

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 652

H.P. 1450 - L.D. 1902

AN ACT to Amend the Cessation of Employment
Law.

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

Sec. 1. 26 MRSA §626, as amended by PL 1975, c. 623, §§37-A and 37-B, is further amended by adding at the end a new paragraph to read:

An action for unpaid wages under this section may be brought by the affected employee or employees or by the Department of Labor on behalf of the employee or employees. An employer found in violation of this section shall be liable for the amount of unpaid wages and, in addition, the judgment rendered in favor of the employee or employees shall include a reasonable rate of interest, an additional amount equal to twice the amount of those wages as liquidated damages and costs of suit, including a reasonable attorney's fee.

Sec. 2. 26 MRSA §626-A, first ¶, as enacted by PL 1975, c. 113, §5, is amended to read:

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

Sec. 3. 26 MRSA §626-A, 3rd ¶, as amended by PL 1981, c. 168, §24, is further amended to read:

The ~~suit~~ action for unpaid wages 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 judgment on behalf of the employee or employees and collect fines incurred through violation of this subchapter. When the Department of Labor brings an action for unpaid wages, this action and an action to collect a civil forfeiture may both be joined in the same proceeding.

Sec. 4. 26 MRSA §628, as amended by PL 1965, c. 150, is further amended to read:

§628. Equal pay

No An employer shall not discriminate between employees in the same establishment on the basis of sex, by paying wages to any employee in any occupation in this State at a rate less than the rate at which he pays any employee of the opposite sex for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility. Differentials which are paid pursuant to established seniority systems or merit increase systems, or difference in the shift or time of the day worked, which do not discriminate on the basis of sex, are not within this prohibition. No employer may discharge or discriminate, against any employee by reason of any action taken by such employee to invoke or assist in any manner the enforcement of this section. ~~Any individual, association or corporation who violates this section shall be punished by a fine of not more than \$200-~~

Sec. 5. 26 MRSA §629, last ¶ is repealed.

Effective July 25, 1984.

CHAPTER 653

H.P. 1468 - L.D. 1920

AN ACT to Clarify the Power of the
Supreme Judicial Court to Issue
Rules for Probate Courts.

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

4 MRSA §8, first ¶, as amended by PL 1977, c. 694, §1, is further amended to read:

The Supreme Judicial Court shall have the power to prescribe, by general rules, for the Administrative, Probate, District and Superior Courts of Maine, the forms of process, writs, pleadings and motions, and the practice and procedure in civil actions at law. Said rules shall neither abridge, enlarge nor modify the substantive rights of any litigant. They shall take effect on such date not less than 6 months after their promulgation as the Supreme Judicial Court may fix. After their promulgation the Supreme Judicial Court may repeal, amend, modify or add to them from time to time with or without a waiting pe-