under subsection 2 may not have that individual's public assistance benefits
21 reduced or discontinued due to the individual's income for at least 12 months following the
22 individual's employment by an employer pursuant to this section.

23 **SUMMARY**

24 This bill allows the Director of Labor Standards within the Department of Labor to
25 issue a special certificate to a chronically unemployed individual authorizing the individual
26 to negotiate with prospective employers terms and conditions of employment, including
27 compensation less than the minimum wage, for the duration of time equal to that of the
28 individual's previous unemployment prior to the individual's beginning employment with
29 an employer.